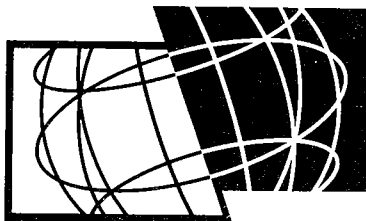


HUMAN RIGHTS



FOR HUMAN RIGHTS

OBSERVER

Volume VII, Number 2
March 1994

Domestic Violence Pioneers Offer Insights for Eastern Europe

What does Minnesota's experience on domestic violence have to offer nations where no shelters, hotlines, or advocates for victims of domestic abuse yet exist? We invited seven Minnesota experts on domestic violence to answer that question at an all day workshop sponsored by MAHR's committee on domestic violence in Eastern Europe on February 5. More than 20 women participated in the workshop.

In an effort to translate the Minnesota experience to Eastern Europe, these

women's shelter in her home in St. Paul in 1974. At that time, as in Eastern Europe today, there were absolutely no public or private services for women who were battered in their homes. These pioneers pointed to the one hundred-plus women sleeping on the floor to respond to claims that domestic abuse was simply not a problem.

Lt. Kris Morris, the head of the domestic abuse unit at the Minneapolis Police Department, described her difficult ex-

Several Romanian women also participated in the workshop, including Ligia Valcu, a Romanian judge now studying at the Humphrey Institute. These women shared their stories of a country where domestic assault is widespread but never addressed. All of these women either had personal stories of abuse or knew women suffering from domestic violence. But public protection from this violence to them remains as an impossible dream.

The group discussed how to start to make protection from assault a reality given the political and social climate in Eastern Europe and the cultural barriers which are not so different from those in Minnesota 20 years ago.

Eastern European women must lead the way to finding solutions to the problem of domestic violence in their countries. Minnesota Advocates hopes to assist them by documenting the nature and extent of domestic abuse, and providing training and recommendations based on our experiences. ■

She pointed to the one hundred-plus women sleeping on the floor to respond to claims that domestic abuse was simply not a problem.

experts focused on how the state's movement to confront domestic violence, which is now considered a national and international model, got started 20 years ago.

We heard the story of the former director of the Harriet Tubman Women's Shelter, Sharon Rice Vaughan, who out of sheer necessity created the first

periences training police officers to investigate domestic assault crimes. Lt. Morris still must give stern warnings to reticent officers that a homicide may result if they persist in failing to aggressively investigate a domestic assault call.

Other participants included Kathy Botelle who works with the Southeast Asian community on a program to confront domestic violence; Assumpta Kintu, coordinator and legal advocate of the Domestic Abuse Project; Shirley Pierce, Coordinator of the Family Violence Initiative; Eileen Hudon, Minnesota Coalition for Battered Women; and, Sandy Parnell of the College of St. Catherine.

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Spring Speakers Series

Mexico: 3 programs, including
Senator Paul Wellstone

Bosnian War Crimes

Please see page 5 for details.

Director's Desk & Newsnotes

From the Director's Desk

It was slightly less than a news flash when the headline on the local paper recently shouted that the "World is Tough on Women". The headline referred to the U.S. State Department's unprecedented focus on violations against women in its annual Country Reports on Human Rights Practices. Better late than never.

In terms of sheer numbers, women (and girls), are perhaps the longest suffering and largest suffering group on this planet. Maybe it is just the enormity of the task of addressing issues such as rape, genital mutilation, domestic violence, female infanticide and feticide, dowry killings, and everyday discrimination, that led to the delay in acknowledging all that suffering. Or maybe it is the invisibility of it all -- after all, most violations against women take place in the home and not in public places -- that was a barrier.

Whatever the reason for the inactivity, women's rights advocates are happy to see the attention now, because women continue to suffer in great numbers. There is hope that this new round of interest and some new U.N. mechanisms for enforcing the human rights of women will result in changes of global proportion. Improving the lot of women worldwide, however, is not an easy goal.

For instance, it seems elementary that governments which in their laws relegate women to the status of second class citizen, i.e., *apartheid by sex*, should be encouraged to change their ways. How then should we address fundamentalist Islamic governments? Should the Clinton Administration, an outspoken advocate of women's rights, turn down Saudi Arabia's offer to buy 6 billion dollars' worth of airplanes from U.S. manufacturers because of the entrenched system of apartheid against women in that country?

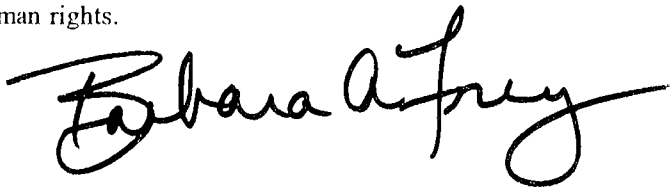
The standard for asylum is a "well founded fear of persecution." Does this include women who fear violence and even torture at the hands of their spouses?

Here are a couple more tough questions:

- Should women have the right to abort female fetuses because of the social status attached to having a boy child in some countries and the burden attached to having a girl child?
- Should adult prostitution be protected as a personal choice, however desperately made, or should it be prohibited as illegal trafficking?

Gender and reproduction issues have always carried strong emotional and cultural repercussions. The international human rights community has set forth on a path of eliminating discrimination against women. Along that path we will be tested constantly over our commitment to the inviolability of basic human rights.

In this newsletter, we have tried to highlight some of the developments on women's human rights.



NEWSNOTES

Minnesota Advocates for Human Rights is pleased to announce the addition of **Curt N. Peterson, CFRE**, as Development Consultant to the organization. Formerly Development Director at the American Refugee Committee, Peterson will be responsible for the Tenth Annual Human Rights Awards Dinner, strategic planning, membership and major gifts, and public relations.

Christopher Akale, director of the Glenwood/Lyndale Community Center, has joined the Board of Directors of Minnesota Advocates. Akale is an active social service provider in the Twin Cities. He is originally from Cameroon.

Deborah Ellis, a member of the Death Penalty Defense Project Steering Committee, has been elected 1994 president of the Minnesota Association of Criminal Defense Lawyers.

Legal fellow **Sarah DeCosse** presented a lecture on human rights in Mexico for the Latin American and Caribbean Studies Department of Michigan State University on January 26 and at the American Indian Center in Minneapolis on February 19.

The **Haiti Justice Committee** was recently formed in the Twin Cities. People who have had an interest in solidarity work with the people of Haiti have joined together and are discussing potential activities and drafting a mission statement. For more information call Sarah DeCosse at 612-341-3302. ■

The Human Rights Observer is published ten times a year by Minnesota Advocates for Human Rights.

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Curt Peterson, *Development Consultant*
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U.S. State Department Report Features Plight of Women

In its 1993 human rights country reports, the U.S. Department of State focused especially on women's rights, and the situation of women around the world. The following is an excerpt from that report:

The Rights of Women

"We have paid special attention in 1993 to the problem of rampant discrimination against women. Physical abuse is the most obvious example. In many African countries, the practice of female genital mutilation continued. In Pakistan, many women in police custody are subjected to sexual or physical violence. On several continents, women and girls are sold into prostitution. In many Gulf countries, domestic servants from Southeast Asia are forced to work excessively long hours and are sometimes physically and sexually abused. In Bangladesh and India, dowry deaths continue. Marital rape in many countries is not recognized as a crime, and women raped or beaten at home often have no recourse. That female life is not valued as much as male life is apparent in countries such as China where it is reported that more female fetuses than male are aborted.

"In addition to physical abuse, the political, civil and legal rights of women are often denied. In 1993 women throughout the world were subjected to onerous and discriminatory restrictions of such fundamental freedoms as voting, marriage, travel, testifying in court, inheriting and owning property, and obtaining custody of children. All too often, women and girls find that their access to education, employment, health care, and even food is limited because of their gender." ■



Minnesota Advocates board member Margaret Chutich, Human Rights Award recipient Jadranka Cigelj and interpreter Vanca Shrunck at the 1993 Human Rights Awards Dinner in Minneapolis, which honored Women on the Frontline.

International Women's Day

In recognition of International Women's Day on March 8, 1994, Minnesota Advocates for Human Rights is focusing this issue of the *Human Rights Observer* to the struggles faced by women around the world.

International Women's Day began in 1910 and today celebrates the many roles women play in today's world -- from traditional to newly defined -- as mother, daughter, domestic partner, world leader.

The photos in this issue have been selected from the organization's archives to show the variety of women around the world -- the majority of the population which rarely receives fifty percent of the press coverage.

In the future, issues of the *Human Rights Observer* will be dedicated to other themes. These topics will be chosen to highlight project areas being undertaken by the organization or issues which are in the international spotlight. ■

Hoffman Leaves ACLU

Leading human rights activist **Paul Hoffman** will resign this month from his position as Director of the ACLU of Southern California, which he has held for ten years.

Hoffman has served as legal counsel for the ACLU in many significant human rights law suits in U.S. courts, including Suarez Mason (civil suit brought against an Argentine general for human rights violations during the "Dirty War"), and Alvarez Machain (suit against the U.S. government for DEA kidnapping of Mexican national).

Hoffman's most recent victory was a \$1.2 billion verdict against the estate of former Philippine President Ferdinand Marcos on behalf of over 10,000 Filipinos who were subjected to torture, rape and murder by his government.

Hoffman will continue his international human rights work as a lawyer in private practice. ■

Refugee & Asylum Project News

Thank you

The Refugee and Asylum Project would like to recognize and thank the following attorneys who have recently accepted asylum cases:

Margaret Byrne
Chris Cocchiarella - *USWest*
Robert Gilbertson - *Robins, Kaplan, Miller & Ciresi*
John Grzybek (2 cases)
Carla Hagen
Peggy Hicks and students of the International Human Rights and Immigration Law Clinic, University of Minnesota Law School (6 cases)
Richard Ihrig - *Lindquist and Vennum*
Elizabeth Kimball
Ronn Kreps - *Robins, Kaplan, Miller & Ciresi*
Joseph Kueppers - *Kueppers, Hackel & Kueppers*
Aubrey Latchana
Mark Lee - *Maslon, Edelman, Borman & Brand*
Katy Mohammad-Zadeh
John Murray - *Snelling, Christensen, Briant & Laue*
Aaron Rolloff (2 cases)
Jonathon Scott
Julie Showers - *Northwest Airlines*
Lori Simpson - *USWest*
Robert Sicoli - *Thompson, Lundquist & Sicoli*
Rob Spencer
Myrna ten Bensel
Pamela Waggoner
Gavin Wilkinson - *Reinhardt & Anderson* ■

Project Seeks Volunteers

Attorneys and law students are always needed to do volunteer work on asylum cases. Training is provided. The staff screens cases for substance and income guidelines. Volunteer clerical assistance is also appreciated. Please call Rich Thomas or Nancy Arnison at 612-341-3302 if you are interested in volunteering with the Refugee & Asylum Project.

Refugee Women

Although women and children constitute the majority of the world's refugees, they are under-represented in the numbers of people granted the protection of refugee/asylum status.

Many women are persecuted specifically for gender-based reasons (e.g. transgression of religious or social mores such as dress codes). Some women are persecuted for other reasons such as religion, race or political opinion, but the manner of the persecution is gender-based (e.g. rape). Women who have a well-founded fear of persecution in their home countries face significant hurdles when seeking asylum in the United States and elsewhere. Hurdles include:

- failure of the international and U.S. refugee definition to specifically name gender as a basis of persecution upon which asylum can be granted.
- failure of adjudicators to incorporate gender-based claims into the "traditional" grounds of persecution (race, religion, nationality, political opinion and social group membership). For example, while persecution for public expression of political opinion is a recognized basis for asylum, exclusion of women from political expression is not.
- fear of ostracism if sexual assault becomes known to family or community.
- questioning by male interviewers about these difficult events, which may revive the trauma.

Some progress is being made as attention is drawn to these concerns and to the various legal theories under which gender-based claims can be brought. For example, several governments have granted asylum to Iranian or Saudi women who faced persecution due to

refusal to wear veils (an expression of political opinion) or because they were feminists (membership in a particular social group). In the United States, the Third Circuit Court of Appeals recently acknowledged the viability of such theories in *Fatin v. INS*. While the court did not grant asylum on the facts in that particular case, it recognized that asylum could be appropriate for a possible group of "Iranian women who refuse to conform to the government's gender-specific laws and social norms."

The UN High Commissioner for Refugees and the Canadian government have issued guidelines on the protection of refugee women. Non-governmental organizations including Minnesota Advocates for Human Rights have proposed that the United States adopt guidelines recently developed at Harvard Law school for handling women's asylum claims.

Minnesota Advocates has had remarkable success throughout the years in handling asylum claims for women. One-third of the current caseload of the Refugee and Asylum Project consists of cases where women are the primary or sole asylum applicant. These women fled persecution in their home countries where they were raped by soldiers, imprisoned, separated from families, tortured or denied other basic human rights. Thanks to the efforts of the Minnesota Advocates volunteer lawyers and staff, these cases have seen a success rate of over 90%. Nationally, the grant rate for asylum applications is only 22%.

Minnesota Advocates is conducting a survey of its gender-based asylum cases, to ascertain trends and examine strategies. Attorneys with female asylum clients (open or closed cases) are invited to call Nancy Arnison to share insights and information. ■

Spring Speakers Series Focus on Mexico and Bosnia

Bosnian War Crimes -- are prosecutions possible?

Former U.S. Assistant Attorney Peter Thompson will present a CLE program on Thursday, March 24, based on his research and preparation of a Pattern Indictment for war crimes committed in Bosnia beginning in 1992. This program will feature four situations: the siege of a town, the rape of a Bosnian woman, the execution of a man at a detention center, and a massacre of more than 200 men. Thompson will explain how each example qualifies as a war crime and outline a potential prosecution for each offense. 1 CLE credit pending. At the offices of Faegre & Benson, Minneapolis.

Mexico: Common Border, Uncommon Neighbor

Tuesday, March 29: **Professor Tim Kehoe** of the University of Minnesota's Department of Economics will present an historical economical background of Mexico.

Wednesday, March 30: **U.S. Senator Paul Wellstone** will address "Issues of U.S. Foreign Policy towards Mexico."

Wednesday, April 6: Minnesota Advocates' **Legal Fellow Sarah DeCosse** will discuss "Human Rights and the Indigenous People of Mexico."

All Mexico series programs will be held at the offices of Robins, Kaplan, Miller & Ciresi, Minneapolis.

For more information about any of these programs, please call the Minnesota Advocates office at 612-341-3302. To register, please use the form at right. ■



Two young girls in front of their home in the Dominican Republic, 1990.

Spring Speakers Series Registration

Please register me for the following program(s):

Bosnian War Crimes -- are prosecutions possible?

March 24, Peter Thompson at Faegre & Benson, Minneapolis.

Cost: MAHR members, \$10 and \$12 for nonmembers. Lunch will be provided. 1 CLE credit pending.

Mexico: Common Border, Uncommon Neighbor

March 29, Prof. Tim Kehoe

March 30, Sen. Paul Wellstone

April 6, Sarah DeCosse

All programs at Robins, Kaplan, Miller & Ciresi, Minneapolis.

Cost: MAHR members, \$25 for series or \$10 for each program; nonmembers, \$30 for series or \$12 for each program. Lunch will be provided.

Enclosed is my check for \$ _____

Name _____

Address _____

Day phone _____

Fax _____

Please call 612-341-3302 for more information about these programs. Please return this form with payment to:

MAHR
400 Second Avenue S., #1050
Minneapolis, MN 55401

Letterwriting



Rigoberta Menchu Tum, 1992 Nobel Peace Prize Laureate, speaking with Bishop Samuel Ruiz Garcia, founder of the "Fray Bartolome de las Casas" Human Rights Center and mediator in the negotiations between the Mexican government and the EZLN Zapatista Army. Legal fellow Sarah DeCosse met with both Menchu and Ruiz during her mission to Chiapas in January 1994.

Letterwriting: Chiapas, Mexico

On February 11, 1994, the bodies of three men were found in the indigenous Tzeltal community of Morelia in the state of Chiapas, Mexico. The remains were identified as those of Severiano Santiz Gomez, Sebastian Santiz Lopez, and Hermelindo Santiz Gomez. The three men were arrested by the Mexican military on January 7, 1994, and several witnesses saw members of the military torturing them in a local church. The men were last seen alive being taken from the church in a military ambulance.

The Mexican government has provided contradictory information regarding the detentions and deaths of these men. On February 9, the government reported the release from detention of Hermelindo Santiz Gomez. The Ministry of National Defense has denied that the men were ever taken into custody. Following the discovery of the bodies, the government announced its intention to perform forensic analysis of the remains of the three men.

In the nearby town of Altamirano local leaders have encouraged mobs to intimidate religious workers at the San Carlos Hospital. On February 20 and 21, crowds of approximately 100 persons threatened hospital workers with death if they did not leave the area. The mobs were organized by the mayor and local President of Mexico's ruling party, the PRI. Allegedly the mobs were incensed that the hospital had treated injured members of the Zapatista Liberation Army in the first days of the January uprising. The hospital treats all patients without regard to their political affiliation, and also treated Mexican police injured in the conflict.

Please send letters urging the following actions:

- a full and immediate investigation into the role of the Mexican authorities and the Mexican military in the detention, torture and killing of Severiano Santiz Gomez, Sebastian Santiz Lopez, and Hermelindo Santiz Gomez;

- prompt prosecution of those determined to have responsibility for these cases of detention, torture and killing;
- a guarantee of the safety of the San Carlos Hospital staff and prosecution of those responsible for these incidents of intimidation and threats of violence;
- a guarantee of the safety of all persons offering humanitarian aid in Chiapas and human rights monitors working in the area.

Send letters to:

Lic. Carlos Salinas de Gortari
Presidente de la Republica
Palacio Nacional
06067 Mexico D.F., Mexico

Gral. Antonio Riviello Bazan
Secretario de Defensa Nacional
Secretaria de Defensa Nacional
Avila Camacho e Industria Militar
Lomas de Sotelo
11640 Mexico D.F., Mexico

bcc: Minnesota Advocates ■

U.S. Denies Asylum Request of Former Servants of Saudi Royal Family

On February 11, 1994, an immigration judge in Houston denied the asylum request of Josephine Alicog from the Philippines and Marian Sryani Fernando from Sri Lanka who were former servants of Prince Saud, the older brother of the King of Saudi Arabia. Alicog and Sryani fled from their employer who was living at a hotel in Houston while seeking medical treatment. The two women argued that they feared persecution in their home countries because of their actions to expose the slave-like conditions of domestic workers in Saudi Arabia. The economies of the Philippines and Sri Lanka rely heavily on money sent home by foreign laborers in Saudi Arabia.

The women's attorney, Jerry Payne, says he intends to appeal the immigration court's ruling to prevent his clients from being the victims of retaliation in their home countries. "Even though my clients were repeatedly beaten, denied the right to worship freely, denied freedom of movement and generally treated like animals, the immigration court found that these actions by the Saudi Royal Family were 'not serious,'" criticized Payne.

Minnesota Advocates for Human Rights submitted expert testimony in the case based on the organization's findings in its 1992 report, *Shame in the House of Saud: Contempt for Human Rights in the Kingdom of Saudi Arabia*. ■

Minnesota Advocates for Human Rights Seeks Gifts-In-Kind

Adding machines with tape
Camcorder
Cassette recorder
Coffee pots
Flip charts
Laptop computers
Office furniture
 side chairs
 desks
 computer chairs
 book shelves
Office equipment
 files
 computer tables
Overhead projector
New telephone system
Television
VCR

If you would like to make a donation, please contact Cynthia Breslauer at 612-341-3302.



Members of a women's agricultural cooperative in Gambia, West Africa, 1992.

MEMBERSHIP

Enclosed is my check or money order for membership at the following level:

___ \$ 15 student ___ \$35 low income
___ \$60 basic ___ \$100
___ Other \$ _____

First Name _____

Last Name _____

Employer _____

Address _____

Phone (work) _____

Phone (home) _____

Fax _____

My employer has a matching gift program.

Please mail this form to:
Minnesota Advocates for Human Rights
400 Second Avenue South, Suite 1050
Minneapolis, MN 55401 U.S.A.

Calendar

Tuesday, March 8: Women's International League for Peace and Freedom dinner in honor of International Women's Day featuring Sarah DeCosse speaking on women's rights in Haiti and Mexico. For more information call 612-645-3045.

Spring Speakers Series:

Bosnian War Crimes -- are prosecutions possible?
Thursday, March 24: Peter Thompson will explore prosecution of Bosnian war crimes for four different situations. 1 CLE credit pending.

Mexico: Common Border, Uncommon Neighbor
Tuesday, March 29: Professor Tim Kehoe, University of Minnesota Department of Economics, will speak on "History, Economics and Politics in Mexico."
Wednesday, March 30: U.S. Senator Paul Wellstone will address "Issues in U.S. Foreign Policy towards Mexico."
Wednesday, April 6: Legal fellow Sarah DeCosse will speak on "Human Rights and the Indigenous People of Mexico."

All sessions are from noon to 1:30 p.m. Please see page 8 for more details on all programs.

April 6-9: American Society of International Law Annual Meeting in Washington, DC. For more information contact Melissa Scott, ASIL, 2223 Massachusetts Avenue NW, Washington, DC 20008; phone, 202-939-6000; fax, 202-797-7133.

April 8-10: "Prisons 2000," an international conference on the present state and future of imprisonment to be held at the University of Leicester, England. For additional information please contact Kate Penny, Professional Development Unit, University of Leicester, Leicester LE1 7RH, UK; telephone, 0533-522464 or fax, 0533-522460

Saturday, April 23: Nancy Arnison will be the keynote speaker on "Fighting the Backlash: Immigration Myths and Realities" at the fourth annual Refugee Resettlement Conference. The conference will be held from 9 a.m. to 2 p.m. in Minneapolis. For more information contact Karin Larson at 612-341-7679.

Saturday, May 7: Amnesty International Fun Night from 8:00 - 9:30 p.m. at the Eisenhower Community Center, 1001 Highway 7, Hopkins, MN. Event will include a performance by the Youth Group of the Cultural Society of Filipino Americans and flamenco guitarist Michael Hauser. For more information call Gary King at 571-7696 during the evening.

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