

LIBERTAS

Nortel Technology Could Undermine Human Rights in China

New technology being developed by Canada-based Nortel Networks in partnership with the Chinese government could be used to target and repress political dissidents in China, a groundbreaking report launched on October 18 by Rights & Democracy reveals.

The report *China's Golden Shield: Corporations and the Development of Surveillance Technology in the People's Republic of China* points specifically to Nortel's OPTera technology launched in China this week at the APEC Leaders Meeting in Shanghai. It also provides an overview of Nortel's long-standing involvement in the development of surveillance technology both at home and abroad.

"Nortel is fundamentally changing the way content will be delivered across tomorrow's broadband Internet. Its Personal Internet strategy is all based on developing an intimate knowledge of an individual user's identity: their physical location and their content interests – not merely IP addressing," said the author of the report Greg Walton. "We are seeing the focus shift to censorship and surveillance of homes and offices; in effect, redistributing China's 'Great Firewall' from the international gateways to millions of PCs."

China still equates political dissent with criminal activity. On September 28, four Chinese citizens were tried for subversion for participating in an online pro-democracy forum. The four

are but the latest of several arrests in recent years for Internet-related crimes. APEC leaders announced an "anti-terrorism" pact at the Shanghai summit that many human rights advocates fear could be used to excuse increased crackdowns on Internet privacy, freedom of opinion, freedom of expression and the right of association, particularly in authoritarian states such as China.

During the launch in Montreal of *China's Golden Shield*, the President of Rights & Democracy Warren Allmand urged the Government of Canada to incorporate human rights safeguards within its domestic trade and investment promotion activities in relation to the People's Republic of China. Pointing to the myriad of processes and resources devoted to the promotion of trade with China, Mr. Allmand said, "Chinese activists are risking lengthy imprisonment or worse for simply advocating political reform in their country. They need our support, not our complicity in the violation of their rights."



Copies of *China's Golden Shield* are accompanied by a CD-ROM containing the report in English, French and Chinese, along with related Web links and open source privacy software to allow Chinese Internet users and human rights activists around the world to access the online version undetected. The report is also available at www.ichrdd.ca and at go.openflows.org.

To order copies of the report or the CD-ROM: publications@ichrdd.ca.



Rights & Democracy

International Centre for Human Rights
and Democratic Development

Rights & Democracy (International Centre for Human Rights and Democratic Development) is a Canadian institution with an international mandate. It is an independent organization, which promotes, advocates and defends the democratic and human rights set out in the *International Bill of Human Rights*. In cooperation with civil society and governments in Canada and abroad, Rights & Democracy initiates and supports programmes to strengthen laws and democratic institutions, principally in developing countries.

A Call for **International Justice, Not War**

On behalf of the staff and board of directors of Rights & Democracy, I would like to express my shock and sadness at the devastating loss of life suffered on September 11. The attacks that took place against innocent unarmed civilians were totally unacceptable; I unreservedly and wholeheartedly condemn such barbarity and believe that those responsible must be brought to justice.

Despite the horror of this crime against humanity, I believe that an impulsive reaction of vengeance and retaliation can only bring about more death and destruction. In the peacekeeping tradition of Nobel laureate Lester B. Pearson, I believe that Canada has an important role to play in leading an international call for justice that shows respect for human rights and the rule of law and makes a contribution to building world peace.

We must also take steps to avoid attacking an entire religious or ethnic group as the scapegoats for the actions of a few individuals. I urge respect

for our brothers and sisters of all races and religions in this period of fear and uncertainty. In this spirit, I would recommend that Canada avoid any further tightening of immigration rules at a time when there exists a desperate refugee situation, particularly in Afghanistan and the surrounding region.

Military retaliation will not provide long-term security. These types of criminal terrorist attacks will become increasingly frequent unless we seriously attempt to resolve the root causes of misery, inequality and bitterness in the Middle East and elsewhere. Governments such as Canada's should examine the conditions that motivate people who plan and carry out such massive crimes and who would sacrifice their own lives to achieve their aims. Rather than react with more violence, we must provide an alternative response, one based on a reaffirmation of human rights and democratic values.

Warren Allmand

Rights & Democracy

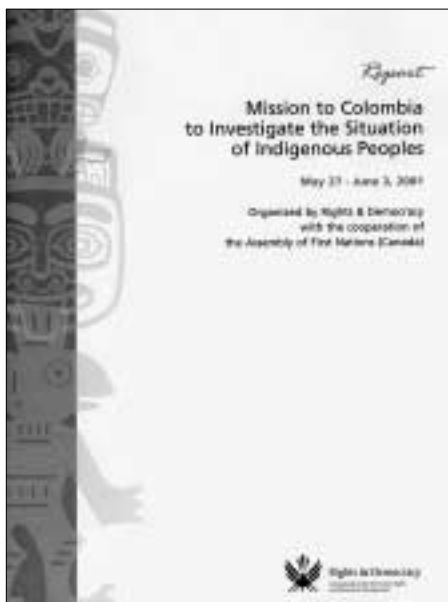
Welcomes New

Management Coordinator

We are pleased to welcome our new Management Coordinator, Kevin Callahan, formerly with the United Farm Workers Union, who for the last 21 years has been the Academic Coordinator of the Intensive English Programme at McGill University. He has a Masters in Education and also speaks French and Spanish. He has been very active in grass-roots social organizations and has close contacts with Quebec unions.

Raymond Bourgeois left Rights & Democracy on September 16 to take up a position with the Deputy Leader of the Senate of Canada. He will be missed by board and staff members alike. We wish him the best of luck in his new position.

Colombia: Continued War is Quickening the Pace of Indigenous Peoples' Gradual Extinction



Colombia's 35-year-old conflict is threatening the country's indigenous peoples with extinction, and Canada should lead the international community in stepping up pressure on all sides for a negotiated solution, say Rights & Democracy and the Assembly of First Nations in a report on a mission to Colombia in early June. The report was launched in Ottawa on October 11, the eve of the 509th anniversary of the arrival of Christopher Columbus in the Americas.

The 40-page report is a first-hand account of the mission to Colombia organized by Rights & Democracy with the cooperation of the Assembly of First Nations, detailing meetings with representatives of some 20 of the country's 84 indigenous nations, who travelled long distances to meet with the Canadian delegates in the cities of Bogotá, Popayán and Medellín.

Topics covered include the negotiations between the Indigenous Zonal Organization of Putumayo and Alberta Energy over oil exploration

in a department ravaged by the warring activities of FARC guerrillas, paramilitaries and the army, as well as the health and environment-threatening effects of aerial fumigation, which has had a disproportionately harmful effect on the territories of indigenous peoples. Also featured are the deadly consequences for the indigenous peoples of guerrilla incursions onto their territories, as well as the frequent forcible recruitment by the guerrillas of the natives, for their detailed knowledge of the terrain of the conflict.

One of the starker conclusions of the report is that Canada could, and should, be doing a lot more. "If we wish to see an end to the systematic violation of indigenous peoples' and other Colombians' rights, we must speak out more forcefully," Warren Allmand said at the launch of the report. "Canada must take a much stronger stand for peace, and support indigenous peoples' proposals for alternatives to illicit crop eradication."

Copies of the report in English, French and Spanish can be obtained from publications@ichrdd.ca or by visiting our Web site at www.ichrdd.ca.

Independent East Timor: First Constituent Assembly Elections

Asia Regional Officer Micheline Lévesque noted few irregularities and no violent incidents in East Timor's first democratic elections on August 30. Ms. Lévesque participated in an international mission organized by the Asian Network for Free Elections (ANFREL) to observe the Constituent Assembly Election, in which 88 representatives were elected to write and adopt the Constitution for an independent East Timor.

The international observer mission, made up of 26 representatives from 12 countries, noted that more than 90 of those registered turned out to vote in an environment of calm and order—in contrast with the violence that marred the 1999 referendum on independence. The observers, who were deployed in 12 of East Timor's

13 districts, evaluated that the Independent Electoral Commission set up by the United Nations Transitional Administration in East Timor (UNTAET) performed its duties competently and independently.

But as international observers praised the first accomplishment of East Timor's fledgling electoral system, Rights & Democracy's President Warren Allmand drew attention to the failure of the

Indonesian legal system to prosecute human rights abusers. Mr. Allmand called for an international tribunal to try those accused of human rights violations going back as far as 1975, including the crimes perpetrated during the 1999 referendum. So far, none of the key perpetrators have been brought to justice for violent rampages that killed about 1,000 Indonesians and three UN personnel. The main suspects remain at liberty in Indonesia,



Photo: ANFREL



Photo: ANFREL

and some have even been promoted to higher military ranks.

"The international community must recognize that Indonesia is incapable of bringing to justice the military officers and Indonesian political leaders responsible for the crimes against humanity committed in East Timor," wrote Mr. Allmand in a September letter to Foreign Affairs Minister John Manley. "Canada should take on a role of leadership and ask UN member states to begin proceedings to set up an international tribunal (for East Timor)."

Strengthening the UN Human Rights System

Individuals, non-governmental organizations and government representatives with human rights expertise were invited by Rights & Democracy to Ottawa on June 15, 2001, to participate in a day of presentations and deliberations on the issue of how to improve the UN human rights system. This third annual think tank focused on increasing the financing of the UN human rights mechanisms, strengthening the work of Treaty Bodies and the Commission on Human Rights, and supporting the work of the Special Rapporteurs. Special guests included Bacré Waly Ndiaye, special representative of Mary Robinson and Director of the OHCHR in New York; Kamal Hossain, Special Rapporteur on Afghanistan; and Anne Bayefsky of York

University. A record of the day's discussion with recommendations is available on our Web site at www.ichrdd.ca.

Internationally, there has been growing recognition of the need to improve the effectiveness of and resources available to UN human rights mechanisms. There has been an initiative to comprehensively reform and rationalize the UN system, including its human rights mechanisms. In addition, the lack of resources necessary to adequately fund the UN's programmes and agencies working to advance human rights has become a matter of urgent importance.

Human rights mechanisms receive an inadequate proportion of the UN regular budget. At

present, human rights work within the UN is allotted just 1.5% of the regular budget, forcing the OHCHR to seek voluntary funding through its Annual Appeal. This underfunding has caused an inconsistency between the professed importance of human rights to the UN and the resources actually devoted to their realization. Whilst costs of peacekeeping have escalated dramatically throughout the last decade, the UN needs to review its role to focus more on preventive action, rather than simply reacting to crises. Greater funding for human rights mechanisms would actually decrease the incidence and ferocity of conflicts and atrocities, as the seeds are planted for long-term human rights implementation.

Dr. Sima Samar

of Afghanistan to Visit Canada in December



Photo: David McLaughlin, CBC News

Dr. Sima Samar will accept the 2001 John Humphrey Freedom Award on Monday, December 10 in Montreal at a public reception at the Salle du Gesù from 5:00 to 7:00 p.m. She will also travel across the country to meet with human rights and women's

groups, students, journalists and government officials to discuss the situation of women in Afghanistan. She will speak in the following cities: Vancouver (December 1 to 3), Victoria (Dec. 4), Edmonton (Dec. 5), Calgary (Dec. 6 to 8), Montreal (Dec. 9 and 10),

Fredericton (Dec. 11), Ottawa (Dec. 12) and Toronto (Dec. 13 to 16). For an invitation to the Award ceremony or for more information on Dr. Samar's speaking tour, please contact avbiljou@ichrdd.ca.



From August 8 to 12, President Warren Allmand participated in the yearly conference of the Couchiching Institute in **Orillia, ON** devoted to Globalization and Democracy. He also attended a conference on Democracy and Active Citizen Engagement at the Coady International Institute at St. Francis Xavier University in **Antigonish, NS** from August 16 to 18. He travelled with the Regional Officer for Africa Akouété Akakpo-Vidah to **Kinshasa** in the **Democratic Republic of Congo** from August 23 to 26 on a fact-finding mission and met several partner organizations, government officials and journalists. Mr. Allmand and Marie St-Louis, Assistant Coordinator of the Rights of Indigenous Peoples Programme, attended the NGO Forum and the World Conference Against Racism, Xenophobia and Related Intolerance in **Durban, South Africa** from August 27 to September 7. They focused their advocacy work on the need to adopt the UN Draft Declaration on the Rights of Indigenous Peoples. On September 6, Director of Programmes Iris Almeida presented a submission to Minister Maria Minna of CIDA on Strengthening Aid Effectiveness, at a policy consultation in Montreal. This submission is available on our Web site at www.ichrdd.ca. From September 9 to 12,

Nancy Thede, Coordinator of the Democratic Development Programme, attended the OAS Special Assembly on the Inter-American Democratic Charter in **Lima, Peru**. On September 17, Antonio Almeida, Senior Programmes Assistant, attended a Department of Foreign Affairs and NGO briefing on the International Criminal Court in **Ottawa**. On September 24, Mr. Allmand testified before the Canadian Senate's Standing Committee on Human Rights in **Ottawa** on Canada's international and national human rights obligations. On September 26, he delivered a speech to the law faculty at Dalhousie University in Nova Scotia. On October 1, Mr. Allmand and Diana Bronson, Coordinator of the Globalization and Human Rights Programme, participated in World Trade Organization roundtable discussions called by International Trade Minister Pierre Pettigrew in **Montreal**. On October 4, Ariane Brunet, Coordinator of the Women's Rights Programme, made a presentation to the joint DFAIT-NGO Committee in **Ottawa** on Women and Peacebuilding. On October 11, Mr. Allmand and Marie Léger, Coordinator of the Rights of Indigenous Peoples, launched the **Colombia** mission report in **Ottawa** (see page 2). From October 14 to 24, Regional Officer for Africa Akouété Akakpo-Vidah travelled to **Addis Ababa, Ethiopia** to attend the peace talks of the Inter-Congolese Dialogue set to end the three-year conflict in the **Democratic**

Republic of Congo. The report *China's Golden Shield: Corporations and the Development of Surveillance Technology in the People's Republic of China* was launched at a news conference in **Montreal** (see page 1) on October 18. On October 22, Mr. Allmand gave a speech at Vanier College in Montreal on human rights after the September 11 tragedy. On October 23, Mr. Allmand spoke on a panel on Parliamentary Control of International Institutions at a conference on Challenges to Democracy organized by the Canada-Europe Parliamentary Association in **Montebello, QC**. On October 24, Mr. Allmand testified before the Standing Committee on Foreign Affairs and International Trade on Bill C-31 (Reform of the Export Development Act) and on October 31, he testified before the Sub-committee on Human Rights and International Development of the Standing Committee on Foreign Affairs and International Trade in **Ottawa** on the plight of indigenous peoples in **Colombia**. From October 30 to November 1, in Montreal and Ottawa, the Democratic Development Programme organized a three-day interregional workshop bringing together nine partner organizations from **Kenya, Benin, Nigeria, Colombia, Guatemala, Mexico, Thailand, Indonesia** and **Pakistan** to review the democratic development work of the last 10 years and to set out new directions for action in the future.

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