



amnesty international  
Human Rights. For Everyone.

# The Right to Freedom



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## **INTRODUCTION**

Freedom is a universal human right. Every individual has the right to freedom whether it's freedom of opinion, expression, thought, conscience, or religion. Governments worldwide sign a declaration promising these rights and unfortunately don't always stand by their promises. Arbitrary arrest, detention, exile, torture, and random "disappearances" are frequently a result of the peaceful expression of beliefs as governments act on the fear of being put in compromising positions. The right to freedom is usually violated under the pretense that the individual is threatening the government in some way, shape, or form. Prisoners of conscience are men, women or children imprisoned for peacefully expressing their beliefs or because of their gender, race, or other personal characteristics. Many of these prisoners have never been charged with a crime. In some cases government action against the activist has not yet taken place but individuals remain at risk. Individuals at risk are key human rights activists around the world whose lives are at risk because of their beliefs and actions. These individuals are not only at risk for arbitrary arrest or detainment; they are also at risk for enforced disappearances. Enforced Disappearances are taking place in all regions of the world. In the past 25 years, hundreds of thousands of people have been reported victims of enforced disappearances and numbers are rising.

## **WORKSHOP OBJECTIVES**

This workshop was created to raise awareness around the thousands of individuals worldwide who have been victims of government aggression whether this be arrest, detainment, exile, or torture for the peaceful expression of their beliefs or personal characteristics beyond their control. The workshop was created with the intention to provide participants with this awareness as well as prepare participants to leave with adequate information to consider how they can make a difference in these people's lives. Many of us go through our day to day lives and take our freedom for granted. What this workshop aims to do is provide a window into the lives of individuals who have had this privilege revoked.

## Preparation/ Materials Needed

Participants: Suitable for ages 12 and up. Minimum of 4 participants.

Time:

Activity 1: Let Me Speak!	45-50 minutes
Activity 2: The Great Firewall of China	5-10 minutes
Activity 3: In Maria's Shoes	20-25 minutes
Activity 4: What is a Fair Trial	20-30 minutes

Materials:

- For each participant one pen/ pencil, one blank sheet of 2 sheets of loose leaf paper
- For each participant one photocopy of handouts: *Internet Repression, Website List, The Universal Declaration of Human Rights, What is a Fair Trial?, Basic International Standards for a Fair Trial.* These handouts are found in Appendix A.

Background Information: <http://www.amnesty.ca>

# LET ME SPEAK!

*Adapted from Electronic Resource Centre for Human Rights Education: First Steps- a manual for starting Human Rights Education [http://www.hrea.org/erc/Library/First\\_Steps/part4\\_eng.html](http://www.hrea.org/erc/Library/First_Steps/part4_eng.html)*

**OBJECTIVES:** This letter-writing activity examines the rights and responsibilities of the individual and the state regarding freedom of expression. Freedom of expression is a human right set out in the Universal Declaration of Human Rights (Article 19). Many people believe that it is the heart of a democratic society and others say that too much freedom of expression can be dangerous. In many countries free speech is controlled by authorities who believe that it causes violence, rioting, or threatens the government. Examples of individuals participating in this censoring are: The government, the law, the media, civil servants, employers, unions, and various other 'pressure groups', namely people in positions of power. There are two types of censorship, preemptive and punitive. Preemptive censorship is the stopping of something from being carried out, and punitive censorship is punishment *after* the event. This activity allows the participant to step into the cautions an overwhelming number of individuals and nations must take in their daily communications.

**AGE:** 12 and up

**TIME NEEDED:** 40-50 minutes

**GROUP SIZE:** 4 or more

**MATERIALS:** For each participant: one pen/ pencil, a sheet of paper.

**PREPARATION:** Give a brief introduction to censorship using the information provided above.

**PROCEDURES:**

- Ask the class to imagine that they are each writing to the local newspaper. (If your area does not have a local newspaper, you can invent one with the class, including the title, the frequency it is printed, etc) Ask them to write a short letter about something which they do not like in their local area. Explain that these letters will not be seen by anyone outside the class.
  
- After the students have written their letters, form the class into pairs. Ask each pair to exchange their letters.

- Ask pairs to imagine that they are all editors of the local newspaper. They have received this letter which they are worried will upset the local authorities and the Mayor. Ask them to cross out (censor) the parts of the letter which they think are dangerous. They are allowed to change the letter in any way they like.
  
- Return all the letters to those who wrote them. Either as a class, or in groups, discuss the questions below.

**DISCUSSION:** Choose two questions from the list below and discuss

- Did you use some self-censorship before you wrote your letter? Why/Why not?
- Did you use polite or offensive language?
- If you wrote a polite letter, was it because you felt responsible toward the feelings of others or was it because you were afraid of possible punishment?
- Were you thinking more about how to improve the situation or did you just want to show your anger?
- How did you feel when your letter was censored?
- How did your letter look after censorship?
- How did you choose what to cross out on your friend's letter?
- How do you think you would react if you were a local official who received a letter of complaint? What if the letter attacked your personality or used offensive language?
- Do you think a government has a responsibility to listen to all complaints, even if they are "dangerous"? Why/ Why not?
- Was your letter "dangerous"?
- Why do you think we did this activity?

# THE GREAT FIREWALL OF CHINA: Censorship and internet representation

*Adapted from Amnesty International UK teaching resources, Freedom of Expression*  
[http://amnesty.org.uk/uploads/documents/doc\\_18396.pdf](http://amnesty.org.uk/uploads/documents/doc_18396.pdf)

**OBJECTIVES:** This activity demonstrates the concepts of censorship and internet, specifically in China. It depicts a violation of freedom of expression that most of us take for granted in our daily lives. It is especially applicable to this age group as some of the websites included are widely known with youth all over the world.

**AGE:** 12 and up

**TIME NEEDED:** 5-10 minutes

**GROUP SIZE:** 4 or more

**MATERIALS:**

- For each participant: copy of the information sheet *Internet Repression* (Found in Appendix A)
- For each participant: Copy of the *Website list* (Found in Appendix A)

**PREPARATION:**

- Make photocopies of *Internet Repression* and *Website list* (Found in Appendix A)

**PROCEDURES:**

- Give out copies of the information sheet: *Internet Repression*
- Get students to read it, ask for any questions
- Give out *Website list*
- Ask students to tick which websites they think that people in China can visit
- When students have made their guesses, inform them that the people in China will only be able to find **one** of these seven sites, <http://en.Olympic.cn>, the website of the Chinese Olympic Committee. All the other sites are blocked by the Chinese authorities.

# IN MARIA'S SHOES

Adapted from "United Nations Cyber School Bus" <http://www.un.org/cyberschoolbus/humanrights/declaration/9.asp>

**OBJECTIVES:** This activity explores article 9 of the Universal Declaration of Human Rights stating: No one shall be subjected to arbitrary arrest, detention, or exile. It demonstrates how easy it is to be targeted by the government and the situations that persons at risk and prisoners of conscience find themselves in. The exercise is meant to give the participant an idea of the injustice experienced by these individuals by giving them the opportunity to step into the life of someone who has been arbitrarily detained. Through the process of reading over Maria's situation (included in attached handouts) and using the Universal Declaration of Human Rights the participant is expected to find and record which basic rights Maria has been deprived of. The activity is meant to elaborate on the following questions:

1) *What does arbitrary mean?* Arbitrary here means that nobody should be arrested, detained or exiled where there is no likelihood that he or she committed an offence or where there has been no proper legal process.

2) *Why arbitrary arrest and detention?* Arbitrary arrest and detention are sometimes used by intolerant groups and governments as a way of suppressing dissent.

3) *What follows arbitrary arrest and detention?* Arbitrary arrest and detention often may be followed by the wrongful treatment or torture of a detainee.

**AGE:** 12 and up

**TIME NEEDED:** 20-25 minutes

**GROUP SIZE:** 4 or more

**MATERIALS:**

- For each participant, a copy of the *Universal Declaration of Human Rights*.
- For each group, a sheet of paper and a pen

**PREPARATION:**

- Make photocopies of the *Universal Declaration of Human Rights* for each participant (Found in Appendix A).



**PROCEDURES:**

- Distribute to each participant a copy of the *Universal Declaration of Human Rights*.
- Divide participants into groups of 2-4.
- Distribute a sheet of paper and a pen to each group.
- Read out the following scenario

*“Your name is Maria. You are a journalist. You wrote a story in your newspaper that made someone in a high position angry. The next day unidentified people broke into your home and took you away. You were put in a room alone. No one has offered to do anything for you. You have been there for weeks.”*

- Explain to participants that Maria has been deprived of a number of basic human rights and that you would like them to use the *Universal Declaration* find out which ones.
- Get participants to write which human rights she has been deprived of and state the reason why.

**DISCUSSION:** Choose two questions from the list below and discuss.

- What are the human rights that have been taken away from Maria?
- Why did you choose those specific articles?
- What are some examples of topics Maria could write about to lead to her arrest?
- Can you think of examples of basic human rights that are violated closer to home?

# WHAT IS A FAIR TRIAL?

*Adapted from Amnesty International's "What is a Fair Trial?" educational resource.*

**OBJECTIVES:** According to the Universal Declaration of Human Rights a fair trial is a right that every individual worldwide is entitled to. But what makes a trial *fair* or *unfair*? This exercise examines the differences between fair and unfair trials and gives the participant a perspective on what aspects lead to the unjust imprisonment of individuals worldwide.

There is a part A and part B in this activity, the later activity is intended to give participants an idea of what the international standards to a fair trial look like and apply these standards to the cases seen in part A. It gives the participant an opportunity to get an idea of how easily these standards are violated and gives a glimpse into the reality of un-fair trials that take place at overwhelming rates all over the world.

**AGE:** 12 and up

**TIME NEEDED:** 20- 30 minutes

**GROUP SIZE:** Individual exercise

**MATERIALS:**

- For each participant a pen or pencil
- For each participant a copy of the *What is a Fair Trial?* handout (found in appendix)
- For each participant a copy of the *Basic International Standards for a Fair Trial* handout (found in appendix)

**PREPARATION:**

- Make photocopies of the *What is a Fair Trial* handout
- Make photocopies of the *Basic International Standards for a Fair Trial* handout

**PROCEDURES:**

- Hand out *What is a Fair Trial?*

- Explain to participants the premise of the exercise
  - *“Consider the following scenarios; each of them describes an imaginary court case. Rate them according to how fair or unfair you think the trial and the process leading up to it was, and explain your reasons in the space provided.”*
- Re-group and have a discussion around the participant’s findings
- Hand out *Basic International Standards for a Fair Trial*
- Explain Exercise B
  - *“Study the list of international standards for a fair trial. These are the standards (rules) that almost all the countries of the world have agreed to follow. These standards are based on the Universal Declaration of Human Rights.”*
  - *“Consider the scenarios in Part A again and identify which articles are not being followed in each case. Write the relevant article number(s) next to each case on the worksheets (there may be more than one relevant article in each case).”*
- Let each participant complete Part B individually
- Regroup
- Discuss findings



Appendix A  
ACTIVITY HANDOUTS

## THE GREAT FIREWALL OF CHINA INTERNET REPRESSION?

*Adapted from Amnesty International UK teaching resources, Freedom of Expression  
[http://amnesty.org.uk/uploads/documents/doc\\_18396.pdf](http://amnesty.org.uk/uploads/documents/doc_18396.pdf)*

New technology has given the world emails, text messages and the internet, providing people with free access to ideas, opinions and information on an enormous scale.

But a growing number of governments are trying to control the internet. In China and more than 20 other countries, chat rooms are being monitored, blogs deleted, websites blocked and search engines restricted for political reasons. Internet users are being arrested and imprisoned for sharing information, criticising their governments, calling for press freedom, or discussing human rights abuses online.

Internet use in China is huge. In 2008 there are over 215 million internet users in China – more than in the USA. The Chinese government promotes internet use for education and business, but it prevents people from seeing anything that it considers critical of China or indecent. Filters limit access to foreign websites.

Software stopping people getting access to ‘harmful’ material has been installed in all of China’s 110,000 Internet cafes. Internet surfers are at risk. 30,000 cyber cops are monitoring them live. One website in 10 is being blocked. People emailing messages or trying to get hold of politically sensitive material from inside China risk arrest and jail. In February 2008 the organisation Reporters Without Borders was campaigning for the release of more than 81 internet users in China imprisoned or held in labour camps for criticising their government in emails, including students, people in the Falun Gong spiritual movement, workers, writers, lawyers, teachers, civil servants, former police officers, engineers, and business people.

Some of the biggest IT companies in the world, that benefit a great deal from business in China, have built surveillance and censorship equipment for them. Yahoo! supplied private information about their email users to the Chinese authorities, leading to their prosecution and wrongful imprisonment. Microsoft, Nortel and Google also censor their Chinese customers.

# The Universal Declaration of Human Rights

<http://www.un.org/en/documents/udhr/>

## PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

**Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS** as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

## Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

## Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

### **Article 3.**

Everyone has the right to life, liberty and security of person.

### **Article 4.**

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

### **Article 5.**

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

### **Article 6.**

Everyone has the right to recognition everywhere as a person before the law.

### **Article 7.**

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

### **Article 8.**

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

### **Article 9.**

No one shall be subjected to arbitrary arrest, detention or exile.

### **Article 10.**

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

### **Article 11.**

(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

### **Article 12.**

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

### **Article 13.**

- (1) Everyone has the right to freedom of movement and residence within the borders of each state.
- (2) Everyone has the right to leave any country, including his own, and to return to his country.

### **Article 14.**

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

### **Article 15.**

- (1) Everyone has the right to a nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

### **Article 16.**

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

### **Article 17.**

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

### **Article 18.**

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

### **Article 19.**

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

### **Article 20.**

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.



### **Article 21.**

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

### **Article 22.**

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

### **Article 23.**

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

### **Article 24.**

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

### **Article 25.**

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

### **Article 26.**

1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

#### **Article 27.**

(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

#### **Article 28.**

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

#### **Article 29.**

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

#### **Article 30.**

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

## WHAT IS A FAIR TRIAL?

Consider the following scenarios; each of them describes an imaginary court case. Rate them according to how fair or unfair you think the trial and the process leading up to it was, and explain your reasons in the space provided.

- Carlos Rodriguez was charged with murder on the 4<sup>th</sup> of January 2006. He appeared in court two days later. He was not allowed to choose his own lawyer, but the court appointed one for him. It was the first murder case that his lawyer had ever handled. While he attempted to gather some evidence in Carlos's favor, the lawyer failed to raise a number of crucial matters that would have helped Carlos's case. In court, the police were able to present a lot of evidence against Carlos that they had been gathering for some months before his arrest. Carlos was found guilty and sentenced to death.

Fair

Unfair



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2) Salim Ahmed was arrested and put in prison on the 9<sup>th</sup> of December 2003. On September 6<sup>th</sup> 2005, the prison guards told Salim that he was to appear in court to face a charge of stealing from his employer on December 3<sup>rd</sup>, 2003. He was given access to a telephone and was able to contact his wife and hire a lawyer. In court the jury heard evidence from both sides. Salim had managed to hire a lawyer, who produced a wedding certificate, receipts of air tickets, and Salim's passport to support his client's claim that on December 3<sup>rd</sup>, 2003 he had in fact been on his honeymoon in another country. The court found Salim "not guilty".

Fair

Unfair



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3) The poet Adnam Ardalan and 5 other Kurdish people were arrested by Revolutionary Guards in January 2007 on the charge of *Moharab*, a vaguely worded offence meaning “*being at war with God*”. Adnam appeared on national television walking with a limp and looking very ill. He confessed to belonging to a banned Kurdish organization and to drinking alcohol. The six men were denied access to a lawyer or any legal representation. Because the suspects were Kurdish, they did not have a proper criminal trial, instead their trial was a military tribunal that was held in secret in the Army Barracks on September 17, 2007 before a military judge. It lasted 23 minutes. All six were sentenced to execution. They were hung the following day.

Fair

Unfair



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4) Philip Entise comes from a small Catalan town in the north of Spain. On March 14<sup>th</sup>, 2003 he was accused of murdering an 8-year-old girl in the South of Spain. His case came to court in the Southern town in May. As Philip arrived at the court, a crowd of more than a 100 people shouted “Murderer! Send him down!” The trial judge was a local man and the jury was entirely made up of people from the town where the girl grew up. They found Philip guilty and he was sent to prison for life.

Fair

Unfair



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5) Michael Roberts grew up in Ireland. In December, 2001 he went to work on a construction site in Russia and started taking Russian language lessons. On March 5<sup>th</sup> 2002 he was arrested and accused of driving while intoxicated. When he asked for a lawyer the police assigned him a lawyer who was always called into work with cases involving foreigners. When Michael questioned this, he was told that the right to choose his own lawyer was only applied to Russians. The judge found Michael guilty, his license was removed and he was given a hefty fine. The court case was conducted entirely in Russian without any translation.

Fair

Unfair



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6) Margaret Williams was accused of plotting to blow up a major train station in Glasgow on April 4<sup>th</sup>, 2006. During the trial, the Prosecution read out a confession by the convicted terrorist Peter Drew, the confession claimed that Margaret Williams had been involved in the plot. The Defense claimed that Peter Drew's Statement had been made in a prison in Afghanistan where police had been torturing him. Margaret was found guilty, mainly on the basis of Drew's statement and sentenced to life imprisonment.

Fair

Unfair



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## BASIC INTERNATIONAL STANDARDS FOR A FAIR TRIAL

*Taken from the international Covenant on civil and Political Rights (ICCPR)*

- Everyone shall be entitled to a fair and public hearing by a court where the judge or jury do not favor one side of a case over another and are able to do the job well. **Article 24 (1)**
- Anyone who is deprived of his liberty by arrest or detention shall be entitled to go to court, in order that the court may decide without delay on the lawfulness of his/her detention (imprisonment) and order his/her release if the detention is not lawful. **Article 9(4)**
- Anyone who is arrested shall be informed, at the time of arrest, of the reasons of his/ her arrest and shall be promptly informed of any charges against him/her. **Article 9 (2)**
- Everyone charged with a criminal offence shall have the right to be presumed innocent until proven guilty according to law. **Article 14 (2)**
- A person shall be entitled to defend himself/herself in person or through the help of a lawyer of his/ her own choosing; He/she should not have to pay for a lawyer's help if he/she can't afford it. **Article 14 (3)(b)**
- The accused shall be entitled to adequate time and facilities for the preparation of his defense and to communicate with a lawyer of his own choosing. **Article 14 (3) (b)**
- No one may be subjected to torture or to cruel, inhuman, or degrading treatment or punishment. **Article 7**
- All persons shall be equal before the courts and tribunals...**Article 14 (1)**
- The accused shall have the free assistance of an interpreter if he cannot understand or speak the language used in court. **Article 14 (3) (f)**

## Case Example



**Hu Jia** is one of China's best-known environment and HIV/AIDS activists. He is a founder of a prominent HIV organization in China, and was involved in a campaign to protect Tibet's Antelope. Since 2004 Hu Jia has been arbitrarily detained several times. In 2006 he was held incommunicado for 41 days, believed to be on account of his campaigning activities in support of the release of blind human rights legal adviser Chen Guangcheng.

Following his release from incommunicado detention in late March 2006, Hu Jia was held under near-continuous house arrest until his detention in December 2007. His wife, Zeng Jinyan - who became famous worldwide for the blog she maintained while her husband was held incommunicado - was kept under house arrest at the same time. Although her blog is blocked in China, Zeng continued to update her blog up using other methods until her internet connection was cut off.

Zeng and Hu regularly informed overseas journalists and human rights organizations of human rights abuses taking place in China, and provided news of human rights defenders imprisoned or harassed by the authorities.

Two days after the birth of the couple's daughter, Zeng was placed under house arrest, although some friends were allowed to visit. In November, Hu Jia spoke, by webcam, to a European Union parliamentary hearing in Brussels, saying that China had failed to fulfill its promise to improve human rights in the run-up to the Olympics.



### AMNESTY'S CONCERNS IN CHINA

**Stop using the death penalty.**

Significantly reduce the use of the death penalty, as a step towards full abolition.

**Ensure fair trials.**

Ensure that trial and detention take place within international law, and stop the use of torture.

**Respect the rights of human rights activists.**

Ensure that human rights activists are free to carry out their peaceful activities – without harassment, intimidation or imprisonment.

**Ensure internet freedom.**

Ensure unrestricted, legitimate access to the internet across China, in accordance with international standards



## Case Example



Husein Celil (also known as Huseyin Dzhelil) is a member of China's Uighur minority. In the 1990s, he suffered persecution and detention in China for his work advocating for the religious and political rights of the Uighur people. He fled China and made his way to Turkey, where he was recognized as a refugee by the Office of the United Nations High Commissioner for Refugees (UNHCR). Celil was resettled to Canada in 2001. He has been a Canadian citizen since November 2005.

In February 2006, Celil was picked up by Chinese police in Uzbekistan, where he was on holiday visiting his wife's family. He was sent to China to face trial, and was held in secrecy without access to a lawyer, his family, or access to Canadian officials. He was subjected to threats that he would be 'disappeared' or 'buried alive' unless he signed a confession. China refused to recognize Celil's status as a Canadian citizen, and Canadian officials were not allowed to attend the trial.

Celil was sentenced to life imprisonment in China after an unfair trial, and he is still there, despite the attempts at intervention by the Canadian government.

### **AMNESTY'S CONCERNS**

Amnesty International has been extremely concerned about the longstanding repression of the Uighurs, a Turkic, mainly Muslim people, who make up the majority of the population in the Xinjiang Uighur Autonomous Region (XUAR) of northwest China. Since the 1980s, the Uighurs have been the target of systematic and extensive human rights violations. This includes arbitrary detention and imprisonment, incommunicado detention, and serious restrictions on religious freedom. Uighur political prisoners have been executed after unfair trials. The Chinese government has been using the "war on terror" to justify policies aimed at repressing all forms of political or religious dissent in this region. Other Uighur prisoners of conscience remain in prison.



