

## ALCUNI ESEMPI DI DIRITTI UMANI VIOLATI A CAUSA DI COMPORTAMENTI DEL MONDO DELL'ECONOMIA

(Fonte : notiziario settimanale E-monitor di <http://www.worldmonitors.com/>)  
(Date: da settembre 2005 a febbraio 2006)

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### US: BOEING SETTLES FOR \$72 MILLION

The Seattle Times reports November 12 that some 17,960 current and former female employees of Boeing will receive an unexpected year end bonus this year.

According to documents filed in federal court in Seattle, Boeing has agreed to pay \$72.5 million to plaintiffs in a class-action sex-discrimination lawsuit settled in July 2004. If plaintiffs' motion for payment is granted, checks could be in the mail by the end of December.

The payout — “roughly equal to the list price of a single 737-800 airplane” — was the maximum permitted by the settlement agreement last year, the Times reports. The plaintiffs' lawyers said that reflected the degree of hostility felt by women in the male-dominated Boeing workplace.

"It's revealing that over 60 percent of female employees filed claims — in most class-action suits a 30 percent response rate is typical," said Mike Helgren, the lead attorney for the plaintiffs.

As part of the settlement, Boeing did not admit to any wrongdoing, but agreed to make changes in its hiring, pay, and promotion practices, and in how it investigates employee complaints.

"We've moved ahead on numerous fronts in making improvements to our work environment," said John Dern, a Boeing spokesman in Chicago.

In all, some 20,338 current and former female employees out of a potential 29,000 said they were discriminated against at Boeing's various Puget Sound-area plants between 1997 and 2000, after which the aviation giant undertook efforts to boost pay for female employees.

The exact amounts to be disbursed are under seal, but range from a minimum of \$500 to \$26,000, according to Helgren. The average pre-tax payout is \$3,000 per employee.

Another discrimination lawsuit is scheduled to begin in federal court on December 5. Williams v. Boeing was filed on behalf of 15,000 African-American employees.

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## BURMA: NEW LIST OF FOREIGN BUSINESS PARTNERS PUBLISHED

As the International Labor Organization (ILO) prepares to hold a crucial debate for Burma's continued membership of this UN agency, the International Confederation of Free Trade Unions (ICFTU) November 8 released an updated list of foreign companies doing business with Burma, bringing the total number to 474. Beside long-standing business partners of the junta such as Total and more recent ones, such as Daewoo, the ICFTU's updated inventory lists thirty-eight "newcomers", including Sanyo and Polyphon.

Amidst conflicting signals from the military junta about the country's possible withdrawal from the ILO, the agency is meeting this week to discuss the latest Burma report from ILO Director-General Juan Somavia. The report details the last round of negotiations with the military government and the full-scale propaganda campaign launched against the ILO last July, alongside a series of written death-threats against the organization's representative in Burma.

The junta's hostility towards the ILO stems from a renewed call last June for all ILO members to step-up their review of relations with Burma, imposed in 2000 after the organization concluded that the junta was systematically imposing forced labor on its civilian population.

Commenting on the junta's threat to withdraw from the ILO, the ICFTU General Secretary Guy Ryder, said such a move would constitute a "rare and exceptional step".

"Burma's military would be well-advised to carefully weigh the consequences of its actions," he added. He said threatening an ILO official and holding mass-rallies against the ILO's presence in the country was "unprecedented and exceptionally serious". Recalling that the government would in any case have to wait out a two-year "cooling-off period," Ryder stated that "in the meantime, the door should remain open to Burma's military regime to resume cooperation with the ILO and demonstrate it is serious about desisting from forced labor."

The updated list can be found at [www.global-unions.org/burma](http://www.global-unions.org/burma).

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## NIGERIA: GAS FLARING VIOLATED HUMAN RIGHTS, SAYS COURT

Reuters reports November 14 that a Nigerian judge ruled that the burning of natural gas by oil firms in the Niger Delta violates the human rights of local people and should stop immediately.

The Iwerekani community of Delta State in the southern wetlands region of Nigeria had argued that flaring, or burning off gas associated with the extraction of crude oil, breached their right to life, dignity, and a healthy environment.

"The court upheld all the points made by the community," said Nnimmo Bassey, director of Environmental Rights Action, a Nigerian campaign group that supported the legal case brought by the community in the delta city of Benin. Giant orange flares burn around the clock in the vast region of mangrove swamps and creeks, many close to villagers' homes.

"It's a thing that goes on 24 hours a day, every day of every year. It causes explosions, constant noise and great heat. Many people have never had a time of quietness or a dark night because of these flares," Bassey told Reuters.

The ruling was against the government, state oil company Nigerian National Petroleum Corp. (NNPC) and Shell Development Petroleum Corporation (SPDC), the Nigerian arm of Royal Dutch Shell.

"Following the ruling, SPDC has immediately filed a notice of appeal challenging the validity of the judgment on the basis of violation of legal process," the company said. "However, we wish to restate SPDC's commitment to ending routine flaring of gas in its Nigerian operations. It is a big undertaking for which the company has over the last five years, made significant investment of some \$2 billion," it added.

According to Friends of the Earth, more gas is flared in Nigeria than anywhere else in the world and Nigerian flaring causes more greenhouse gasses than all other sources in sub-Saharan Africa combined.

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## **TURKEY: ILRF SUES COKE FOR TORTURING WORKERS**

The International Labor Rights Fund (ILRF) announced November 15 that it will sue Coca-Cola in Federal District Court in Manhattan on behalf of 14 truck drivers and other transport workers employed by the soft drink giant at its facilities in Istanbul, Turkey, and some of the workers' spouses and children.

The complaint will be filed under the Alien Tort Claims Act, a US law passed in 1793 that allows foreign nationals to sue individuals and companies living or doing business in the US for civil damages when they commit serious crimes abroad, including murder, torture, rape and slavery.

The Turkish plaintiffs allege that Coke called in the brutal Turkish "special branch" police (Cevik Kuvvet) to break up a peaceful protest by the families of workers who were fired by the company for joining a labor union. It is reported that at the direction of Coca-Cola managers, the nearly 1,000 riot police seriously injured young children, their mothers and some of the workers with tear gas and beatings.

In addition to damages, the plaintiffs are asking the court to enjoin Coca Cola from continuing to claim, falsely, to its European and US customers that it respects the rights of workers in the conduct of its business.

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## **BURMA: TOTAL SETTLES OUT OF COURT FOR FORCE LABOR CHARGES**

On November 29, Agence France Presse reports that Total SA said it has agreed to pay 5.2 million Euro to settle claims that the oil giant used forced labor at its Yadana gas pipeline project in Burma, ending legal proceedings that had been brought against the company in a French court in 2002. According to the French Sherpa Association, a human rights group representing the eight Burmese citizens who lodged the case, Total benefited from forced labor that had been organized by the junta army.

In its November 29 statement, Total repeated its "categorical denial" of the claims, and said it settled for "humanitarian reasons".

"The group has always fought against forced labor, unfortunately not yet eradicated from

Myanmar,” Total Group said in a press statement. The 5.2 million Euros will be used to create a solidarity fund, which will mainly be used to finance local humanitarian programs including housing, health, and education.

The fund will also pay 10,000 Euro to each of the eight plaintiffs, “and any other person who can demonstrate that they suffered a similar experience in the area near the Yadana pipeline during construction work,” Total said.

Construction of the pipeline was carried out from 1995 to 1998, and represents an investment of about US\$ 1 billion for Total and its partners -- Unocal, Thailand's PTT, and Myanmar's state-owned oil company MOGE.

A military junta has ruled Myanmar, formerly known as Burma, since 1988. Human rights groups have condemned Total for settling.

French-based International Federation for Human Rights and the League of Human Rights issued a joint statement accusing Total of buying its way out of legal action, reports ABC Asia Pacific TV/Radio December 1.

The rights groups say the settlement glosses over Total's responsibilities and masks the reality of "massive and systematic human rights abuses in Burma, including the generalized use of forced labor".

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## ECUADOR: CHEVRON FACES SHAREHOLDER RESOLUTION ON CONTAMINATION

For the third year in a row, Chevron Corporation shareholders have submitted a resolution on Texaco’s “toxic legacy” in Ecuador, according to a December 2 press release from Amnesty International USA. This year, the resolution calls on the company to report the total costs relating in any way to the health and environmental consequences of hydrocarbon exposures and Chevron’s remediation of Texaco drilling sites in Ecuador.

Trillium Asset Management, a socially responsible investment firm that manages more than \$900 million in assets for individual and institutional clients, filed the shareholder proposal. The New York State Common Retirement Fund, holding 10.2 million shares in Chevron currently worth more than \$603 million, has also joined the filing.

Amnesty International USA and Boston Common Asset Management, LLC, on behalf of its client Brethren Benefit Trust, Inc. co-filed the proposal.

The resolution expresses concern by shareholders that Chevron is addressing issues in the Amazon as a public relations problem rather than a serious health and environmental problem. They believe this damages Chevron’s reputation and credibility as an environmentally responsible corporate citizen, jeopardizes the ability of the company to compete in the global marketplace, and may lead to significant financial costs.

The problem is rooted in a Texaco-Petroecuador joint venture that extracted more than 1.4 billion barrels of oil from the Ecuadorian Amazon between 1972 and 1992. As operator, Texaco designed, built, and managed all exploration, extraction, and transportation facilities. During this time, the trans-Ecuadorian pipeline spilled an estimated 19 million gallons of oil, and disposed of an estimated 18.5 billion gallons of toxic wastewaters into open, unlined pits, waterways, and wetlands. In 1998, Texaco completed a cleanup of 156 of the 627 unlined toxic waste pits pursuant

to an agreement with the Ecuadorian government. Groundwater contamination, however, was not remediated. The cleanup is being challenged in a third-party, class-action lawsuit in Ecuador representing 30,000 plaintiffs seeking billions of dollars of additional remediation.

Evidence gathered by both sides is showing total hydrocarbon soil contamination that greatly exceeds thresholds set by Ecuador and the United States. A final ruling is not expected for at least two years. "We're not convinced that Chevron's mitigation activities have been sufficient to insulate the company from further liability that could damage share value.

Nearly twice as much oil was spilled in the Ecuadorian rainforest by Chevron and its partner than the amount that flowed from the Exxon Valdez," said Shelley Alpern, Director of Social Research and Advocacy at Trillium.

A similar resolution received 9 percent of votes cast by shareholders in 2004 and 2005.

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US: ICCR FILES 100 SHAREHOLDER RESOLUTIONS FOR 2006

As of December 13, Members and Associates of the Interfaith Center on Corporate Responsibility (ICCR) have filed one hundred shareholder-sponsored proxy resolutions for 2006. Among the companies receiving resolutions are McDonald's, GE, Lockheed Martin, Anheuser-Busch, and ChevronTexaco. Issues addressed include health concerns regarding labeling of genetically modified foods; reporting on the impact of HIV/AIDS; environmental issues, including PCBs impact on the Hudson River; drilling for oil in protected areas; clean-up of Ecuador drilling sites; violence protection in the workplace; and concerns regarding the manufacture of nuclear weapons.

The ICCR investor coalition includes 275 members with a combined market portfolio of more than \$110 billion. Complete information on the one hundred resolutions is available from EthVest, the ICCR's subscription-based ethical investor on-line database tracking shareholder-sponsored resolution activity.

"We are about half-way through the 2006 filing process for shareholder-sponsored resolutions," stated ICCR Executive Director Sister Patricia Wolf, "We anticipate another 100 to 200 resolutions will be filed by ICCR members focused on changing the policies and actions of Corporate America. Our 275 faith-based institutional investor members, along with our associates and affiliate members, use their combined investment assets to improve corporate social and environmental performance through shareholder advocacy, including addressing the HIV/AIDS pandemic, reversing global warming, and guaranteeing equal employment opportunity for all."

For more see [www.iccr.org](http://www.iccr.org).

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US: CALPERS PRESSURES COMPANIES TO LEAVE SUDAN

The California Public Employees' Retirement System (CalPERS) threatened last week to sell its investments in three European companies if they did not sever relations with the government of Sudan, which human rights groups and some governments have accused of complicity in mass killings in the Darfur region.

The Los Angeles Times reports December 13 that the CalPERS board voted nine to two to send the warning to Swiss technology group ABB, German industrial conglomerate Siemens, and French telecommunications giant Acatel.

In addition, two big oil companies in which CalPERS owns stock, Royal Dutch Shell and France's Total, were put on notice that they would be scrutinized further, even though a preliminary CalPERS investigation found that their Sudanese subsidiaries do no business with the government of Africa's geographically largest nation.

"Companies with business ties to the Sudanese government present a financial risk and a moral threat to their shareholders," California Treasurer Phil Angelides said.

CalPERS owned shares worth \$55.2 million in ABB, \$45.3 million in Alcatel, \$791 million in Shell, \$233 million in Siemens and \$555 million in Total, as of September 8, according to a staff report submitted to the board of the pension fund.

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#### BOLIVIA: BECHTEL DROPS \$50 MILLION LEGAL DEMAND

Bechtel, a global engineering and construction company based in San Francisco, reached agreement with the government of Bolivia, dropping a legal demand for \$50 million after a revolt over privatizing water services in the city of Cochabamba forced the company out of Bolivia in April 2000, reports the Environmental News Service January 19.

Bechtel and its chief co-investor, Abengoa of Spain, had been seeking \$25 million in damages and \$25 million in lost profits in a case filed before a World Bank trade court, the International Centre for Settlement of Investment Disputes (ICSID).

Following four years of international public protest aimed at the companies, Bechtel and Abengoa agreed to abandon their case for a token payment.

"Multinational corporations want to turn everything into a market," said Oscar Olivera, a leader in the Bolivian water revolt. "For indigenous people water is not a commodity, it is a common good. For Bolivia, this retreat by Bechtel means that the rights of the people are undeniable."

Bechtel said today in a statement that the corporations were held blameless in the dispute. "The government of Bolivia and the international shareholders of Aguas del Tunari declare that the concession was terminated only because of the civil unrest and the state of emergency in Cochabamba and not because of any act done or not done by the international shareholders of Aguas del Tunari, which include the Bechtel, Befesa, Abengoa of Spain, and Edison corporations," the company said.

The concession agreement dates from September 3, 1999, when the government of Bolivia approved Aguas del Tunari as the concessionaire to provide water services to the city of Cochabamba. On April 10, 2000, the concession was terminated because of the civil unrest, giving rise to a dispute between Bolivia and Aguas del Tunari.

In 1997, the World Bank made privatization of the public water system of Bolivia's third largest city, Cochabamba, a condition of the country receiving further aid for water development. That led, in September 1999, to a 40 year concession granted to a company led by Bechtel in a process with just one bidder. Within weeks of taking over the city's water, Bechtel's Bolivian company, Aguas

del Tunari, raised rates by more than 50 percent and in some cases even higher.

The water price hikes were met with angry public protest. Cochabamba, a city of about 500,000 people, was shut down by general strikes three times. In April 2000, Bechtel was forced to leave the country and the water company was returned to public ownership.

"This settlement demonstrates the power of public participation," said attorney Martin Wagner of Earthjustice, a nonprofit, public interest law firm based in Washington, DC. Wagner drafted the 2002 legal petition on behalf of Bolivian civil society leaders demanding public participation in the Bechtel case.

"Unfortunately, hundreds of foreign investor challenges against developing countries remain pending and more will be filed as the United States and others continue to force governments to give foreign corporations special privileges," Wagner said. "We must continue to tear down the walls of secrecy and exclusivity in international commercial arbitrations like this one."

#### US: STATE DEPT PROBES WORKER ABUSE BY CONTRACTORS

The Chicago Tribune reports January 19 that the US State Department is investigating alleged abuses of workers who are part of an undocumented pipeline used to deliver thousands of Asians to labor on US military bases in Iraq.

John Miller, director of the State Department's Office to Monitor and Combat Trafficking in Persons, said in an interview that his office is working with the Department of Defense, as well as State Department officials in South Asia and the Middle East, to investigate and address issues brought to light by "Pipeline to Peril," a two-part series published by the Tribune in October.

Miller said his office, which was created by congressional mandate in 2001, has recently started to grapple with trafficking abuses that exist within the larger system of foreign labor migration into the Middle East, where petrodollars have for decades fueled the flow of millions of domestic workers and menial laborers from impoverished nations.

While much of the flow of workers is for legitimate employment, Miller said, "There is a dark side to this." He also said, "If this turns out to be the case in Iraq, something has to be done about it."

Miller said the Tribune's series, which documented the deaths of 12 workers who had been trafficked from Nepal to Iraq, raised a specific alarm because it detailed alleged abuses involving contractors and subcontractors "employed directly or indirectly by the U.S. government" at American facilities in Iraq under a multibillion-dollar privatization contract.

That contract, which has cost taxpayers more than \$12 billion, is held by Halliburton subsidiary KBR.

Miller said that even if there are 15 layers between the firm that originally recruited the worker and the U.S. government, it is not hard to "ask your last subcontractor to inquire of the workers how they got there."

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#### CHINA: GOOGLE DID "AN EVIL SCALE" ON DECISION TO CENSOR

It took Google Inc. more than a year to make the decision that offering a censored version of its search services in China would be a lesser evil than boycotting business in the country altogether, according to Google Inc. Chief Executive Officer (CEO) Eric Schmidt and the IDG News Service January 30.

"We concluded that although we weren't wild about the restrictions, it was even worse to not try to serve those users at all," Schmidt said. "We actually did an evil scale and decided not to serve at all was worse evil," he said, referring to the company's famous "don't be evil" creed.

Schmidt's remarks came during a panel discussion January 27 at the World Economic Forum (WEF) in Davos, Switzerland, on the theme "Digital 2.0: Powering a Creative Economy." Schmidt talked about Google's planned Chinese service in response to a question from an audience member about the issue, which has been in the headlines last week after Google disclosed that the new service will comply with Chinese government policies requiring Google to block results to searches on politically sensitive topics. Google has also been under pressure from the US government, which has requested extensive Google usage records to further an investigation into online pornography. Google said it intends to fight that subpoena.

Without specifically mentioning either of those issues, Schmidt cited overly aggressive government policing as one of the threats that could derail the information economy's rapid growth.

"Things that could slow down this very rosy picture are bizarre or unreasonable laws and regulations, or fear on the part of end users who are dying to use these [technologies] but are afraid," Schmidt said. Great volumes of information are now available online, and "exactly who has access to that, what their rights are ... [those questions] are going to loom very, very large in the citizens' minds."

However, not all the press around Google's decision was positive. US Congressman Chris Smith told the Associated Press January 27 that it was "astounding" that Google would co-operate with such censorship "just to make a buck."

"Many Chinese have suffered imprisonment and torture in the service of truth — and now Google is collaborating with their persecutors," said Smith, who has called for legal sanctions against US technology companies that aid Chinese Web censorship.

Amnesty International said such co-operation clearly curtailed freedom of expression and information, calling Google's policy "short-sighted."

"Agreements between global corporations and the Chinese authorities have entrenched Internet censorship as the norm in China," the group's secretary general, Irene Khan, said from the World Economic Forum.

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## US: IBM ACCUSED OF DENYING OVERTIME PAY TO WORKERS

A lawsuit was filed in federal court last week accusing IBM of denying overtime pay to tens of thousands of workers, reports the New York Times January 25.



The suit, which seeks class-action status, contends that the company violated federal and state labor laws in California and New York by misclassifying full-time computer installation and maintenance workers as exempt from overtime.

"We believe that those tens of thousands of workers have worked tens of thousands, perhaps millions, of unpaid overtime hours," James M. Finberg, a lawyer at Lieff Cabraser Heimann & Bernstein, said at a news conference in San Francisco, where the suit was filed.

Employees working more than forty hours a week are generally entitled to overtime pay under federal law, unless they fall under specific legal exemptions. The plaintiffs in this suit do not "fall into the very narrow exceptions to the overtime laws," Mr. Finberg said.

In a phone interview, John Bukovinsky, an IBM spokesman, said: "The company does not comment on pending or on ongoing litigation. We're reviewing the documents."

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#### FRANCE: TEMP AGENCY ACCUSED OF RATING WORKERS BY RACE

The Washington Post reports January 15 that in the Paris office of Adecco, one of the world's largest hiring agencies for temporaries, job applicants are rated by skill and by race.

Racial information was released to clients who were given the opportunity to turn away temps if they were black. The clients that refused to accept black employees for their most visible service jobs included some of the city's best-known hotels, restaurants and department stores, as well as local government agencies and the Foreign Ministry, according to Gerald Roffat and intern who did the interviewing. Other clients, among them the Disneyland Resort Paris theme park, imposed limits on the number of black workers they accepted, he said.

Adecco, which is based in Zurich, with 1,100 offices in France and more than 5,000 in the United States and other countries, is now the target of a French discrimination complaint alleging that it violated the rights of at least 1,500 applicants by denying them jobs based on the color of their skin.

Tristan d'Avezac, a spokesman for Adecco, declined to comment on specifics of the complaint, citing a continuing investigation. But he said that in 2000 the company imposed a policy aimed at ending racial discrimination in its operations. "Discrimination is a reality in the labor market in France," d'Avezac said. "It is clearly the reason why we have this action plan."

"The official position of France is that we're all equal," said Jean-Pierre Dubois, president of the French Human Rights League. "The problem is that it's not true. French businesses and the French people are not yet used to diversity."

In the lawsuit, Roffat and other former employees at the company's Montparnasse office have testified that in 2000 they were using race-based classification systems for applicants. After candidates completed applications, the forms were marked with the notation "BBR" or "NBBR," according to Roffat. Roffat has since revealed all to local French NGO, SOS Racism, which helped to conduct a five year investigation of documents and witnesses and ensured they were interviewed by police and labor investigators.

BBR, shorthand for "bleu, blanc, rouge," or "blue, white, red" -- the colors of the French flag -- identified white candidates, said Samuel Thomas, vice president of SOS Racism. NBBR meant "no blue, white, red," and denoted black and other nonwhite candidates, Thomas said.

Case records show that Adecco employees have said they were told by Disney employees that minority referrals to Disney could not exceed about 20 percent. "We can't accept that mentality," SOS Racism's Thomas said. "You should never choose anyone because of color."

Pieter Boterman, a spokesman for Disneyland Resort Paris, declined to comment, citing the continuing investigation. He added, "Racism is absolutely not tolerated at Disney Resort Paris, as well as any other form of discrimination."

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## UK: CHURCH OF ENGLAND VOTES TO DISINVEST IN CATERPILLAR

On February 6 the Church of England's general synod - including the Archbishop of Canterbury – voted to disinvest church funds from companies profiting from Israel's occupation of Palestinian territory.

The main target of the plan is the US earth-moving equipment company Caterpillar which has supplied vehicles used by Israel to demolish Palestinian homes, reports Ekklesia.com, a non-profit think tank in the UK.

The vote follows examination by the Church's Ethical Investment Advisory Group of whether the shares currently held in Caterpillar were consistent with the Church's ethical investment policy, which prohibits investment in arms companies or companies making "weapons platforms" such as naval vessels or tanks.

The church currently invests about £2.5m of its £900m share portfolio in Caterpillar and had been engaged in negotiations with the company about its activities. Caterpillar insists it has not provided the earth movers directly to Israel but to the US military which sold them on.

However, Caterpillar was singled out by the United Nations for complicity in human rights abuses. As detailed in the activist group War on Want's recent alternative report on Caterpillar, thousands of Palestinian homes and vast swathes of agricultural land have been destroyed by the Israeli military using armored Caterpillar D9 bulldozers. Caterpillar bulldozers have also been used in the construction of Israel's Separation Wall, ruled illegal by the International Court of Justice in July 2004.

On the first day of its meeting in London, the general synod, the church's parliament, heard denunciations of Israel's use of the machines from one of its own bishops and from the Anglican bishop of Jerusalem, who is Palestinian, whose letter was read out.

The Right Reverend John Gladwin, Bishop of Chelmsford, who is chairman of Christian Aid, told the meeting that the problem in the Middle East was the government of Israel rather than Caterpillar but that it was vital that the church should invest only in organizations which behaved ethically.

Ekklesia reports on February 13 that Rowan Williams, the Archbishop of Canterbury, has received a torrent of criticism over his backing of the call for divestiture over the last week.

Simon McIlwaine, spokesman of the Anglicans for Israel group, told the BBC the decision had set back Anglican-Jewish relations by 70 years and called for it to be reversed: "This has caused

enormous hurt in Israel and the UK, so much so that many people in the Jewish community are talking about breaking contact with Anglican Christians."

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#### CHINA: RWB FINDS YAHOO HELPED IMPRISON ANOTHER DISSIDENT

Reporters Without Borders (RWB) issued a statement on February 9 revealing that it had called on Yahoo! to supply a list of all cyberdissidents it has provided data on beginning with eighty-one people in China for whose release the worldwide press freedom organization is currently campaigning.

RWB claims it discovered that Yahoo! customer and cyberdissident Li Zhi had been given his eight-year prison sentence in December 2003 based on electronic records provided by Yahoo.

"We were sure the case of Shi Tao, who was jailed for ten years last April on the basis of Yahoo-supplied data, was not the only one. Now we know Yahoo works regularly and efficiently with the Chinese police," the statement says.

"The firm says it simply responds to requests from the authorities for data without ever knowing what it will be used for. But this argument no longer holds water. Yahoo certainly knew it was helping to arrest political dissidents and journalists, not just ordinary criminals. The company must answer for what it is doing at the US congressional hearing set for February 15."

The foreign-based news website Boxun.com posted on February 5 the plea of cyberdissident Li's lawyer, Zhang Sizhi, at an appeal court hearing in February 2004. Zhang said his client, who used the e-mail address libertywg@yahoo.com.cn and user-name lizhi34100, had been sentenced on the basis of data handed over by Yahoo! Hong Kong in a report dated August 1, 2003. Li, a 35-year-old ex-civil servant from Dazhou (South-West), had been sentenced on December 10, 2003 to eight years in prison for "inciting subversion." He had been arrested the previous August after he criticized in online discussion groups and articles the corruption of local officials. Local sources said Yahoo! Hong Kong's cooperation with the police was also mentioned in the court's verdict on Li.

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#### LIBERIA: GLOBAL WITNESS WELCOMES END TO FOREST CONCESSIONS

On February 9, Global Witness issued a statement welcoming the decision by newly elected Liberian President Ellen Johnson-Sirleaf to adopt the recommendations and report of the Forest Concession Review Committee which recommend the cancellation of all logging concessions. "This decision marks a positive step in the critical reform process to break the historical link between the Liberian logging industry, conflict and regional instability, and to ensure that the forests are managed for the benefit of the Liberian people," the statement reads.

"Given the links between some of the logging companies and the recent conflict, and broader problems associated with concession systems, the significance of this step cannot be overestimated," said Natalie Ashworth, Global Witness campaigner.

The United Nations Security Council imposed sanctions on Liberian timber in 2003 because of the role of the industry in fuelling conflict. Sanctions were renewed most recently in December 2005.

Global Witness investigations in September 2005 showed that despite the improved security situation, the government of Liberia has not yet gained control over Liberia's forest territory and border regions, as required under United Nations Security Council Resolution 1521.

"President Sirleaf's decision has shown a welcome resolve to break from the past," says Natalie Ashworth. "Mechanisms now need to be put in place to ensure lasting security and to prevent timber exploitation from contributing to conflict again in the future."

For more information on Liberia, see Global Witness reports and briefing documents, available at [www.globalwitness.org](http://www.globalwitness.org).

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#### NIGERIA: SHELL TOLD TO PAY \$1.5 BILLION IN DAMAGES

A Nigerian court has said that Royal Dutch Shell should pay \$1.5 billion in damages for pollution in oil-producing Bayelsa state, the latest installment in a long-running case, reports Reuters February 24.

Judge Okechukwu Okeke upheld a resolution by the National Assembly that Shell should pay the money to ethnic Ijaw communities in Bayelsa, in the impoverished Niger Delta which produces all of Nigeria's 2.4 million barrels per day of oil.

"The court entered a judgment in favor of the Ijaw Aborigines, ruling that, since SPDC chose to participate in the National Assembly hearing, it had submitted to their jurisdiction and thus is bound by their resolution," SPDC, the Nigerian arm of Shell said in a statement.

"SPDC has appealed the judgment on, among other grounds, the strength of independent expert advice, which demonstrates that there is no evidence to support the claims of the group," the company said.

The appeal will lead to further lengthy procedures before the case is finally settled.

Communities often accuse Shell of allowing its oil to spill into the rivers and swamps of the Niger Delta, spoiling crops, and driving fish away. Shell says most spills are caused by saboteurs trying to steal the oil for sale by international criminal syndicates on the world market.

Chief Malla Sasime, traditional ruler of the Ijaw Epie Kingdom in Bayelsa, said Shell should pay up immediately.

"Our people have gone through due process to get the judgment ... They must pay the money or be ready to leave our land," he told reporters after the hearing.

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#### US: BIRTH DEFECTS COULD BE LINKED TO AG-MART PESTICIDE VIOLATIONS

The corporate tomato grower Ag-Mart was virtually unknown in North Carolina four years ago when it planted hundreds of acres of grape tomatoes in a swath of coastal plain, reports the Raleigh News & Observer February 26. Today, the Florida company is accused of the worst pesticide violations in North Carolina history. And state health officials are investigating whether pesticide exposure is to blame for three deformed babies born to Ag-Mart employees - one of which had no arms or legs and another with no visible sex organs.

Last fall, the N.C. Department of Agriculture's pesticide section fined Ag-Mart \$184,500, the department's largest fine ever.

Inspectors say it exposed workers to a host of poisonous chemicals, some linked to birth defects and other health problems. Four months later, Ag-Mart and the state are still negotiating payment. "It's cheaper for them to pay fines than it is for them to operate aboveboard," said Fawn Pattison, head of the N.C. Agricultural Resources Center, a nonprofit that opposes the use of toxic pesticides.

Ag-Mart declined to comment about the violations. "Our products are safe and have always been safe, and Ag-Mart stands behind its commitment to its workers, retail customers and consumers," said Leo Bottary, a company spokesman.

Since the violations were issued, an Ag-Mart worker named in the state's report says he was fired for talking with agriculture department inspectors. The company did not respond to questions about the firing.

N.C. Agriculture Commissioner Steve Troxler, whose department oversees enforcement of pesticide laws, declined to comment about the company.

Ag-Mart sells its tiny tomatoes, which it grows in North Carolina, Florida, New Jersey and Mexico, under the brand name "Santa Sweets" at grocery chains all over the United States.

Wal-Mart pulled the tomatoes off shelves because of concerns over pesticide violations.

Recently, Florida Legal Services, a federally funded advocacy group for the poor, said it was trying to negotiate a settlement for hundreds of Ag-Mart workers who say they were sprayed with pesticides in North Carolina and Florida. Ag-Mart faces an \$111,200 fine for pesticide violations in Florida.

A few months before state inspectors arrived at the North Carolina farms, three former Ag-Mart workers bore babies. The women lived in the same labor camp in Florida when they became pregnant, and all worked for Ag-Mart in Florida and North Carolina during their pregnancies, said their lawyer, Andrew B. Yaffa, who practices in Florida. The first baby, born in December 2004, had no arms or legs. The second, born in early February 2005, had a severely underdeveloped jaw. The third, born two days later, had a missing nose and ear and no visible sexual organs. That baby died within days. The company has since stopped using five chemicals linked to birth defects.

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## UGANDA: OXFAM SAYS LOOPHOLE LETS UK SELL ARMS

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President Yoweri Museveni won polls last week amid criticism by EU observers that his campaign was unfair.

The British High Commission in Uganda says they are studying the report carefully and take seriously any allegations of human rights abuses.

In the report, Oxfam accuses the UK government of failing to act on its promises to secure an international arms trade treaty which would close loopholes in the law relating to the sale of weapons to countries with poor human rights records. It reveals how a South African subsidiary of the British company BAE Systems sold Mamba armored personnel carriers to the Ugandan government ahead of last week's elections.

The report claims at least thirty-two such vehicles have been sold by the subsidiary, called Land Systems OMC, since 2002, with the most recent consignment arriving just ahead of polling day.

The particular concern that Oxfam identifies is that the lack of international controls means that an overseas subsidiary can secure sales in military equipment which a UK-based company would not be allowed to do.

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