

Recommendations to the Government of Norway on Human Rights at the United Nations in 2013

*from the Norwegian NGO-forum for Human Rights
on behalf of*

*Amnesty International Norway
FIAN Norway
Human Rights Committee of the Norwegian Bar Association
FOKUS – Forum for Women and Development
Human Rights House Foundation
Juss-Buss Legal Aid Clinic
JURK – Legal Aid for Women
Norwegian Burma Committee
Norwegian Helsinki Committee
The Norwegian Human Rights Fund
Norwegian Tibet Committee
Plan Norway
Stefanus Alliance International*

Recommendations

Thematic recommendations	2
Blasphemy, apostasy and defamation laws	2
Caste-based discrimination (Discrimination based on work and descent)	3
Freedom of Association.....	4
Promotion of Child rights	5
UN declaration on the rights of peasants and other people working in rural areas	6
Country recommendations	8
Azerbaijan.....	8
Burma	9
Kazakhstan.....	10
Nigeria	11
Russian Federation	12

Thematic recommendations

Blasphemy, apostasy and defamation laws

Laws that criminalize blasphemy have for a long time been defended by state authorities that claim they are needed in order to maintain social harmony among religious groups. Such often vaguely worded and ill-defined laws limit freedom of expression and are frequently abused to silence dissidents, religious minorities and groups holding interpretations differing from the majority or state-sanctioned doctrine, especially in countries with weak democracies and lack of rule of law. There are numerous examples of how individuals have fabricated charges of blasphemy to settle petty disputes and how religious extremists have exploited such laws to justify violent attacks on religious minorities, fostering an environment of intolerance and insecurity.

During the autumn of 2012 an increase of blasphemy charges was noticed in i.e. Egypt and Pakistan, where even minors have been accused and detained. Despite hopes that the new Egyptian constitution would safeguard religious freedom and freedom of expression, it provides for a prohibition against insulting prophets in paragraph 44, without explaining any definitions.

Equally worrying are laws that penalize apostasy, leaving one's religion or converting to another. 20 countries in the world still have these kinds of laws, criminalizing a religious freedom which is non-derogable under international human rights law. Laws penalizing apostasy can also be used to silence dissidents, as seen in a recent trial in Saudi Arabia against a founder of a website used for political and social debate. Another example is the young Iranian pastor Nadarkhani, who was accused of apostasy, arrested in 2009 and sentenced to death in 2010. After international pressure he was released in September 2012 and acquitted of the charges. His lawyer, Mr. Dadkhah, started to serve a nine year prison sentence in September 2012, due to his defense of Nadarkhani's case among other reasons.

Several countries in the European Union still have blasphemy laws in use. In September 2012 a Greek Facebook user was arrested and charged with blasphemy after posting a satirical reference to an Orthodox Christian monk. We are worried that blasphemy laws in countries that claim to be democracies contribute to legitimize the existence of such laws in countries that lack proper safeguards needed to prevent abuses against religious minorities and dissidents.

We call on the Norwegian government to:

- Urge all states to abolish their blasphemy laws and legislation that penalize apostasy. As a first step in this direction, to encourage countries with this type of legislation to combat impunity by penalizing those who raise false charges of blasphemy and those who commit attacks on religious minorities, motivated by alleged blasphemy crimes.
- Give all the necessary support and protection to those who dare to defend victims of misuse of blasphemy and apostasy laws and who advocate amendments and abolition of such laws.
- Raise concern about the possibility to sentence alleged blasphemers and apostates to death penalty during the World Conference against the Death Penalty in Madrid, in June 2013. Blasphemy and apostasy are not crimes in any event, and not acts for which the death penalty can be considered as acceptable under international human rights standards.
- In the upcoming 2013 UPR processes, raise concern about the use of blasphemy laws to curb freedom of expression and religion in i.e. Russia, United Arab Emirates and Saudi-Arabia.

Caste-based discrimination (Discrimination based on work and descent)

Caste discrimination is a global human rights issue, affecting an estimated 260 million people. The vast majority of those affected live in South Asia including in India, Pakistan, Bangladesh, Sri-Lanka and Nepal, where they are known as “Dalits”.

Discrimination based on work and descent is typically associated with the notions of “purity” , “pollution” and “untouchability”, and is deeply rooted in societies and cultures where such discrimination is practiced. The practice of treating people as “untouchable” due to their inherited status results in massive violations of human rights. Dalits are subject to violence, abuse, exploitation and social exclusion and have limited access to water, land, employment, education and health care. Human rights abuses against them are typically committed with impunity – and implementation of existing legislation is weak. Additionally, Dalit women are particularly vulnerable to rape, sexual exploitation and humiliation.

An international framework, the “Draft UN Principles and Guidelines for the effective elimination of discrimination based on work and descent” has been published by the Human Rights Council. The HRC should welcome and make effective and systematic use of this framework, to monitor caste-based discrimination. UN Special Procedures, treaty bodies and the HRC (under the UPR mechanism) have already expressed grave concern about the persistence of caste discrimination as a violation of international human rights law. In 2012 alone, a total of eight Special Procedure mandates gave specific consideration to the issue of caste discrimination in thematic and country mission reports.

In June 2011, Norway made an historic call in the HRC for “a stronger international engagement on this issue” and encouraged “all governments to enhance efforts and to share best practices to eliminate such forms of discrimination”. In 2012 the Minister of Development, Mr. Heikki Holmås underlined Norway’s commitment to work against caste based discrimination by using UN mechanisms and the UPR-sessions, on several occasions.¹ Having in mind the UN High Commissioner for Human Rights call on the world community to “tear down the wall of caste” – we believe Norway can make a difference and substantial contribution by taking specific action, follow up its own call to the HRC and to further address the issue in the HRC in 2013.

We call on the Norwegian government to:

- Take leadership in the global fight against caste-based discrimination by promoting action together with other concerned states to address the topic as a separate, thematic concern in the HRC, for example in the form of a joint statement and a resolution in the HRC; calling for the endorsement and use of the draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent, published by the Human Rights Council in 2009 (A/HRC/11/CRP.3).
- Co-sponsor a debate in cooperation with other concerned states and relevant stakeholders at one of the upcoming HRC sessions in 2013, focusing on good practices to eliminate caste-based discrimination, including the promotion and use of the draft UN Principles and Guidelines by states, UN agencies and mechanisms, international institutions and non-state actors.

¹ Dagsavisen 12 April 2012.

- Address caste-related human rights violations in country and thematic reviews, incl. impunity and non-implementation of legislation, violation of Dalit women and children's rights, bonded labour, torture and unequal access to justice, basic services and resources (e.g. education, housing, water, and health).
- Include specific recommendations, with input from civil society, concerning caste discrimination during the Universal Periodic Review of Bangladesh in the 16th Session.
- To follow up Norway's recommendations given during the UPR of India in 2012, including those concerning Dalit human rights defenders and implement other accepted UPR recommendations in bilateral dialogues with India.
- Promote the Ambedkar Principles in international fora, especially in the UN Global Compact, the UN Forum on Business and Human Rights, and the ILO, and include the caste dimension in official Norwegian CSR policies.

Freedom of Association

In recent years several countries have introduced legislation and rules, which restrict freedom of association and the possibility for organizations, trade unions, religious groups and other non-state actors to operate freely and to receive funding for their work, even if the UN special rapporteur on freedom of assembly and association has stated that "Associations should be able to access domestic and foreign funding and resources without prior authorization."² Cumbersome registration processes with unreasonably complicated conditions and procedures hinder many civil society actors to gain legal existence and are frequently used by governments to justify sanctions such as temporary or permanent closures and criminal prosecution.

In Russia, the federal law on non-commercial organizations came into force November 2012, under which CSOs that receive financial support from abroad and «conduct political activities» will be publicly labeled as «foreign agents». In Azerbaijan, amendments to the NGO law are used to hinder organizations to operate and make it easier to arbitrary close down critical domestic and international NGOs. Despite the fact that Belarus accepted a UPR recommendation to ensure freedom of expression and association and simplify the registration procedure for NGOs in 2011, non-registered organizations and associations are still not allowed to operate. In Ethiopia receiving foreign funding has been criminalized³ and the law puts restrictions on how organizations may dispense their financial means. In the wake of the Arab spring the conditions for civil society has worsened in i.e. Egypt, a country seen as a role model by many other states in the Middle East and North Africa. Especially worrying is the proposed Law on Associations and Foundations, and the raids and other hostile acts towards civil society over the past year.⁴

Also in democratic countries, such as India, organizations face challenges when it comes to receiving legitimate foreign funding. In May 2012 the UN special rapporteur on human rights defenders expressed concerns about the amendment to India's Foreign Contribution Regulations Act which

² "Report of the on the rights to freedom of peaceful assembly and of association May 2012"; http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A-HRC-20-27_en.pdf

³ In 2009 the government of Ethiopia passed the Charities and Societies Proclamation to regulate the civil society sector. The law places excessive restrictions on the work of human rights organizations. Organizations that receive more than 10 percent of their funding from foreign sources are prohibited from working on fundamental human rights issues such as the promotion of equality of gender and religion, the promotion of the rights of the disabled and children's rights, and the promotion of the efficiency of the justice and law enforcement services.

⁴ If passed, the new law would place even further restrictions on receiving foreign funding and give state security more power over civil-society organizations.

<http://www.icnl.org/news/2012/26-Jan.html>, <http://www.cihrs.org/?p=4529&lang=en>, <http://www.cihrs.org/?p=2291&lang=en>

provides that non-governmental organizations must reapply every five years for a review of their status by the Ministry of Home Affairs in order to be allowed to continue to receive foreign funding. In august 2012, more than 4000 Indian CSO's lost the right to receive such funding.

The purpose of many of these often vaguely formulated laws and regulations is to hinder organizations and other non-state actors from carrying out their work in accordance with their own initiatives and their own ethical and moral principles. Laws and regulations are often used to censor civil society organizations which are critical of governmental policies or against CSO that are viewed as political threats.

We call on the Norwegian government to:

- Urge all governments to ensure that domestic legislation is in line with international human rights standards and that laws that ensures a friendly environment for individuals and groups to conduct human rights work individually and in association with others are in place; and that the possibility to solicit, receive and utilize resources for the purpose of protecting human rights (including the receipt of funds from abroad) is not unduly infringed⁵.
- Support the recommendation of the Special Rapporteur on freedom of assembly and association, which states that any associations, including unregistered associations, should be allowed to function freely, and their members to operate in an enabling and safe environment.
- Invite to a debate at the UN level on the issue of criminalization of peaceful protest and human rights work.
- Raise concerns of the limitations to freedom of association including the issue of undue restrictions on CSO's possibilities to receive foreign funding, in bilateral relations with relevant governments, including those mentioned above, and in human rights dialogues.

Promotion of Child rights

In the Norwegian Government Platform and Policy Declaration, the Government promised to promote children's rights internationally. We call on the Government to make this priority clear also in its bilateral political dialogues and co-operation with development partners.

In its Concluding Observations to Norway in 2010, the Committee on the Rights of the Child encouraged Norway to "take into account in its cooperation with bilateral development partners the Committee's respective concluding observations in order to enhance the enjoyment by children of their rights." The Foreign Ministry subsequently asked Norwegian Agency for Development Co-operation, NORAD, to make a recommendation on how this could be done. The recommendation was delivered in the fall of 2010.

An evaluation of Norwegian aid to child rights, published in February 2011, found no evidence that the Concluding Observations of the CRC Committee are being used to guide the priorities of Norwegian aid programmes. The evaluation strongly recommended using the CRC, and the Concluding Observations of the CRC committee in particular, as an important source and guide for political dialogue as well as the programming of aid to promote child rights. The instructions for evaluation activities in the Norwegian aid administration says that a follow-up plan will be

announced within six weeks after NORAD has made its recommendations based on an evaluation. NORAD's recommendations were announced in November 2011, but as of January 2013, there is still no follow-up plan on how the Ministry will use the recommendations of the said report or the recommendation from 2010.

The new Optional Protocol to the Convention on the Rights of the Child that establishes an individual communications procedure would be an additional important instrument in following up child rights in countries where the most serious violations of these rights most commonly occur. By postponing ratification of the protocol, Norway is making it easier for these countries to avoid it as well. We therefore continue to strongly encourage Norway to sign and ratify the protocol as soon as possible, and we ask that Norway also takes an active role in promoting other States to do the same.

National independent Human Rights institutions for children bring an explicit children's focus to traditional adult-oriented governance systems. Acting as direct mechanisms for accountability, they provide checks and balances and increase awareness of the impact on children's rights of various existing and proposed policies and practices. Inequities between rich and poor are widening. Reflection on progress in achieving the Millennium Development Goals is on going and debate is about to start on how to define what sustainable and equitable goals should come after. At this juncture national independent Human Rights institutions for children could be key players in promoting systems that are effective in delivering results for children.

We call on the Norwegian Government to:

- Develop and implement a clear strategy on how the UN Committee on the Rights of the Child, and its Concluding Observations will be used in bilateral political dialogues and in the planning of aid programs to promote child rights.
- Sign and ratify the Optional Protocol to the Convention on the Rights of the Child establishing an individual communications procedure to the UNCRC, and promote rapid ratification by other State Parties.
- Raise the issue of establishing national independent Human Rights institutions for children in the Human Rights dialogues and other contacts with states.

UN declaration on the rights of peasants and other people working in rural areas

There is an urgent need to step up efforts to effectively protect the rights of peasants and other people living in rural areas. The growing conflicts over land and water, the volatile food prices as well as the climate crisis clearly demonstrate this. In addition gender discrimination, absence of agrarian reforms and rural development policies, lack of minimum wages and social protection and the criminalization of movements defending the rights of people working in rural areas are main causes of discrimination and vulnerability of peasants and other people living in rural areas.

According to FAO, 870 million people in the world are chronically undernourished. Asia and the Pacific region have the largest number of hungry people, followed by sub-Saharan Africa. Peasants, small landholders, landless workers, indigenous people, dalits, fisher folk, hunters and gatherers suffer the most. The United Nations Millennium Development Project Task Force on Hunger has shown that 80 percent of the world's hungry live in rural areas. Some 50 per cent of the world's

hungry are smallholder farmers who depend mainly or partly on agriculture for their livelihoods, but lack sufficient access to productive resources.

The Human Rights Council (HRC), in resolution A/HRC/21/L.23, “decided to establish an open-ended intergovernmental working group with the mandate of negotiating, finalizing and submitting to the HRC a draft UN declaration on the rights of peasants and other people working in rural areas, on the basis of the draft submitted by the Advisory Committee”. This resolution was passed in September 2012 with 23 in favor, 9 against and 15 abstentions. Norway abstained from voting on this resolution. Since then, the Norwegian government has launched a new strategy, titled “Food security from a climate perspective”. This strategy is anchored on the right to food, and highlights the need for development aid to benefit small scale producers.

The Advisory Committee in its report, A/HRC/19/75, to the HRC, identifies vulnerable groups working in rural areas, analyses the causes of their discrimination and vulnerability, and calls on states to make effective the existing protection under international human rights law. The Advisory Committee further proposes to address normative gaps under international law by elaborating a new legal instrument on the rights of people working in rural areas. The Advisory Committee has already drafted a declaration (A/HRC/19/75 annex) addressing inter alia, rights regarding land and territory, seeds and traditional agricultural knowledge and practices, means of production, prices and markets for agricultural produce, biological diversity, environmental preservation and access to justice.

We call on the Norwegian government to:

- To actively engage in the new intergovernmental working group to develop a strong declaration to promote the rights of peasants and other people working in rural areas. The final study by the Advisory Committee should be promoted as a draft for the negotiations.
- To support adequate participation of civil society in the process.
- To take proactive measures to invite other states to support the adoption of a declaration that effectively protects and advances the human rights of peasants and other people living in rural areas.

Country recommendations

Azerbaijan

The deteriorating human rights situation in Azerbaijan, particularly the arrests of journalists and human rights defenders on spurious charges, pressure and violence against them committed with full impunity, new restrictive laws to limit freedom of expression and continuing crackdowns on peaceful protests in the last years clearly demonstrate that Azerbaijani authorities are not implementing their human rights commitments. Many who express opinions critical of the authorities – whether through traditional media, online, or by taking to the streets in protest – are imprisoned, harassed or otherwise targeted. Journalists, bloggers, human rights defenders and political and civic activists are subject to violence, pressure, threats, smear campaigns, harassment, and arrests on politically motivated or fabricated charges. Even though some political prisoners were released in 2012 due to international pressure, several dozen are still imprisoned, some of whom have been held since the 1990s.

The use of force against peaceful demonstrators is systematic. Authorities usually do not tolerate any assembly and use force to disperse and detain the participants. On 26 January 2013, the authorities arrested more than 40 demonstrators, including several human rights defenders. By selectively arresting prominent human rights defenders, journalists and activists within a big crowd of protesters, Azerbaijani authorities show that they use detention as a tool to punish critical voices. In November 2012 amendments to the Criminal Code restricted the rights to peaceful assembly even more by criminalizing organizers of and participants in unauthorized peaceful assemblies.

The lack of independence of the judiciary is a grave concern in the country, including pressure and threats against lawyers. The government uses NGO regulations in order to pressure independent international and domestic NGOs. Overall, activities of independent NGOs, civil society gatherings, including public debates, are viewed with suspicion or are discouraged, especially in the regions. Surveillance by security bodies of activities organized by NGOs outside of Baku is usual. The Azerbaijan Human Rights House, an independent meeting place for human rights defenders and young activists, was ordered to cease all activities on 11 March 2011 and has not been re-opened despite several calls from the international community.

People in the Autonomous Republic of Nakhchivan live under strong repression from the ruling Supreme Assembly of Nakhchivan. The space for civil society is more limited and is controlled by local authorities to a higher degree there, as compared to the rest of the country. Human rights defenders and victims seeking justice are facing constant pressure.

We call upon the Norwegian government to urge Azerbaijan to:

- Take effective measures to protect human rights defenders and allow them to conduct their human rights work without hindrance, as provided, inter alia, in the United Nations Declaration on Human Rights Defenders of 9 December 1998.
- Allow peaceful assemblies on the basis of a notification system and limit the authorisation procedure to specific places in city centres and change the legislation and practice to fully comply with international human rights law.
- Ensure that the UN Special rapporteur on freedom of assembly and association can carry out a visit to the country without hindrance.

- Investigate all murders, attacks, threats and smear campaigns against human rights defenders and journalists.
- Immediately release all political prisoners and offer them full reparations.
- Implement all recommendations made by the Venice Commission in regard to the right to freedom of association and amend the law on NGOs and relevant regulations accordingly.
- Re-register without further delay all domestic and international NGOs that lost their registration or have been forcibly closed down since 2009, including allowing the re-opening of the Azerbaijan Human Rights House.

Burma

We recognize and welcome the steps towards democratization that the government of Burma has taken in the past years. Nevertheless, we can't speak of true and lasting change as long as grave human rights violations still are taking place and the ethnic nationalities are not fully included in political dialogue and reform processes. Three major concerns are the situations in Arakan, Kachin and Chin states.

In eastern Arakan state, the predominantly Muslim Rohingyas are among the most persecuted peoples in Burma. A Citizenship Law from 1982 deny them their citizenship and has rendered them stateless. During the violent clashes between Rakhine Buddhist and Rohingya Muslims in 2012, thousands of homes were destroyed, hundreds of people were killed and probably around 100,000 people were displaced. Mosques have been attacked, and religious clerics arrested. Although violence was committed by both communities, the Rohingyas became the primary victims of what appeared to be a systematic campaign of ethnic cleansing. Reports indicate that some elements among the security forces were acting in collusion with Rakhine mobs. It is widely believed that elements of the government are directing a policy to systematically suppress the Rohingyas. The situation for the many internally displaced Rohingyas is dire. Despite of this humanitarian aid is hindered.

In Kachin State, the Army of Myanmar has been conducting a military offensive since June 2011 against the Kachin, breaking a ceasefire that had lasted for 17 years. Since the war began probably around 100,000 civilians have been internally displaced, and the Army of Myanmar has been accused of grave human rights violations, including rape, torture, destruction of villages, desecration of churches, and killing civilians. President Thein Sein has repeatedly called for a ceasefire in Kachin State, the latest of which was announced on 18 January 2013. In spite of this attacks continue.

Religious freedom is also a great concern in the predominantly Christian Chin State in North Western Burma, where the Chin are marginalised and discriminated against or ill-treated on the dual basis of ethnicity and religion. The Chin Human Rights Organisation presented a report in the autumn of 2012 that outlined a decades-long pattern of religious freedom violations, including more than 40 separate incidents of torture or ill-treatment.

We call on the Norwegian government, in the UN system and bilaterally, to:

- Urge the government of Burma to repeal the 1982 Citizenship law that rendered the Rohingya stateless and therefore deprives them of fundamental rights.

- Encourage the government of Burma to allow urgent humanitarian aid and unrestricted access of UN agencies and international observers into all affected areas in Arakan and Kachin states.
- Press the Army of Myanmar for an immediate end to their attacks and human rights violations in Kachin state.
- Challenge the government of Burma to implement policies to eradicate discrimination and marginalization of Chin Christians and Rohingya Muslims and allow true religious freedom for them and other ethnic/religious minorities with beliefs differing from the Buddhist majority.
- Urge the government of Burma to move beyond peace negotiations toward a lasting peace agreement with the ethnic nationalities, and fully include them in all political dialogue and reform processes.

Kazakhstan

As a leading economic power in the Central Asian region, Kazakhstan was granted the OSCE Chairmanship in 2010, became a full-fledged member of the Venice Commission in 2011 and a member of the UN Human Rights Council in 2012. Yet, it has repeatedly failed to respect its international human rights obligations and commitments under these frameworks. Over the last year, there have been numerous indications of a sharply worsening situation with regards to human rights.

Since the killing of 16 protesting oil workers in Zhanaozen, Western Kazakhstan in December 2011, the government of Kazakhstan has sought to place the blame for the tragedy on the country's marginalized opposition rather than on those who ordered and fired the shots. Leaders of opposition parties have been given long prison sentences, notably Alga party leader Vladimir Kozlov. Editors and staff of oppositional newspapers have been brought in for questioning, fined and their offices have been raided. Most recently, opposition newspapers Golos Respubliki and Vzglyad have been banned, as well as TV-channels K+ and StanTV, severely limiting the access ordinary Kazakh citizens have to news and views critical of government policy. It also represents a serious backsliding for the free exchange of ideas and opinions in society.

In 2011, the authorities introduced restrictive legislation on religion, including strict re-registration requirements, ban on unregistered religious activities, and censorship of religious literature. In October 2012 the deadline for re-registration passed, and the number of registered so-called non-traditional religious groups is significantly lower than earlier.

Before being granted membership in the UN Human Rights Council, Kazakhstan presented several pledges of reforms. However, there are few if any signs that these reforms will take place, learning from the experience of Kazakhstan's 2010 Chairmanship of the OSCE. Taken together, these tendencies demonstrate that Kazakhstan is seeking membership in international organs for reasons of prestige rather than due to a real respect for their core principles and aims. Adding to this is the still growing number of government-sponsored NGOs, so-called GONGOs, who receive state funding in exchange for positive reviews of the government's human rights policy, and sometimes even manage to secure support from international organizations and foreign diplomatic representations.

We call on the Norwegian government to urge the government of Kazakhstan to:

- Guarantee freedom of expression by refraining from blocking internet news sources and hindering the work of independent newspapers and other media.
- Guarantee freedom of association and religion by ensuring the possibility for the voluntary registration and independent operation of civil society organizations, including trade unions and religious groups.
- Permit public protests and demonstrations without arresting and/or fining selected members of such protests in accordance with international human rights standards.
- Invite the UN Special Rapporteur on Freedom of Assembly and Association.
- Provide concrete evidence of human rights reforms in accordance with pledges made within the framework of the candidacy processes for UN Human Rights Council membership.

Nigeria

Since 2009, the extremist, Islamist group Boko Haram (BH) has carried out numerous acts of violence in northern and central Nigeria. These attacks have been carried out with increasing sophistication and mortality. In pursuit of their vision of an Islamic state they have increasingly attacked and targeted the police and military, civilian government officials, journalists, religious leaders, churches and schools.

The general intimidation from BH undermines people's right to privacy and family life, and their attacks on schools infringe children's right to education. Threats and attacks on journalists have restricted freedom of expression. BH has explicitly stated that Christians and the Nigerian government are their enemies and that one of their goals is to cleanse the North of Christianity. Attacks and threats on Christians and Muslim clerics who object to BH's activities and doctrines constitute gross violations of religious freedom and seriously impair the right of people to freely exercise their beliefs. BH's violence has caused a significant displacement among the northern Nigerian population.

The Nigerian government has unfortunately failed to protect their population from these violent acts and human rights abuses and to bring the perpetrators to justice. There are regular reports, especially from Plateau and Bauchi States that indicate that the security forces willfully fail to assist the victims in a timely manner.

In their response to the threat from BH, Nigeria's security forces have perpetrated serious human rights violations in the name of national security, ranging from use of excessive force, arbitrary detentions without trial or charge, extrajudicial killings, enforced disappearances, torture and torched homes. These acts are often carried out with impunity and without adequate reparation or remedy for the victims.

The upcoming UPR examination of Nigeria provides Norway and the international community an opportunity to express their concern and assert their influence.

Therefore, we call on the Norwegian government to urge and together with the international community to assist Nigerian authorities on all levels to:

- Provide additional security personnel and in other ways strengthen its efforts to protect churches, schools and media houses and other targets and groups vulnerable to Boko Haram attacks, and ensure that security forces live up to their responsibility to assist victims in a timely manner.
- Ensure that all allegations of human rights abuses by Boko Haram, other non-state actors as well as state actors are subjected to effective, impartial and independent investigation and that those responsible are prosecuted without delay and according to international fair trial standards, thereby holding perpetrators accountable and combating the impunity which fuels the cycle of retributive violence.
- Ensure that adequate systems and mechanisms are put in place alongside training and regulations on the use of force and firearms to make sure that police apply relevant UN human rights standards in their daily work.
- Enact a robust witness protection program for those who denounce Boko Haram attacks or security force abuses, and train both justice and security sector personnel to ensure compliance with international due process standards.

Russian Federation

The human rights situation in Russia remains critical. In particular the situation in the North Caucasus constitutes the most serious human rights crisis in Europe. The situation is likely to remain critical until authorities take steps to implement the so-called “Chechen” decisions of the European Court of Human Rights. Russia generally pays compensations but fails to address the causes of human rights violations, such as impunity, the widespread practice of torture by police and security forces, lack of effective remedies and hostility towards human rights defenders.

Since December 2011 an increasing number of Russians took part in public protests. A large number of internet blogs provided critical views and information on political and crime related issues. The rise of such activities was triggered by fraudulent elections, corruption, police abuse and a lack of rule of law in the country.

In May 2012 Vladimir Putin regained the presidency, and in July 2012 he signed a law “Introducing Amendments to Certain Legislative Acts of the Russian Federation Regarding the Regulation of Activities of Non-commercial Organizations Performing the Function of Foreign Agents”. The law requires all such organizations to register at the Ministry of Justice, prior to receipt of funding from any foreign sources if they intend to conduct political activities, and label them “foreign agents”.

A number of other restrictive laws were enacted. In June 2012, existing fines for violating rules on participation in and organization of public protests were increased 150-fold and 300-fold. In July 2012, defamation was reintroduced as a criminal offence. Also in July 2012, legal amendments increased Internet censorship. In October 2012, the criminal code was amended to include an overly vague definition of treason.

On 28 December 2012, President Putin signed the so-called Dima Yakovlev law. The law prohibits so-called “politically active” non-profit organizations from receiving financial support from any American

citizens or organizations for their activities. Violations are punishable with suspension of the organization.

Even before these amendments, the work of human rights defenders, journalists and civic activists were often obstructed by restrictive laws and hostile attitudes from authorities and some private groups. Killings of journalists and activists remained unsolved, while prosecutorial services brought ill-founded and illegitimate cases against them. We have observed no end to this pattern.

We call on the Norwegian government to urge the Russian Federation to:

- Respect rule of law and to effectively prosecute violations of human rights and international humanitarian law, including forced or involuntary disappearances, killings and torture.
- Fully implement the decisions of the European Court of Human Rights, including by addressing the causes of human rights violations.
- Respect freedom of association, expression and assembly and to invite the UN Special Rapporteur on Freedom of Assembly and Association.
- Immediately halt persecution of human rights defenders and NGOs and invite international review of recently adopted restrictive NGO legislation to safeguard that it does not violate international standards, and to amend provisions that unduly restrict freedom of association, expression and assembly.
- Withdraw the Dima Yakovlev law.