

UPCOMING EVENTS

Thursday, February 22, 7:30 PM. *Monthly Meeting* Caltech Y is located off San Pasqual between Hill and Holliston, south side. You will see two curving walls forming a gate to a path-- our building is just beyond. Help us plan future actions on Sudan, the War on Terror, death penalty and more.

Saturday, March 10, 11:00 AM. *Film Screening.* Laemmle's One Colorado Theatre, 42 Miller Alley, Old Pasadena. Amnesty International USA's Western Region & Stop Violence Against Women Coordinator Sakinah Kahn are pleased to support: A screening of "View from a Grain of Sand" followed by Q & A with filmmaker Meena Nanji. Tickets: \$10.

Combining vérité footage, interviews and archival material, filmmaker Meena Nanji has fashioned a harrowing, yet intimate portrait of the plight of Afghan women in the last 30 years from the rule of King Mohammed Zahir Shah to the current government to the activist work of RAWA, the Revolutionary Association of the Women of Afghanistan. Over a period of five years, she spent months in a refugee camp in Pakistan, where she documented the efforts of three women to rebuild their lives and help others: Shapire, a teacher; Roeena, a physician; and Wajeaha, an activist.

Seating is limited. Please call 323-632-5558 for tickets. Crafts from RAWA's Income Generation Project will be on sale at the event. All proceeds will benefit RAWA's vital social programs. For more info call (323) 632-5558 or email rawasupporterssouthcal@hotmail.com.

Tuesday, March 13, 7:30 PM. *Letter-writing Meeting* at the Athenaeum. Corner of California & Hill. We meet downstairs in the cafeteria. This informal gathering is a great way for newcomers to get acquainted with Amnesty!

Sunday, March 18, 6:30 PM. *Rights Readers Human Rights Book Discussion Group.* Vroman's Book Bookstore, 695 E. Colorado Blvd., Pasadena. This month we read the late Anna Politkovskaya's last book, *Putin's Russia* (More below.)

March 21 & 22, Conference, Loyola Marymount University, Los Angeles. Join the Aliados con Amnesty Network in a conference to Stop Violence Against Women in Guatemala. MuJER and Loyola Marymount University will be hosting an international conference in Los Angeles, on the violent murders of women in Guatemala which has surpassed 2,500 since 2001. The conference will create a safe space to lecture and debate femicide, its theories, the culture of violence behind this issue, and actions to investigate, prevent and stop the violent murders of women in this country. For more info please visit: www.stopfemicide.com.

COORDINATOR'S CORNER

Hello everyone! This is Joyce, substituting for our co-coordinator Kathy, who usually writes this column. Kathy has embarked on a Masters program in School Nurse Education that will occupy all her weekends and her summer break. We wish her the very best success, but we'll miss her column. Various Group 22 members will be taking turns to write the column, and this month you're stuck with me.

On Sunday, Jan. 28, some of us from Group 22 went to see the film "God Grew Tired of Us." This documentary follows three of the Lost Boys of Sudan as they start new lives in the USA. The film is warm with flashes of humor as the youths cope with alien American gadgets and food and culture. It's inspiring to watch them grow into thoughtful, dignified young men who are eager to help their people back in Africa. John Dau, in particular, was most impressive. After the film, we enjoyed a pleasant discussion and equally pleasant beers at Gordon Biersch. Thanks to Marie-Helene and Lucas for organizing another enjoyable film night.

Unfortunately this film didn't get any Academy Award nominations, but two films that our group attended last year did receive nominations: Last King of Scotland for Best Actor and "Water" for Best Foreign Language Film. ("Water" was the terribly touching story of child widows in India, set in 1938, but the widow houses still exist today.) "Blood Diamond" is another award nominee that's related to Amnesty concerns. And don't forget the nominations for "Inconvenient Truth" and "Letters from Iwo Jima." Dare we hope there's a trend here? In future, watch for "Bordertown" with Jennifer Lopez, about the Juarez murders -- no US release date yet.

Usually around this time of year I'd be getting ready for Group 22's participation in the Los Angeles Environmental Education Fair at the Arboretum. Veronica arranged our first exhibit there in 2000, and with Martha's help it's been a really successful and fun event for us every year since. But alas, no longer! The LAEEF steering committee has made major changes this year. They are inviting only "environmentally based organizations" and they feel that we do not fit their new 2007 qualifications for the Fair. It's disappointing. However, we still plan to be in the Pasadena Earth Day event on April 21 -- save the date.

Happy Year of the Boar! (sounds better than Pig?) And remember to celebrate Women's Day March 8 (see Upcoming Events and the SVAW below for suggestions!)

Joyce

aigp22@caltech.edu

CHINA/TIBET

Tibetan Refugees Fear for Safety at Border

A group of Tibetans who were detained in September 2006, when they were trying to flee from China to Nepal were tortured in custody. According to members of the group who were released, the older teenagers and adults were beaten with rubber batons and electric-shock prods. The younger children were not beaten, but were interrogated. It is not clear if all those who were detained have been released or if some still remain in custody.

On 30 September 2006 a group of approximately 70 unarmed Tibetans who were trying to flee China were shot at by the Chinese border control troops at Nangpa pass in the Himalayas. The Nangpa pass is a commonly used escape route for those fleeing China to Nepal. The shooting was witnessed by an international group of mountaineers who videotaped one person, a 17 year old nun Kelsang Namtso, die at the scene and two others fall.

At least 25 members of the group, 10 of whom were children, were taken into custody while the rest managed to escape to Nepal. According to one of the detainees who later managed to flee from Tibet, those detained were first taken to a detention centre in Dingri but were transferred to Shigatse after a few days. Altogether they were kept in custody for periods ranging from several days to several months, and some may still remain in custody. Parents of the children were allowed to collect them from detention for a fee between 100 yuan (US\$12) and 500 yuan (US\$60). In Shigatse, the younger children were assigned to do cleaning work and the older teenagers and adults were assigned to construction work.

Following international pressure, the Chinese authorities admitted that one person had died at the shooting, and that two others, one of whom later died from "lack of oxygen" were taken to a local hospital for medical treatment.

It is believed that one of them is a young Tibetan boy named Kamsang Namgyal. The authorities claimed that the troops had shot at the group in self-defense and that this is part of "normal border management." At the time of the shooting there were reports of up to six further casualties but these reports remain unconfirmed.

Background information. Freedom of religion, expression and association continue to be severely restricted in Tibet, and as result many are imprisoned for peacefully exercising their basic human rights. As elsewhere in China, arbitrary detentions, unfair trials and torture and ill-treatment remain commonplace. According to the ICT, between 2,000 and 3,000 Tibetans flee China every year via Nepal to India. About a third of them are children who are sent to Tibetan schools in India, while many others are monks and nuns seeking religious education. Tibetans fleeing China have been shot at by both the Chinese and Nepalese military personnel before, but this

is the most severe incident that has come to public attention in recent years.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- calling for an official investigation into the allegations of torture, with a view of bringing those found responsible to justice;
- calling on the authorities to clarify whether all those detained at Nangpa pass on 30 September 2006 have been released; to clarify the names, whereabouts and legal status of those who may remain in detention;
- calling upon the authorities to release those who may still be detained immediately and unconditionally; unless they are charged with a recognizably criminal offence;
- condemning the reported shooting of civilians by Chinese border control personnel;
- urging the authorities to confirm the identity of those who died or were injured in the shooting, and adequately compensate the victims or their families.

APPEALS TO:

Prime Minister of the People's Republic of China:

WEN Jiabao Guojia Zongli

The State Council

9 Xihuangcheng Genbeijie

Xuanwuqu

Beijingshi 100032, People's Republic of China

Email: gazette@mail.gov.cn

Minister of Public Security of the People's Republic of China:

ZHOU Yongkang Buzhang

Gong'anbu

14 Dongchang'anjie

Dongchengqu

Beijingshi 100741, People's Republic of China

Chairman of the Tibet Autonomous Regional People's Government:

Jampa PHUNTSOG Zhuren

Xizang Zizhiqu Renmin Zhengfu

1 Kang'angdonglu

Lasashi 850000

Xizang Zizhiqu, People's Republic of China

COPIES TO:

Ambassador Wen Zhong Zhou

Embassy of the People's Republic of China

2300 Connecticut Ave. NW

Washington DC 20008

Email: chinaembassy_us@fmprc.gov.cn

ERITREA

Death of Fessahaye Yohannes in Custody

On February 15 Amnesty International released a public statement, "Eritrea: Prominent journalist reported dead in secret prison." (The statement is available at

<http://www.amnestyusa.org/countries/eritrea>.) The journalist is Fessahaye Yohannes (known as "Joshua"), who was arrested in September 2001 along with other journalists and former government ministers, including Group 22's adopted prisoner of conscience, Estifanos Seyoum. These detainees were held incommunicado without charge or trial since their arrest. AI considers them to be prisoners of conscience, since they had neither used nor advocated violence in the expression of their political opinions.

Group 22 began working in behalf of Estifanos Seyoum in the spring of 2006. However, Amnesty International has now closed the case files of all the individual Eritrean POCs and replaced them with a new thematic action file, Political Repression in Eritrea. Part of the motivation for the restructuring of the Eritrea casework were unconfirmed reports circulating on the Internet concerning the deaths of several of the detained journalists. Because Eritrea is closed to human rights investigators, AI cannot confirm these reports by direct evidence, but evidently has now assessed their credibility to be high enough to issue a public statement.

The case of Fessahaye Joshua Yohannes was one of those featured in the new Eritrea action file. The AI Casework office suggested that local groups who do not wish to abandon their adopted POC could link their POC with one of the featured cases in the new action file. So Group 22 will continue to mention Estifanos as we work on the new thematic file.

Here is a sample letter for this month that you can copy or use as a guide. Postage to Eritrea is 84 cents.

His Excellency
 Issayas Afewerki
 Office of the President
 PO Box 257
 Asmara, Eritrea

Your Excellency,

I read with dismay and deep sadness the public statement issued by Amnesty International regarding the reported death of Eritrean journalist Fessahaye Yohannes.

I join the members of Amnesty International in urgently calling upon you to do the following:

Establish an impartial and independent judicial inquiry to investigate the reported death of Fessahaye "Joshua" Yohannes and that of other co-detainees who have also allegedly died, and to authorize this inquiry to visit the Eiraeiro prison;

State publicly what has happened to Fessahaye Johannes and Estifanos Seyoum and other detainees who were arrested in September 2001;

If any detainees are dead, return their bodies to their families for burial, and bring to justice those responsible for any criminal actions or negligence resulting in their deaths;

If the detainees are alive, release them immediately and unconditionally, as prisoners of conscience who have neither used nor advocated violence.

Thank you for your attention to these urgent matters.

[Your name and address]

RIGHTS READERS

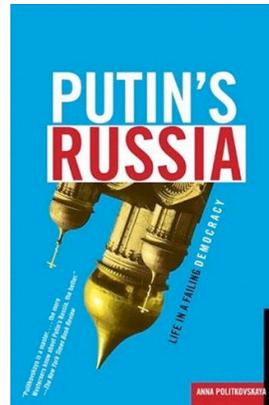
Human Rights Book Discussion Group

Keep up with Rights Readers at
<http://rightsreaders.blogspot.com>

Sunday, March 18, 6:30 PM

Vroman's Bookstore
 695 E. Colorado Boulevard in
 Pasadena

Putin's Russia
 by Anna Politkovskaya



Putin's Russia depicts a far-reaching state of decay. Politkovskaya describes an army in which soldiers die from malnutrition, parents must pay bribes to recover their dead sons' bodies, and conscripts are even hired out as slaves. She exposes rampant corruption in business, government, and the judiciary, where everything from store permits to bus routes to court appointments is for sale. And she offers a scathing condemnation of the ongoing war in Chechnya, where kidnappings, extrajudicial killings, rape, and torture are begetting terrorism rather than fighting it.

LETTER COUNT

Eritrea	8
Urgent Actions	25
Total:	33
To add your letters to the total contact lwkamp@sbcglobal.net	

DEATH PENALTY

Texas man faces execution on weak evidence

Donald Miller is scheduled to be executed in Texas on 27 February 2007. He was sentenced to death in 1982 for the murder of Michael Mazingo earlier that year. Donald Miller was 19 years old at the time of the crime. He has been on death row for nearly 25 years.

Michael Mazingo and another man, Kenneth Whitt, were robbed and shot dead on 2 February 1982. Three men were charged with the crime: Eddie Segura, Danny Woods and Donald Miller.

Before Donald Miller's trial, Eddie Segura pleaded guilty to aggravated robbery and became a key witness against Donald Miller. Segura was sentenced after Miller's trial, to 25 years in prison. Before Miller's trial, Danny Woods, who admitted to shooting Kenneth Whitt, pleaded guilty to murder and was sentenced to life imprisonment.

Woods did not testify at Miller's trial. Donald Miller, according to his trial attorney (now deceased), faced a death penalty trial after he refused a plea bargain of a life sentence in return for a guilty plea.

Following an evidentiary hearing in 2002, a federal district court judge ruled in 2004 that the prosecution had withheld exculpatory evidence at Donald Miller's trial, in violation of the US Supreme Court's 1963 ruling, *Brady v. Maryland*. The federal judge found that the withheld evidence was material to the question of sentencing: that is, the sentence might have been different if the evidence had not been suppressed.

The evidence in question related to statements made by witnesses prior to the trial. The federal judge noted that pre-trial statements made by Ray McCall, who was the brother of Eddie Segura's then-girlfriend, were inconsistent with his trial testimony against Miller and could have been used by the defense to undermine McCall's credibility. At the 2002 evidentiary hearing, Miller's trial lawyer had described McCall's testimony as "the most devastating testimony in the whole trial" in that it depicted Donald Miller as a cold-blooded and remorseless killer. The federal judge also noted inconsistencies in the statements of another witness, Archie Morris, who was Ray McCall's grandfather. Prior to the trial, Morris had told investigators that he only owned a .22 caliber handgun and had not given it to Donald Miller. At the trial, however, he testified that on the day of the crime Miller had borrowed from him the .38 caliber gun used in the shooting.

In addition, the state suppressed affidavits from four people who did not testify at the trial. Robert White, for example, stated that Danny Woods had told him that after one of the victims had been killed with a shotgun, "either Danny or the guy with Danny then reached down into his boot and pulled a .38 pistol and shot the other guy when he started to run". Miller's appeal lawyers have argued that this was important because it was established at trial that Miller was not wearing boots at the time of the murders. White's affidavit also states that the day after the murders, Woods had denied that Miller was involved. The federal judge found that the affidavits indicated that Woods may have killed both victims and that Segura was armed at the time.

On appeal to the US Court of Appeals to the Fifth Circuit, the state argued that District Court's decision was wrong, and Miller's appeal lawyers countered that the suppressed evidence not only went to the question of the reliability of the sentence, but also to the question of Miller's guilt. The Fifth Circuit panel rejected Miller's arguments about guilt and overturned the District Court's ruling on sentencing. One of the three judges dissented, arguing that "the various pieces of evidence, taken together, could have raised a reasonable doubt in a juror" when deciding whether to vote for a death sentence. On McCall's testimony, the dissenting judge noted that although McCall was "generally impeached on cross-examination as a dishonest criminal who was not always truthful with

the police during the investigation", there "is a significant difference between evidence that a witness is generally not truthful and specific evidence that he gave inconsistent statements with respect to the subject of his crucial testimony....The defence was not able to cross-examine McCall about his [pre-trial] statements..." The judge said that McCall provided "important corroboration of Segura's account of the crime, which portrayed Miller as a leader in the killings, so weakening his testimony could have cast doubt on whether Miller planned the killings and was an actual shooter".

Similarly, Archie Morris' testimony had provided "critical corroboration...linking Miller to one of the murder weapons" and yet the credibility of his testimony had gone unchallenged at the trial.

In Texas, a jury can only pass a death sentence if it unanimously agrees that the defendant would likely commit future criminal acts of violence if allowed to live, even in prison (the "future dangerousness" question). The dissenting Fifth Circuit judge noted that undermining the prosecution's portrayal of Donald Miller as ringleader and gunman in the crime could have affected the jury's finding that he posed a future danger.

A study published by the Texas Defender Service in 2004 concluded that predictions of "future dangerousness" in the Texas death penalty system were wrong in a majority of cases, and that "basing capital sentencing decisions on predictions of future dangerousness is unjustifiable – and not only because a system that so allots punishment in effect punishes defendants for offences they may or may not commit, thus violating the fundamental legal principle that the accused is innocent until proven guilty." During his nearly 25 years on death row, Donald Miller is reported never to have been disciplined for violent or aggressive behaviour towards other inmates, guards, or anyone else. He was reportedly once accused of assaulting a guard, but was cleared of this by the prison system.

In 1995, a US Supreme Court Justice wrote that executing a prisoner who had been on death row for 17 years – eight years less than Donald Miller has suffered – arguably negated any deterrent or retributive justification for the punishment. In 2002, in the case of an inmate who had been on death row for about 27 years, another Justice wrote of this "extraordinarily long confinement under sentence of death, a confinement that extends from late youth to later middle age." If executed, the Justice stated, the prisoner would have been "punished both by death and also by more than a generation spent in death row's twilight. It is fairly asked whether such punishment is both unusual and cruel", in violation of the US Constitution.

Since the USA resumed judicial killing in 1977, there have been 1,062 executions, of which 383 (36 per cent) have been carried out in Texas. Texas has executed nearly four times as many people as the next leading death penalty state, Virginia. Although there are signs that the USA is slowly turning against capital punishment, the rate of

judicial killing in Texas remains high. In 2006, Texas carried out 24 executions, five times as many as the next highest state total. Four of the five executions in the USA so far in 2007 have been carried out in Texas. Governor Perry's governorship of Texas has seen 144 executions in the state (since 2001). There were 152 executions in Texas during the five-year term of his predecessor, George W. Bush.

RECOMMENDED ACTION: Please send appeals:

- expressing sympathy for the family and friends of Michael Mozingo and Kenneth Whitt, stating that you are neither seeking to condone the manner of their deaths in 1982 nor to downplay the suffering caused;
- opposing the execution of Donald Miller for the murder of Michael Mozingo;
- expressing concern that the prosecution suppressed evidence at his trial, and noting that two federal judges have concluded that the evidence could have made a difference to the sentencing outcome;
- noting that despite doubts about whether Donald Miller was the ringleader in the crime, as the prosecution depicted, he would be the only defendant to be executed, raising questions of arbitrariness;
- noting that the jury's determination that Donald Miller would be a future danger to society, even in prison, has not been borne out by his past 25 years on death row;
- calling on the Governor to stop this execution and do all in his power to bring about clemency.

APPEALS TO:

Governor Rick Perry
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428, USA

STOP VIOLENCE AGAINST WOMEN *Urge Congress to support Guatemala resolution*

As our Women's Day action we encourage you to support the following action:

Sample Letter:

The Honorable Adam Schiff
United States House of Representatives
326 Cannon House Office Building
Washington, DC 20515-

Dear Representative Schiff:

I urge you to sign on to House Resolution 100 reintroduced on January 24, 2007 by Representative Solis (D-CA), and cosponsored by Representatives Burton (R-IN) Lee (D-CA), Lantos (D-CA), and Engel (D-NY). The resolution expresses the sympathy of the House of Representatives to the families of women and girls murdered in Guatemala and encourages the Government of Guatemala to bring an end to these crimes. This resolution builds upon past Congressional support for this issue; in May 2006, 117 Members of Congress signed a

letter asking the State Department to intervene to help end the violence.

More than 2,500 women and girls have been brutally murdered in Guatemala since 2001. Many of the killings are preceded by abduction, sexual assault or brutal mutilation. The lack of thorough and impartial investigations into these and other violent crimes against women is unacceptable. According to Amnesty International, as of June 2006, only two convictions had taken place in over six hundred cases of women reported murdered in 2005.

The Guatemalan government committed specifically to protecting the lives of women in 1995 when it ratified the Convention of Belém do Pará (The Inter-American Convention for the Prevention, Punishment, and Eradication of Violence against Women) and the UN Convention to Eliminate all forms of Discrimination Against Women (CEDAW). Yet violence against women in the family and sexual harassment have not been criminalized. The office of the Guatemalan Special Prosecutor for Crimes Against Women receives approximately 800 reports of domestic violence per month, with some of those cases ending in murder. If Guatemalan law provided for prison sentences in cases of domestic violence, such murders could be prevented.

I strongly urge you to sponsor House Resolution 100 and help put an end to violence against women in Guatemala. Thank you for your attention to this important matter.

Sincerely,

Your NAME and ADDRESS

ANNUAL GENERAL MEETING *Ordinary People, Extraordinary Change*

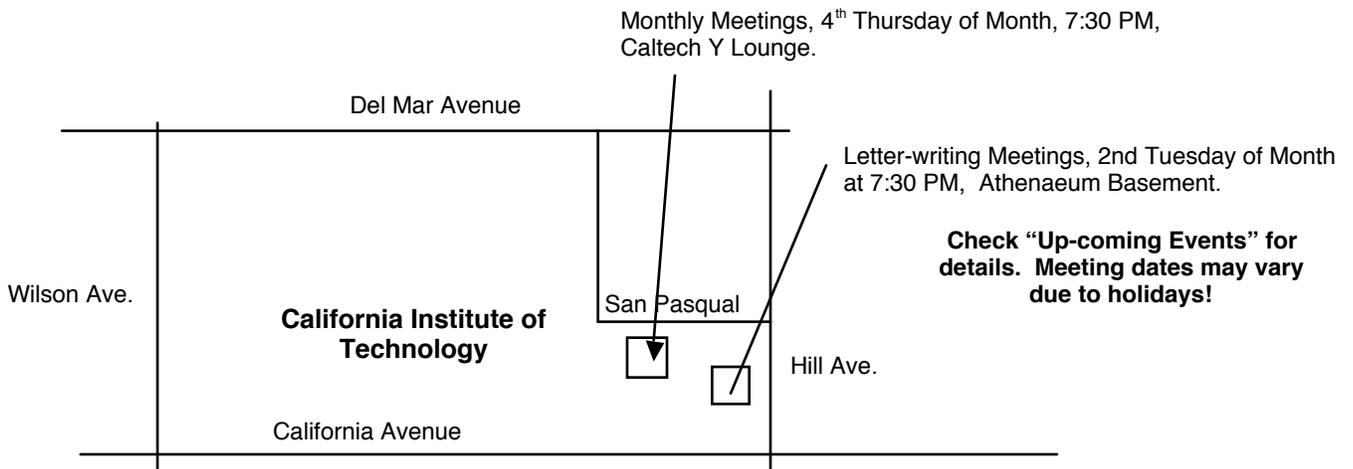
Despite milestone victories last year, violence against women remains a world scourge. The United States government continues to condone torture in the war on terror. Individuals around the world are at risk of human rights abuses. Meeting these and other challenges takes extraordinary effort. And it's up to activists to make change.

You are cordially invited to participate in the 2007 Annual General Meeting (AGM) March 23 - March 25, 2007 in Milwaukee, Wisconsin.

The AGM is Amnesty International USA's annual national conference for ALL members and activists to join, meet, learn, discuss and create extraordinary change! With renowned speakers, inspirational programming, and opportunities to connect with others, you won't want to miss the 2007 AGM.

A tentative program including workshops and panel discussions can be found here: <http://www.amnestyusa.org/events/agm/tentativeschedule.html>

Details regarding registration and accommodations can be found at <http://www.amnestyusa.org/events/agm/>



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.