

Amnesty International Group 22 Pasadena/Caltech News

Volume XII Number 2, February 2004

UPCOMING EVENTS

Thursday, February 26, 7:30 PM. *Monthly Meeting* 414 S. Holliston, Caltech Y Lounge. Help us plan future actions on the Patriot Act, Campaign Against Discrimination, death penalty, environmental justice and more.

Tuesday, March 9, 7:30 PM. *Letter-writing Meeting* at the Athenaeum. Corner of California & Hill. This informal gathering is a great for newcomers to get acquainted with Amnesty!

Saturday, March 13, 9:00 AM. – 3:00 PM. *Los Angeles Environmental Education Fair* at the Arboretum in Arcadia.

Sunday, March 21, 6:30 PM. *Rights Readers Human Rights Book Discussion Group.* Vroman's Book Bookstore, 695 E. Colorado Blvd., Pasadena. This month we discuss *Reading Lolita in Tehran*, by Azar Nafisi. (More info below.)

COORDINATOR'S CORNER

Hi all. Hope this finds you warm and dry as it is raining tonight and it has been chilly all week.

Here's some updates on Group 22 activities: Martha Ter Maat helped plan and lead a vigil of witness on Feb 9th, the eve of Kevin Cooper's execution at All Saints Episcopal Church. Just before the vigil, we learned that he had received a stay of execution until additional evidence can be evaluated. We went ahead with the program anyway and used the opportunity to bring attention to Amnesty's current campaign against juvenile executions (see below for an action from the campaign). Group members Martha, Kathy and Robert participated. It was a very moving service. For more info on this case, go to www.savekevincooper.org, or www.deathpenalty.org,

The Environmental Education Fair will be March 13, Saturday, at the LA County Arboretum from 9-3. We need volunteers to help staff the table. It is a fun and interesting event, and lots of families attend. Last year we had an action for the kids to sign re environmentalists in Mexico.

More upcoming events: The Annual General Meeting for 2004 will be held in Brooklyn, New York from April 16 to 18. The deadline to register early is March 13th. The conference title is "Vigilant Justice: Securing Human Rights in Today's World" and the focus is on the AIUSA Campaign Against

Discrimination, the domestic impact of the War on Terror, and the real causes of insecurity in our world-extreme poverty, discrimination, corruption, repression and preventable diseases-as opposed to national security and the war on terror. For more info, go to www.amnestyusa.org/events/agm2004 or call the Western Regional Office at 310-815-0450.

Our next book group meeting is March 21, Sunday, 6:30 PM upstairs at Vroman's Bookstore on Colorado Blvd in Pasadena. We will be reading "Reading Lolita in Tehran" by Azar Nafisi. A 20% discount on the price of the book (now in paper) can be obtained by going to the Will Call window and asking for a discount coupon. I've been wanting to read this since I first saw it in hardcover! It looks really good.

Congratulations to Group 22 member Wen Chen and her husband Daniel Chang on the birth of their baby girl, Sylvia, in August 2003. Hope to see her in person soon!

Coalition for Civil Liberties (CCL) update from Lucas Kamp: The Pasadena City Council's Public Safety Committee will meet on March 1st at 4 PM at City Hall to decide whether to ask the entire Council to vote on a resolution against the USA Patriot Act. Please contact your councilperson. To find out who your councilperson is, go to www.cityofpasadena.org/citycouncil.asp. For more info on CCL, go to www.ccl-foothills.org.

Hope to see you at one of our meetings soon

Take care,

Kathy aigp22@caltech.edu

NORTH KOREA

Urge for Continued Food Aid to North Korea

Express your support for the recent policy shift articulated by the White House on September 4, 2003, indicating that more assistance would be provided to starving North Koreans. Amnesty International believes that food aid should not be conditioned on political considerations. The right to food is a human right as defined in the International Covenant on Economic, Social and Cultural Rights. About 13 million people in North Korea -- over half of the population -- suffer from malnutrition. Aid agencies have estimated that up to two million people have died since the mid-1990s due to hunger.

Background information. Amnesty International's long-standing concerns about human rights violations in North Korea include the use of the death penalty, arbitrary detention, and the near-total suppression of the freedom of expression and movement.

While these concerns are long-standing, in recent years many human rights abuses in North Korea have been

linked directly or indirectly to the famine and acute food shortages that have affected the country since the mid-1990s. These have led to widespread malnutrition among the population and to the movement of hundreds of thousands of people in search of food - some across the border to China. Many have become victims of human rights violations as a result of their search for food and survival.

In this context, Amnesty International supports the recent policy shift articulated by the White House on September 4, 2003, that it will provide more assistance to prevent starvation of North Korean citizens and refrain from withholding aid pending progress on nuclear negotiation. According to a study published last year by the Food and Agricultural Organization, 13 million people in North Korea -- over half of the population -- suffered from malnutrition. Aid agencies have estimated that up to two million people have died since the mid-1990s as a result of acute food shortages caused by natural disasters and economic mismanagement. Several million children suffer from chronic malnutrition, impairing their physical and mental development.

The right to food is enshrined in the Universal Declaration of Human Rights and guaranteed under the International Covenant on Economic, Social and Cultural Rights, to which North Korea is a party.

Sample letter:

The President of the United States:
 The Honorable George W. Bush
 The White House
 1600 Pennsylvania Avenue NW
 Washington, DC 20500

Dear Mr. President:

I am seeking your assurance that food aid to the Democratic People's Republic of Korea (North Korea) will continue without any conditions. I also wish to express my support for recent statements from the White House indicating that sanctions against North Korea will be eased and that more assistance will be made available to starving North Koreans.

North Korea has been suffering from a serious, long-standing famine since the early nineties. Between 1994 and 1998, more than two million North Koreans are reported to have died from hunger, starvation and related diseases. The United Nations International Children's Emergency Fund (UNICEF) has found moderate to severe stunting, wasting, and malnourishment in sixty percent of children in rural areas.

The United Nations reported a significant reduction in malnutrition rates in October 2002 after a joint survey by UNICEF, World Food Programme (WFP), and North Korean institutions. The proportion of underweight children fell from 61 to 21 percent, stunting from 62 to 42 percent. According to the UN Office for the

Coordination of Humanitarian Affairs (OCHA) these figures reveal that humanitarian aid has positively impacted the vulnerable sectors of North Korean society.

According to the WFP and other sources, North Korea is again facing imminent famine. Even without such a catastrophe, food availability is so precarious that stark increases in mortality rates are likely. Given the uncertainties in funding from donor countries in late 2002, UN agencies have reportedly been forced to reduce operations that have fed about a third of the population of North Korea for the past five years. The UN has voiced its concerns that levels of malnutrition are still high and gains made over the last four years could be lost if humanitarian aid to North Korea is further reduced.

I support the US Government decision to continue to provide food assistance to North Korea and to refrain from using food as an instrument of political and economic pressure. Please let me know your views on this issue of great concern.

Sincerely,

LETTER COUNT	
Urgent Action	14
Death Penalty	8
Total	22
Want to add your letters to the total? Get in touch with lwkamp@sbcglobal.net	

DEATH PENALTY

Demand Justice for Nanon Williams, Juvenile

Nanon Williams is on death row in Texas for a murder committed when he was 17 years old. Amnesty International is greatly alarmed by this case, given doubts about Nanon Williams' guilt raised by false ballistics evidence, his inadequate defense representation, and the fact that he was a juvenile at the time of the crime. International law prohibits the use of the death penalty against a person under 18 at the time of the crime. Please urge the Attorney General not to oppose a new trial for Nanon Williams.

Nanon Williams is on death row in the USA for a murder committed when he was 17 years old. His sentence violates international law, which prohibits the imposition of the death penalty against anyone who was under 18 years old at the time of the crime. The USA leads a tiny handful of countries which have executed child offenders since 1990, and accounts for 70 per cent of such executions since 1998. Inside the USA, Texas is the leading perpetrator of this violation, and Harris County is the worst offender inside Texas. Nanon Williams was sent to Texas death row after a Harris County trial.

There are serious doubts about his guilt in the crime for which he was sentenced to die. False ballistics evidence presented by the state - a possible sign of systemic

problems at the Houston Police Department's crime laboratory outlined in this report – went unchallenged by an unprepared defence lawyer. Two of the original trial jurors have suggested that the outcome of the case would have been different if the jury had been provided with the evidence as it is known now. After hearing the post-conviction evidence, a state judge found that it had been the state's prime witness, not Nanon Williams, who had first shot the victim. The judge decided that Nanon Williams should receive a new trial because he had been denied his right to effective assistance of counsel. In 2002, however, the Texas Court of Criminal Appeals rejected her recommendation without clear explanation. Nanon Williams's case has now moved into the federal courts. He does not currently have an execution date.

A mental health expert has said that Nanon Williams suffered from post-traumatic stress disorder as a result of his violent upbringing. The jury was presented with no such expert evidence, and received a limited account of his abusive past and its impact on him. At the same time, the prosecutor made arguments for execution that were not only potentially inflammatory, but also flouted a central principle underlying the international ban on the execution of child offenders, namely a young person's potential for rehabilitation and change.

Amnesty International believes that Nanon Williams should receive a new trial. This time, in accordance with international law, the death penalty should not be an option.

STOP CHILD EXECUTIONS! On 21 January 2004, Amnesty International began a two-year push to end the execution of child offenders in the world by the end of 2006.

The USA is the world's leading perpetrator of this internationally illegal practice, and will therefore be a target for campaigning on this issue over the duration of this two-year action. The US team has issued a number of reports over the years (see back of the Nanon Williams report). The report on Nanon Williams is the latest and will be issued alongside the international report on 21 January 2004. It is hoped that highlighting Nanon Williams' case in this way will be to his benefit, as well as adding to pressure to end this use of the death penalty in Texas and across the USA as a whole.

As Nanon Williams's case is still before the courts, he has no execution date. As a result, he does not currently have a clemency petition pending before the Texas Board of Pardons and Paroles. Clemency from this Board and the Governor will be sought in the event that his appeals fail and he receives an execution date.

1. Letters to the Texas Attorney General

Nanon Williams' conviction and death sentence have emerged intact from the Texas courts. His case now moves into the federal courts. First, it will be before a judge in the US District Court for the Southern District

of Texas, Houston Division. This could be considered to be Nanon's best chance for judicial relief. However, Amnesty International does not organize letter-writing to judges, respecting the independence of the judiciary.

Amnesty International is campaigning for Nanon Williams to receive a new trial. This was the recommendation of the state judge who heard the post-conviction evidence. However, the conservative Texas Court of Criminal Appeals summarily dismissed her recommendation.

As Nanon Williams' lawyers continue to appeal against the conviction and death sentence, the state will oppose their arguments and pursue the execution. Letter-writing should be directed at the Texas Attorney General, making him aware that the authorities are being watched on this case and this issue from around the world, and seeking to persuade the Attorney General not to oppose a new trial.

As the representative for the state in the federal courts, the Attorney General may "confess error", conceding that Nanon Williams' trial was unfair. The Attorney General did this, for example, in a case that was before the US Supreme Court, wherein he asserted that a defendant's sentencing was unfair due to improper testimony by a state expert (see UA 167/02, AMR 51/089/2002, 6 June 2002, on the case of Victor Saldaño).

Nanon Williams' case affords the Attorney General the opportunity to similarly confess error in relation to the unfair ballistics testimony that was introduced by the state's expert and went unchallenged by the defence. It also gives him the opportunity to admit that Nanon Williams' death sentence is illegal under international law binding on the State of Texas.

Please use the above information and that contained in the report as you see fit to write to the Attorney General, in your own words and personal style, using the following as a guide only:

- expressing sympathy for the family and friends of Adonius Collier, and explaining that you are not seeking to excuse the manner of his death or ignore the suffering caused;
- expressing deep concern that Texas is seeking the execution of Nanon Williams in violation of international law, binding on Texas, which prohibits the use of the death penalty against anyone who was under 18 years old at the time of the crime;
- pointing out the damage being done by Texas to its own international reputation and that of the USA as a whole by the state's use of the death penalty against such defendants;
- expressing additional concern that the jury was presented false ballistics evidence by the state's expert;
- calling on the Attorney General to confess error and not to oppose a new trial for Nanon Williams.

Appeals to:

The Honourable Greg Abbott
Attorney General,
Office of the Attorney General
PO Box 12548, Austin
TX 78711-2548, USA

2. Letters to the Harris County District Attorney

Nanon Williams was tried in Harris County. Harris County accounts for more child offenders on death row than any other Texas county. At the time of writing, three prisoners prosecuted in Harris County for crimes committed when they were 17 years old have received execution dates. Edward Capetillo, Efrain Perez, and Raul Villarreal were scheduled to be executed on 30 March, 23 June, and 24 June respectively.

The Harris County authorities need to be told that their record on this issue is shameful. The Harris County District Attorney should be encouraged to join the Texas Attorney General in confessing error on both the juvenile and ballistics points.

Please use the above information and that contained in the report as you see fit to write to the District Attorney, in your own words and personal style, using the following as a guide only:

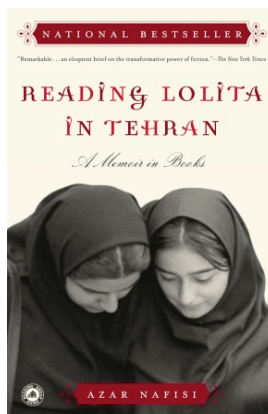
- expressing sympathy for the victims of violent crime and their relatives, and acknowledging the government's duty to investigate crime and bring those responsible to justice;
- expressing deep concern that Harris County has pursued and continues to pursue death sentences against defendants who were under 18 at the time of the crime, in violation of a fundamental principle of international law binding on all jurisdictions in all countries;
- pointing out that, to the international shame of Texas and the USA as a whole, Harris County may be the jurisdiction that is the world's single leading perpetrator of this violation of international law;
- citing the case of Nanon Williams and urging the District Attorney to join with the Texas Attorney General in confessing error on this international legal issue and on the question of the false ballistics evidence presented at the trial.

Charles A. Rosenthal, Jr
District Attorney's Office
1201 Franklin, 6th Floor
Houston, TX 77002, USA

RIGHTS READERS

Human Rights Book Discussion Group
Vroman's Bookstore
695 E. Colorado Boulevard, Pasadena

Sunday, March 21, 6:30 PM



*Reading Lolita in Tehran:
A Memoir in Books*

by Azar Nafisi

For two years before she left Iran in 1997, Nafisi gathered seven young women at her house every Thursday morning to read and discuss forbidden works of Western literature. Some came from conservative and religious families, others were progressive and secular; several had spent time in jail. They were shy and uncomfortable at first, unaccustomed to being asked to speak their minds, but soon they began to open up and to speak more freely, not only about the novels they were reading but also about themselves, their dreams and disappointments. Their stories intertwined with those they were reading—*Pride and Prejudice*, *Washington Square*, *Daisy Miller* and *Lolita*—their *Lolita*, as they imagined her in Tehran.

Nafisi's account flashes back to the early days of the revolution, when she first started teaching at the University of Tehran amid the swirl of protests and demonstrations. In those frenetic days, the students took control of the university, expelled faculty members and purged the curriculum.

Azar Nafisi's luminous tale offers a fascinating portrait of the Iran-Iraq war viewed from Tehran and gives us a rare glimpse, from the inside, of women's lives in revolutionary Iran. It is a work of great passion and poetic beauty, written with a startlingly original voice.

DISCRIMINATION CAMPAIGN

Support "End Racial Profiling Act"

Amnesty International supports "End Racial Profiling Act of 2004" (ERPA) to be introduced February 26. Racial profiling is not only a violation of the basic tenets of the U.S. Constitution and international human rights law and treaties, it has also proven to be an ineffective method of law enforcement. ERPA offers critical protection from police profiling based on race, religion, national origin and ethnicity. Championed by Congressman Conyers in the House and Senator Feingold in the Senate, ERPA will prohibit racial profiling in law enforcement at the federal,

state and local level; monitor law enforcement tactics; and provide a mechanism to receive and contend with complaints of racial profiling.

Representative _____
United States House of Representatives
Washington, DC 20515

Dear Representative _____:

I strongly support the "End Racial Profiling Act of 2004", also known as ERPA, soon to be introduced by Congressman Conyers, and I urge you to become an original cosponsor of the bill. The use of racial profiling in law enforcement is an onerous practice that violates people's civil liberties and human rights, and is an unreliable and ineffective tool for law enforcement.

Building on Department of Justice 2003 guidelines and the initiatives of at least two dozen states, ERPA would institute a general prohibition on profiling based on race, religion, ethnicity or national origin by federal, state or local law enforcement. It would create a process by which law enforcement can receive, investigate and respond to complaints of racial profiling and also would call on the Attorney General to submit yearly reports to Congress to monitor progress.

Although historically used to target the African American, Native American and Hispanic/Latino American community, increasingly since September 11, 2001 law enforcement has used racial profiling to target Arab American, Muslim American, and South Asian American communities. Under the U.S. Constitution and international treaties, every person has the fundamental right to equal protection under the law regardless of race, ethnicity, religion, or national origin. ERPA is an important step in ensuring that all people are actually able to enjoy that right in their daily lives. Thank you for your attention to this matter, and I look forward to your response.

Sincerely,

BACKGROUND.

Amnesty International urges the United States Senate and House of Representatives to support the "End Racial Profiling Act of 2004." This bill is critical to protecting fundamental rights guaranteed to citizens and non-citizens under the U.S. Constitution and international human rights laws and treaties.

According to the U.S. Constitution and international treaties and law, every person has the fundamental right to equal protection under the law regardless of race, ethnicity, religion, or national origin. Racial profiling is an insidious violation of human rights that can affect people in both public and private places – in their homes

or at work, or while driving, flying or walking. Racial profiling by law enforcement instills fear and distrust among members of targeted communities, making them less likely to cooperate with criminal investigations or to seek police protection when victimized. Multiple studies have shown that when police focus on race, even as one of several predictive factors, they tend to pay less attention to actual criminal behavior. This is a dangerous trend that can inhibit effective law enforcement and ultimately can endanger the lives of all persons who depends on law enforcement for protection.

Historically, racial profiling in the United States has been viewed as an issue that primarily affects African American, Native American and Latino/Hispanic communities. However, since September 11, 2001, some aspects of law enforcement have led to much more wide spread racial profiling, affecting Arab American, Muslim American, and South Asian American communities, as well as members of other communities perceived to originate from the Middle East. Targeting people for investigation based on arbitrary factors such as their race, religion, ethnicity or national origin is not only an ineffective investigation tactic, it is profoundly unjust.

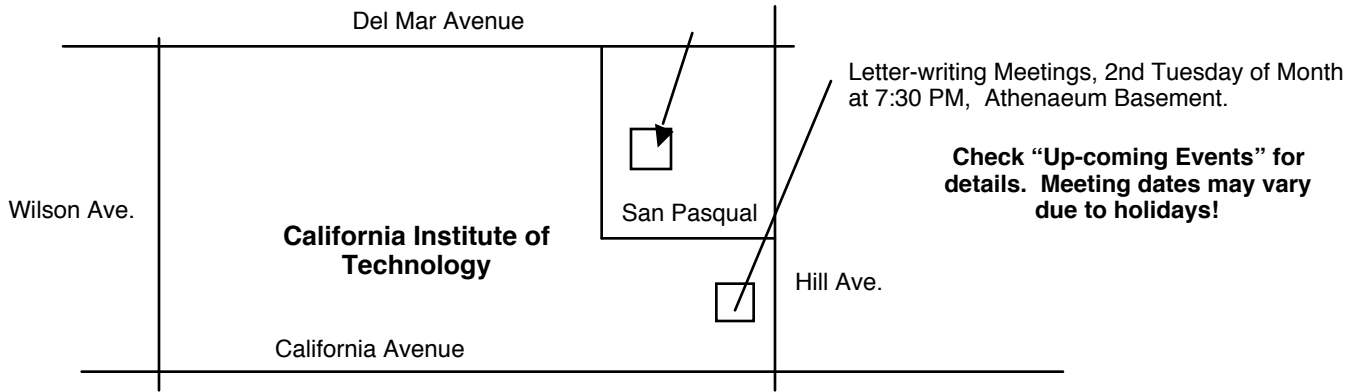
The End Racial Profiling Act of 2004 would:

- Prohibit the use of racial profiling based on race, religion, ethnicity or national origin;
- Institute programs to eliminate racial profiling in local, state and federal law enforcement by general prohibition, monitoring tactics, establishing procedures for receiving, investigating and responding to complaints and create procedures to discipline agents who engage in racial profiling;
- Allow the Attorney General to withhold grants from law enforcement agencies not complying with the Act and to provide grants to agencies to encourage compliance with the Act;
- Mandate that the Attorney General submit an annual report to Congress on racial profiling by federal, state and local law enforcement.

AIUSA RECOMMENDATIONS:

- Congress should pass the End Racial Profiling Act of 2004.
- Congress should urge law enforcement agencies to protect fundamental civil and human rights enumerated in the US Constitution and in international laws and treaties, especially when investigating crimes.
- Congress should urge law enforcement agencies to hold accountable officers who deny equal protection under the law to individuals by engaging in racial profiling.

Monthly Meetings, 4th Thursday of Month, 7:30 PM,
Caltech Y Lounge, 414 S. Holliston.



From the 210 exit on Lake Avenue, head south, turn left on Del Mar
From the 110 continue on Arroyo Parkway north, turn right on California
Street parking is generally available.

**Amnesty International Group 22
P.O. Box 50193
Pasadena, CA 91115-0193**



Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.