

HUMAN RIGHTS

Newsletter of
the Salisbury
Group of
Amnesty
International

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Amnesty International

Salisbury Group

‘Gagging law’ passes key stage

Most people, if asked about politics today, would say that one of the problems in the UK is the issue of transparency. We would like to know more about who was influencing whom and about the meetings Ministers and others have with lobbying organisations. Recent stories about sugar in our diet and the packaging of tobacco products has revealed disquieting behind the scenes influence by commercial organisations.

Ministers need to meet a range of organisations, including commercial ones, to ensure that they are aware of the background to whatever problem they are concerned with. So proposals to ban lobbying are unrealistic and unworkable. But reporting on what lobbying has taken place with whom and what was said is possible, and is consistent with any policy claiming to be transparent. Campaigning organisations would be made aware of the lobbying by a commercial firm for example and be able to put their point of view before it was too late.

The political risks of lobbying has been recognised by David Cameron the Prime Minister who said ‘there was far too close a relationship between politics, government, business and money’ and a scandal waiting to happen.

All the more surprising therefore that the Transparency of Lobbying, Non Party Campaigning and Trade Union Administration Bill fails to tackle this very problem. Known as the ‘gagging law’ it will in fact seriously curtail a range of charitable organisations from campaigning during the run up to an election. On the other hand it will not curb the activities of commercial organisations. You could not — as the saying goes — make it up. The bill passed the Lords stage last month so is likely to become law soon and will take effect in September.

It will curtail all kinds of charitable organisations — including Amnesty — from campaigning. Perversely, lobbying by the alcohol industry to set a minimum price for alcohol is not covered by the provisions. The bill has however, had one positive effect and that is to bring together a diverse range of organisations in opposition to it. It really is an achievement to unite around 100 organisations against the government’s bill.

The government has made some concessions and while the concessions were welcomed, more than 75 charities including Oxfam, the Countryside Alliance, Amnesty International, the Salvation Army and the National Federation of Women’s Institutes, have since launched a new petition demanding more changes to prevent the bill having a “chilling effect” on their ability to campaign.

Along with proposals to scrap the Human Rights Act, the ‘gagging law’ creates the impression of a government not overly keen on dissent while at the same time allowing commercial lobbyists free and unfettered access.



Members of the Farrant Singers who go carol singing each year in aid of Amnesty. Photo: Peter Curbishley

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A pdf version is available on our web blog at amnesty.org.uk/Salisbury where there is facility to comment if you wish.

Comments can be sent to: Welland, Jubilee Hill, Great Durnford, SP4 6AX or email to welland2@btinternet.com

Joining. Write to the membership secretary at 62 Hamilton Road, Salisbury, SP1 3TQ

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North Korea

Defector calls on Dennis Rodman to make Kim Jong-un "hear the cries of his people".

Over the Christmas period you may have seen or read the bizarre story of an ageing former NBA star, Dennis Rodman and his American teammates, who travelled to North Korea to prepare for and play in "the Big Bang in Pyongyang" a basketball match commemorating Kim Jong-un's birthday. The ex-stars confused attempt at "cultural exchange and understanding" was met with universal, global derision.

Only days before his departure an open letter was published in the Washington Post by Shin Dong-hyuk, a human rights activist and the only person born in a North Korean labour camp known to have escaped to the West. It was an impassioned plea asking Mr. Rodman to use his influence with Kim Jong-un to make him "hear the cries of his people."

We felt Shin Dong-hyuk's letter so eloquently described the horrendous situation in North Korea that it warranted being reproduced in full. So please continue reading and next time you see Amnesty in Salisbury Market campaigning for human rights in North Korea come and talk to us, sign our petitions and add your voice to the growing number of people world wide urging Kim Jong-un to "hear the cries of his people."



Dear Mr. Rodman,

I have never met you, and until you visited North Korea in February I had never heard of you. Now I know very well that you are a famous, retired American basketball player with many tattoos. I also understand that you are returning this week to North Korea to coach basketball and perhaps visit for the third time with the country's dictator, Kim Jong Un, who has become your friend.

I want to tell you about myself. I was born in 1982 in Camp 14, a political prison in the mountains of North Korea. For more than 50 years, Kim Jong Un, his father and his grandfather have used prisons such as Camp 14 to punish, starve and work to death people who the regime decides are a threat. Prisoners are sent to places like Camp 14 without trial and in secret. A prisoner's "crime" can be his relation by blood to someone the regime believes is a wrongdoer or wrong-thinker. My crime was to be born as the son of a man whose brother fled to South Korea in the 1950s.

You can see satellite pictures of Camp 14 and four other labor camps on your smartphone. At this very moment, people are starving in these camps. Others are being beaten, and someone soon will be publicly executed as a lesson to other prisoners to work hard and obey the rules. I grew up watching these executions, including the hanging of my mother.

On orders of the guards in Camp 14, inmates are forced to marry and create children to be raised by guards to be disposable slaves. Until I escaped in 2005, I was one of those slaves. My body is covered with scars from torture I endured in the camp.

Mr. Rodman, if you want to know more about me, I will send you a book about my life, "Escape From Camp 14." Along with the stories of many other camp survivors, my story helped persuade the United Nations to create a commission of inquiry that is now investigating human rights atrocities in my country. I was "witness number one." In the coming year, the commission's findings may force the U.N. Security Council to decide whether to approve a trial in the International Criminal Court of the Kim family and other North Korean officials for crimes against humanity.

I happen to be about the same age as your friend Kim Jong Un. But if you ask him about me, he is likely to refer to me as “human scum.” That is how his state-controlled press refers to me and all other North Koreans who have risked death by fleeing the country. Your friend probably also will deny that Camp 14 exists, which is the official position of his government. If he does, you can show him pictures of it on your phone.

Mr. Rodman, I cannot presume to tell you to cancel your trip to North Korea. It is your right as an American to travel wherever you wish and to say whatever you want. It is your right to drink fancy wines and enjoy yourself in luxurious parties, as you reportedly did in your previous trips to Pyongyang. But as you have a fun time with the dictator, please try to think about what he and his family have done and continue to do. Just last week, Kim Jong Un ordered the execution of his uncle. Recent satellite pictures show that some of the North’s labor camps, including Camp 14, may be expanding. The U.N. World Food Programme says four out of five North Koreans are hungry. Severe malnutrition has stunted and cognitively impaired hundreds of thousands of children. Young North Korean women fleeing the country in search of food are often sold into human-trafficking rings in China and beyond.

I am writing to you, Mr. Rodman, because, more than anything else, I want Kim Jong Un to hear the cries of his people. Maybe you could use your friendship and your time together to help him understand that he has the power to close the camps and rebuild the country’s economy so everyone can afford to eat. No dictatorship lasts forever. Freedom will come to North Korea someday. When it does, my wish is that you will have, in some way, helped bring about change. I end this letter in the hope that you can use your friendship with the dictator to be a friend to the North Korean people.

From the Washington Post 18 December 2013

Escape from Camp 14 is published by Penguin

Death penalty

Lack of space means we do not have room for a full death penalty report but this can be found on our website. Instead we want to highlight the case of Herbert Smulls in Missouri USA who was executed using pentobarbital in January. Smulls was convicted of a violent robbery in a jewellery shop in 1991 killing the jeweller and badly injured his wife who feigned death to survive.

What is significant in this case is that it highlights the increasing reluctance by pharmaceutical companies in the States to provide the necessary drugs needed for executions. Together with the ban by the European Union it makes executions by this means more difficult. In the case of Smulls they had to go, according to the Times Picayune newspaper, to the Apothecary Shoppe, which custom mixes drugs for its clients but is not overseen by the Food and Drugs Administration. The increasing use of compounded drugs and untested drug mixes has brought renewed debate over the death penalty in the United States and highlights cruelties involved in the process. The Guardian reported that in Oklahoma, an inmate said he felt burning when the lethal drugs were injected in January and in Ohio, a man gasped and convulsed during his execution with a two

drug mix. Smulls is the sixth person executed in the USA this year.

The Salisbury amnesty group campaigns for the ending of the death penalty around the world. It is the ultimate cruel punishment and there is no evidence it is a deterrent. Mis-



takes cannot be undone.

If you would like campaign with us you can join the local group of course (details of when and where we meet on our website) or, write or sometimes email yourself using the urgent actions we regularly put on the website.

Sources: Times Picayune Mo and The Guardian UK

Do we need human rights?

By Dick Bellringer

Those of us who support human rights are often astonished when we encounter people who are less than enthusiastic about them. There is, however, a long and distinguished intellectual tradition that is not only sceptical about such rights but are actively opposed to them – at least in the form of universal rights.

This opposition can come from the left and the right. Karl Marx, for example, saw human rights and distributive justice in general as being little more than the function of the mode of production. But in this article I want to concentrate on the conservative challenge, in particular the working of political theorist Edmund Burke, who is often cited as the inspiration for David Cameron's Big Society.

The Conservative MP Jesse Norman argues that for Burke 'trust culture and tradition' are 'constitutive of our humanity'. This tradition of Conservatism, as opposed to neoliberalism, privileges what Norman describes as the 'intermediate institution between the individual and the

The ethical link to human rights discussed

state', the much quoted 'little platoons' of Burke. There is in this tradition a distrust of universal rights in so far as they are supposed to transcend these institutions, which might include religious groups, the family and charities, neighbourhood associations and support groups (and as matter of interest, from the left might include trade unions, environmental groups and cooperatives). Roles and duties are emphasised in this conception and individual rights emerge from within such groups, rather than being imposed from without.

As Burk memorably put it in his *Reflections on the Revolution in France*: "What is the use of discussing a man's abstract right to food or to medicine? The question is upon the method of procuring or and administering them. In that deliberation I shall always advise to call in aid of the farmer and the physician, rather than the professor of metaphysics." In this observation we see the scepticism that some conservatives have towards the overarching rationalism of political theories in general and universal human rights in particular. For them reform emerges organically out of society's prevailing institutions.

Society is too complex, too intricate to be subjected to universal principles. Burke writes: "The nature of man is intricate; the objects of society are of the greatest possible complexity; and therefore no simple disposition or

direction of power can be suitable either to man's nature, or to the quality of his affairs." The rights of men, rather,

are organic 'incapable of definition, but not impossible to be discerned'. It is possible that these views lie behind the distrust that some conservatives have of the Human Rights Act, which inevitably leads to unforeseen and unsavoury consequences because it cannot encompass the

complexity and intricacy of society. The alternative UK Bill of Rights, it is hoped, might better reflect the inherent wisdom embedded in existing institutions and traditions. This might explain the apparent paradox of come conservatives extolling the virtues of human rights while condemning externally imposed universal human rights as enshrined in the Human Rights Act.

This is a respectable view which deserves serious consideration. The main opposition to it, I believe, is captured by the question: Why should we suppose that moral wisdom is immanent in civil or religious institutions? The idea that civic virtue automatically emerges from such institutions is an empirical claim for which, as far as I know, there is little evidence. It is undoubtedly true that we may learn something from a particular group; but each one is also just as likely to have vested interests that are not compatible with each other, encouraging insularity or even antagonism against other groups.

An alternative view is that ethics has indeed emerged from the common weal but only becomes ethics proper when it transcends common morality. The empirical claim for this is the historical evidence of more and more groups being included in the moral realm who were formerly excluded, including slaves and women and even, some would say, non-human great apes. Intellectually, philosophers like Kant, Mill and in our day, Peter Singer and Thomas Nagel, have attempted to develop disinterested moral theories that lay claim to universality (Joshua Greene's *Moral Tribes* is the latest contribution to this debate. One of his most interesting contributions is that rights do not in themselves form part of moral argument but should be seen as being 'shields, protecting the moral progress we've made').

This does not mean that we should not value the role that institutions have in our lives; but it does mean that we should have a rational structure within which we can at least try to resolve conflict between institutions. Clearly notions such as altruism, equality and universal rights sit firmly within this narrative and it is from this perspective that the Universal Declaration of Human Rights – and the Human Rights Act – is regarded as one of the most significant developments in the history of ethics.

Votes for Prisoners: A Human Right or Not?

By Andrew Hemming

At the Regional Conference a couple of years ago, Kate Allen asked delegates how many of them were troubled by the idea of prisoners having voting rights. No hands were raised. How, then, can this matter make our prime minister “physically sick”? Liberals/human rights activists may find it unexceptional, but clearly the public at large has a visceral dislike of the idea (otherwise Cameron wouldn't have made his claim). So what is the issue?

This question arose from Article 3 of Protocol 1 of the European Convention on Human Rights, to which the UK is a signatory. It is not compatible with the current blanket disenfranchisement and the European Court ruled this unlawful in 2004 – since when successive governments have sought to delay any change. The Draft Voting Eligibility (Prisoners) Bill Committee, having had the issue dumped on them, agreed that the failure to implement the Court's decision was unacceptable, but sought to provide alternatives to a complete acceptance of votes for all prisoners. They settled on the relatively minor change of a “custodial threshold” of 12 months; this would only cover minor offenders, but would avoid the illegitimacy of a blanket ban. The committee also retained the view that “there is a legitimate expectation that those convicted of the most heinous crimes should [] be stripped of the power embodied in the right to vote.” This is an interesting view; as well as being disenfranchised, the prisoner has to be disempowered. The attitude one has to criminality is key to one's view of voting rights in this area.

It would seem that the opposition to prisoner votes is built around the idea of forfeiture; a crime meriting incarceration is serious enough to merit withdrawal of the franchise. But in what way is the citizen's right to vote affected by their criminality? People in psychiatric institutions as a result of their crimes are ineligible to vote, as are those guilty of electoral fraud (in the last 5 years), but this makes some sense, as they have demonstrated their inability to cope with the responsibility. So where is the line to be drawn?

Being a “bad person” is not a valid reason to deny the vote. What about arms dealers, pornographers or loan sharks? All legitimate activities and therefore their purveyors are enfranchised, but perhaps not people you'd want to know. Or give a vote to. And what about those found guilty of criminal behaviour but not receiving custodial sentences? In what way is their criminality not worthy of leading to further restrictions?

As regards one's rights, some would argue that taking away other people's rights (to the person or property) should entail removal of the criminal's – as it does with the right to free association. What rights, then, should be lost as a result of criminality? It would seem arbitrary to deprive a prisoner of voting rights rather than, say, the right to freedom of worship.

Human rights are universal and include prisoners' rights as well

There is also the argument of voting as a privilege to be earned. But on that basis we would all have to earn that right by some mysterious means. Surely it is a duty, not a right, for citizens to elect their representatives in government; if not you end up with the Whig idea of a government chosen by an elite of stakeholders. It would also go against the idea of rehabilitation. If this is an important part of the penal process, learning how to use the vote is an integral part of recommitting to society, and gives the released prisoner a sense of inclusion in that society.

So one has to conclude that the objection to prisoner voting rights is a matter of distaste, not rational judgement. If we care about human rights we must be universal. People do terrible things and that includes governments...the legislators we elect must be representative of all society, and those who commit crimes, however much we disapprove of their behaviour, are still part of that society. If they are to be kept outside in every way, it will set up an alternative, hostile subset of society that is far more dangerous than the possible effects of prisoners' electoral choices.

Andrew is chair of the Salisbury group

Conference

On Saturday 1 March we shall be having the annual regional conference in the Salvation Army Hall in Salisbury starting at 10 am.

This is a popular event and indeed, two years ago we were full to overflowing in the Quaker meeting room.

Speakers include Ian Cobain author of *Cruel Britannia* and a Guardian journalist.

Details will change so please either look at the web site www.amnesty.org.uk/salisbury where we will publish updates as soon as we know and a how to find it, or the regional representative. Free but please contribute at least £5 for food and expenses.

Is there still a role for human rights in the 21st Century?

By Jackson Whitton, Bishop Wordsworth School

As part of the Citizenship day in October last year, we announced a competition for an essay on the above subject. This was the winning entry. The other two entries can be found on the website.

Human rights, as comprehensively put by the Universal Declaration of Human Rights, are 'the equal and inalienable rights of all members of the human family'. They have played a considerable role in the development of modern human civilisation, from the Magna Carta in 1215 – arguably the first document to give individual rights to the population and instrumental in the formation living under constitutional law – to the aforementioned Universal Declaration of Human Rights in 1948, the single document which both unified and codified the thirty Articles of human rights for the first time, and was essential in the establishment of the human rights laws of democratic nations. Thus, clearly human rights have been high on the global agenda for centuries. But, are they still relevant today, in the 21st Century? This essay will examine whether human rights have a contemporary role, and will do so by looking at their historical capacity, their historical importance and, in my view, the need for their sustained continuation.

Initially, in order to evaluate whether there is still a role for human rights in the 21st Century, we must first examine the role that human rights have played in the past. It could be argued that human rights have achieved such a great deal that they have done everything that they could have done, in other words that their duty is fulfilled and thus they no longer have a role. This can be argued due to the massive strides undertaken in the field of human rights over the course of the last two and a half thousand years.

It is thought such success began in 539 B.C, after the ancient Persian armies of King Cyrus the Great had conquered the city of Babylon, and Cyrus engaged in a revolutionary humanitarian act by freeing the slaves and declaring that everyone could choose their own religion and establishing racial equality, all written in Akkadian on a baked clay cylinder. This was arguably the first charter of human rights in the world, and provided the basis for freedom and human rights for the rest of the globe-first India, then Greece and Rome. From here, civilisation was born through the concept of 'natural law', defined by the Oxford Dictionary as 'a body of unchanging moral principles regarded as a basis for all human conduct'. Thus, human rights came into verifiable existence thousands of years ago, and so are they still rele-

vant and contemporary in the 21st Century, after centuries? Or more pertinently, do human rights have to play such an active role in society and do they need to be so forcibly publicised, after having such time to, arguably, become commonplace and globally accepted?

From their inception in 539, other than aiding in the creation of modern human civilisation, an arguably ultimate achievement in itself, human rights have played a large role in human history. In terms of legislation, it is in the 20th Century where human rights have had a noticeable place. Since 1948, 60 human rights treaties and declarations have been negotiated by the United Nations, having serious effects in the real world in terms of being accepted and implemented by law. For example the 1965 International Convention on the Elimination of All Forms of Racial Discrimination which has gained virtually universal acceptance from the international community and has had an impact on legislation in many states, and with the Race Relations Act 1976(UK).

Perhaps the best example of the role of human rights in history is the aforementioned Universal Declaration of Human Rights, adopted in 1948 and an unequivocal global success, as despite the fact it is not legally binding, it has been adopted into, or had influence in most national constitutions since its inception, and demonstrated as the underpinning for a number of national laws, international laws and treaties which promote human rights. One lateral way that the Declaration's worldwide success can be exhibited is through its title, given by the Guinness World Records, of being the 'most translated document' in the world. This is testimony to its absolute achievement, with human rights being, in essence, a universal language. From Akkadian script on a baked clay cylinder to a multi-lingual document in books, constitutions and on computer screens, human rights have spread and achieved success throughout the world, and so have disputably fulfilled their role.

On the other hand, it can be more strongly argued that human rights still have a colossal role to play in the 21st Century. Under closer scrutiny, the aforementioned viewpoint concerning human rights having achieved everything it could have done due to the numerous declarations, most notably the Universal Declaration of Human Rights, is brought into question. Whilst these declarations represent considerable and meritorious achievements in the history of human rights, declaration and implementation are extremely different things.

There are countless examples of human rights being contravened in the 21st Century, most recently in the Syrian conflict, where there has been a multitude of human rights violations from both the opposition rebels, and the Assad government, importantly on a much larg-

er and graver scale. The UN has reported human rights violations on a terrible scale by the Assad regime, with the official document giving accounts of such atrocities as soldiers being shot for refusing to fire into peaceful crowds, brutal interrogations including accounts of sexual abuse of men and gang rape of young boys, hundreds of peaceful activists being unlawfully detained without trial and likely subject to torture for months, and perhaps most shockingly, the use of young children as human shields in armed combat. These actions, all breaking Articles of the Declaration, have all taken place during the 21st Century, and in one of the 48 original countries to sign the Universal Declaration of Human Rights, Syria. These violations are just a few examples of such contravention of human rights from one country out of 194, and yet they illustrate the need for the role of human rights to continue into this century. If such terrible events are occurring to this day, and the fundamental rights of human beings are still being abused, then surely now, as ever, it is crucial that human rights play an integral role in forming and enforcing national and international legislature, thus meaning such outrages come to an end?

Moreover, it may be easy to dismiss the abovementioned transgression as atypical and unique to certain countries in certain conditions, such as Syria in a state of civil war. However, it is conservatively estimated that there are more than 1000 slaves in the UK today, according to government figures, representing a rise of 25% in the last year. It is also important to note that this is solely based on the number of cases discovered, raising the question how many undiscovered victims are there of 'modern day slavery'? Clearly, human rights are still not adhered to globally, despite the fact they have been widely declared. Therefore, after the century of declaration in the 20th Century, there needs to be a focus on implementation in the 21st Century. The response to violations must not be to disregard human rights altogether, but for there to be swift sanctions from world bodies such as the UN, and a greater emphasis placed on the implementing of human rights in legislation worldwide.

To conclude, the role of human rights is ever changing. Over the last two and a half thousand years, human rights have played an influential role in the development of human civilisation and democracy. Whilst it is important to recognise the achievements of the human rights movement, success is not a reason to discontinue their role. Indeed, now is an equally important time for these fundamental liberties to be universally accepted and implemented in law. In the face of appalling violence and complete disregard for human rights, as has been seen throughout the 21st Century from Iraq to Guantanamo bay, it is immensely important for human rights to be continued, so that, now and in the future, such inhumanity does not occur. Organisations such as Amnesty International and Human Rights Watch are continually fighting

to protect human rights, and this fight must be maintained. The high memberships of these organisations, with Amnesty having more than 3 million members around the world, represents the global desire for the role of human rights to endure in preventing abuse and seeking justice. To do so is right, and in the words of Martin Luther King 'The time is always right to do what is right'. Thus, now, in the 21st Century, to promote human rights is to do what is right, and it must be done.

Group news

Since the last issue, we have shown the film **Wadjda** at the Arts Centre to a packed house. This told the story of an Arab girl who wanted to own a bicycle something girls are not allowed to do in that country. We also took the opportunity to ask people to sign a petition which they did enthusiastically and indeed we had queues to sign the paper and electronic versions. Half the people who attended the film, signed.

Joining

The group meets on the second Thursday of each month and our next meetings are on 13 March and 10 April starting at 7.30 in Victoria Road. It is free to join and all are welcome. More details on our web site.

Independent Financial Advice

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