

Norwegian NGO-forum for Human Rights:

— Recommendations to the Norwegian Government on Human Rights at the United Nations in 2007

on behalf of

Amnesty International Norway
Anti-rasistisk senter
Church of Norway Council on Ecumenical and International Relations
FoodFirst Information and Action Network – Norway
Human Rights Committee of the Norwegian Psychological Association
Human Rights House Foundation
Norwegian Burma Committee
Norwegian Council for the Rights of Kurdish People
Norwegian Helsinki Committee
Norwegian Mission to the East
Norwegian Organisation for Asylum Seekers
Norwegian PEN
Norwegian People's Aid
Norwegian Refugee Council
Norwegian Tibet Committee
Norwegian Youth Council

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Country issues

Iraq

We are greatly concerned about the continuing killings of civilians in Iraq, and the continuing failure of Iraqi authorities to end the killings and bring the perpetrators to justice. Last year and in recent months hundreds of people were reportedly killed every week, as a result of bombs and suicide attacks and ever increasing sectarian violence, in Baghdad and elsewhere. The killings are continuing despite a security operation involving thousands of Iraqi government troops and the deployment of more than 4,000 US troops in Baghdad.

Many of the victims are apparently targeted because of their religious affiliation as members of Sunni or Shi'a communities or religious minorities, including the Christian and Mandaean communities. Others are apparently targeted on account of their gender, national origin (inter alia Palestinian refugees who have had long term residence in Iraq) or assumed sexual orientation. Iraqi writers and translators are targeted and killed accused of having brought the enemy's language and culture to Iraq. Alleged perpetrators include militias and members of the Iraqi security forces – such as the Wold Brigade, a special police unit which reports to Iraq's Ministry of Interior.

At least 500,000 people were newly displaced inside Iraq in 2006. The total number of internally displaced persons is presently estimated at 1.7 million, about the same number have fled the country. Internally displaced Iraqis lack basic rights including physical security, freedom of movement and access to basic goods and services. With the ongoing violence, the number of refugees and internally displaced persons within Iraq may continue to rise. Iraq and other countries in the region could be further destabilised and the humanitarian suffering could become even more acute unless this situation is addressed.

Despite calls by the international community for Iraq to abolish the death penalty, there has been a new surge in executions. At least 60 people have been executed since the authorities resumed executions in September 2005, with some 53 reported as executed in 2006. We are acutely aware of the grave security situation currently prevailing in Iraq, and recognize fully the government's responsibility to uphold the rule of law and ensure that those who commit murders and other crimes are brought to justice. In doing so, Iraqi authorities must abide by their obligations under international law, notably obligations to ensure fair trials, and should not make recourse to the death penalty, which we condemn in all circumstances, including in the case of Saddam Hussein and two of his co-accused.

Undoubtedly, Saddam Hussein should be held to account for crimes against humanity and genocide committed by his regime, but justice requires a fair trial which he was not given. The trial should have been a landmark in the establishment of the rule of law in Iraq after the decades of Saddam Hussein's tyranny. It was an opportunity missed.

Military investigation and prosecution of human rights violations committed by members of the US-led Multinational Force have not met international standards of independence and impartiality. Members of armed forces should not be tried in military courts for crimes under international law.

On 13 November 2005, it was found that some 168 detainees, including children, were held unlawfully at a building in Baghdad's al'Jadiriya district under the control of Iraq's Ministry of Interior. The detainees were in poor condition, malnourished and emaciated, and many complained that they had been tortured. According to the UN Assistance Mission for Iraq, many of the detainees had injuries caused by electric shock torture, beatings and stabbing.

The detainees reported that several others who had been held with them had been killed by their captors or had died in detention. Iraqi authorities quickly announced an investigation after these abuses were revealed, and the US said it had conducted its own investigation, but the findings have still not been disclosed and those responsible have not been held to account.

We call on the Norwegian government to:

- Urge the Iraqi government to take concrete steps to promptly, thoroughly, impartially and independently investigate the killings of civilians and ensure that the perpetrators are identified and brought to justice;
- Condemn the use of the death penalty and encourage the Iraqi government to commute all death sentences and abolish the death penalty in law and practice;
- Call on the UN Security Council to ensure full accountability for Multinational Force abuses;
- Urge the government of Iraq to publish the outcome of the investigation in the al'Jadiriya case and ensure that those responsible for the abuses are promptly held to account, as required by international law;
- Recognise the scope of the Iraq humanitarian crisis and increase assistance to internally displaced people as well as to regional governments to help them absorb refugees and keep their borders open.

China

The 2008 summer Olympics in China will provide an important window of opportunity to focus on the many human rights problems in this country. The games themselves are also the direct cause of further violations, such as forced movements of people in connection with developing sites or the housing of tourists. In all probability, freedom of speech and rights of assembly will likewise be severely curtailed before and during the games.

In spite of economic growth and development, severe violations of basic human rights continue to take place in China. Torture is still an endemic problem. Freedoms of speech and thought, conscience and religion are severely and systematically inhibited, including by censorship on general access to the Internet as certain websites are blocked by the authorities in cooperation with international Internet search engines. This constitutes a breach of the population's right to be informed about national and international events. Religious freedom is severely curtailed, especially for religious communities such as Uighur Muslims, the Falun-gong, unregistered Christian churches and Tibetan monks.

The human rights situation in Tibet remains grave as China has intensified its defamation campaign against the Dalai Lama and the so-called "patriotic re-education campaign" in religious institutions. The opening of the Golmud-Lhasa railway line will further marginalise the Tibetan people and can drastically change the demographics of the Tibetan plateau. The shooting and detention in September 2006 of Tibetan refugees at Nangpa La must be addressed.

As a standard Chinese practice, asylum seekers from North Korea are forcibly returned without access to the normal asylum procedure. As unauthorised departure is itself seen as a serious offence in North Korea, these people face severe penalties upon return. Up to 100 000 people from North Korea live in hiding in China, and are particularly vulnerable

to abuse in the black labour market due to the risk of forced return. Women are particularly at risk of trafficking, being sold as sex-slaves or forced into marriages with Chinese men.

We call on the Norwegian government to:

- Continue to develop and deepen its bilateral exchanges with China, while measuring progress on human rights in China and Tibet against clear benchmarks and continuing to raise concerns in multilateral forums, including the UN Human Rights Council and the General Assembly;
- Call for China to ratify the International Covenant on Civil and Political Rights and its optional protocols;
- Call for assistance to China to establish sustainable rule of law structures
- Call for China to abolish the system of “re-education through labour” and other forms of administrative detention
- Urge Chinese authorities to ensure uncensored and unhampered access to all public national and international media, including Internet websites, for all;
- Call on the Chinese government to cooperate with the UNHCR on asylum seekers from North Korea. Barring that, we call upon the UNHCR to uphold its mandate by invoking binding arbitration with China in order to gain access to this vulnerable group;
- Call for China to allow religious freedom with particular focus on Tibetan monks, Falun-Gong, Uighur Muslims and unregistered Christian churches, and urge China to receive the UN Special Rapporteur on Freedom of Religion or Belief on a follow-up visit;
- Encourage China to continue the present talks with the Envoys of the Dalai Lama;
- Vigorously pursue via UN mechanisms information on the events surrounding the shootings at Nangpa La on 30 September 2006, and call on the Chinese government to allow relevant United Nations special rapporteurs to investigate the shootings, provide information on the fate of those Tibetans, including children, who were detained, and confirm that those who remain in detention are treated according to international standards.

Morocco and Western Sahara

The conflict over the Western Saharan territory reached a humanitarian and political crossroad in 1975, when Morocco effectively took control of the territory, and caused a majority of Saharawis to flee to Algeria. These refugees live in four camps inside Algeria. They are entirely dependent on financial support and goods supply from the UN and other organisations.

In May 2005, peaceful demonstrations took place in the Moroccan-administered territory of Western Sahara, protesting against Moroccan oppression and calling for the implementation of UN resolutions on Western Sahara. Moroccan authorities responded with repression towards the demonstration, violating freedom of assembly and expression.

According to the UN, the human rights situation in Morocco is of serious concern, particularly in the occupied territory of Western Sahara. The Saharawi people are not only denied their right to self-determination, but also are severely restricted from exercising a series of other

rights, and specially rights of particular relevance to right of self-determination, such as the right to express their views about the issue, to create associations and to hold assemblies to make their views known. The human rights situation in the occupied territories of Western Sahara continues to cause more people to leave the territories. Very few among the refugees wish to return. Moroccan authorities routinely block access to Western Sahara to journalists, human rights organizations, parliamentary delegations, diplomats and others, and often refuse to allow Saharawi human rights activists to leave the territory.

The conflict over Western Sahara is of an international character and is considered under international law as an unfinished decolonization issue. The final resolution of the conflict will hence have a strong symbolic, and possibly a real impact on the interpretation and application of international law.

We call on the Norwegian government to:

- Adopt a more proactive stance vis-à-vis other governments, the UN system and other potential donors in order to promote the rights of the Saharawis, both those living as refugees and those remaining in the occupied territories of Western Sahara. Such efforts should focus on finding a swift and durable solution to the refugee situation and to the dire human rights situation in the occupied areas. It is fundamental not to separate the refugee issue from the underlying political and legal foundations of the conflict;
- Emphasise that the realisation of the right to self-determination of the people of Western Sahara is the responsibility not only of Morocco as the administrative authority, but also of the international community;
- Urge Morocco as the administrative authority in Western Sahara, to stop all violations of human rights, including civil, political, economic, social and cultural rights;
- Urge the Moroccan government and the UN to allow for free movement of people and information;
- Urge that the size and mandate of MINURSO should be expanded and strengthened, in particular promote a mandate which includes monitoring of and reporting on the human rights situation in the occupied territories, the Polisario controlled areas as well as the refugee camps inside Algeria.

Russian Federation

The human rights situation in Russia is deteriorating, and domestic critics of this trend, notably the media and human rights NGOs are under severe pressure. Laws inhibit, even outlaw the work of human rights NGOs and other human rights defenders. The arbitrary or systematic control and interference in the work of independent and well-respected human rights NGOs is clearly alarming.

Russian mass media, especially television, remains under state control, including a high degree of control on editorial content. The number of journalists subjected to criminal prosecution (e.g. under art 129) for expression of political views or for criticising the authorities is increasing. A number of journalists have been beaten, kidnapped, tortured and imprisoned, apparently for the expression of non-violent views. The murder of Anna Politkovskaya tragically seems to add to this trend, which should not just generate proper and timely investigations but also a proactive government policy to protect human rights defenders.

In places of detention in Chechnya, in some of the police stations in the rest of Russia as well as in the Russian army, a variety of methods of both physical and psychological torture are employed, including inter alia, beating, electric shocks and tying in painful positions.

The armed conflict in Chechnya has been recognised by the Commission on Human Rights as a human rights crisis. It is still on-going and it spreads to neighbouring areas in the Northern Caucasus. Frequent kidnappings and torture continued in 2006. In some landmark cases, the European Court of Human Rights has held Russia responsible for extremely grave violations of human rights. Russia has paid compensations, but has failed to implement the judgements in a manner that would prevent similar violations from occurring again.

Hundreds of thousands of people have been forced to flee their homes in Chechnya. IDPs from Chechnya are not, however, granted effective protection in safe areas of the Russian Federation. The combination of unconstitutional laws and practices and discrimination against ethnic Chechens are preventing Chechens from obtaining a legal status that defines their rights as IDPs, thus they are denied freedom of movement and freedom to choose a place of residence, and they have limited access to basic social rights such as employment, social security and education. IDPs from North Ossetia-Alania are also denied the freedom to choose a place of residence; they face significant administrative obstacles to return to their original homes, as well as to integration at their current location. Discrimination against other ethnic groups has also been on the increase the few last years, as has violence against them.

We call on the Norwegian government to:

- Urge the Russian Federation to respect freedom of association in general, to repeal legislation pertaining to NGOs which conflict with international human rights standards, to immediately halt persecution of human rights defenders and honour its obligations to protect and support human rights defenders, in general and with specific reference to the North Caucasus.
- Urge the Russian Federation to respect the rule of law and to actively prosecute any alleged violations of human rights and international humanitarian law, to end impunity for crimes such as forced or involuntary disappearances, killings or torture. In particular, urge the Russian Federation to end the harassment of, and to actively protect witnesses in proceedings where such violations are being addressed, and their families.
- Urge the Russian Federation to end torture and other abuse of conscript in the military.
- Reaffirm that there are gross and systematic violations of international human rights and international humanitarian law in Chechnya, and that the situation constitutes a threat to regional peace and security.
- Underline that Russia has failed to comply with UN Commission on Human Rights resolutions. In particular it has failed to co-operate fully with the Special Rapporteurs and Working Groups of the Commission on Human Rights / Council on Human Rights. The Russian Federation should be urged to give access to all relevant mechanisms of the Council as well as humanitarian and human rights NGOs and the media.

- Urge that an international commission of inquiry of human rights and humanitarian law violations is established, in accordance with Parliamentary Assembly of the Council of Europe resolution no 1323 (2003), and that in addition all relevant international mechanisms to document and respond to abuses are utilised.
- Urge the Russian Federation to use all available peaceful political means to resolve the conflict in Chechnya and stop it spreading further into the Russian Federation.
- Urge the Russian Federation to ensure that all IDPs on its territory have full and equal access to their rights as set out in the 1998 UN Guiding Principles on Internal Displacement, inter alia, to respect the concept of internally displaced persons as defined in Guiding Principles; to take all possible measures to address the issue of discrimination towards Chechens within the Russian Federation; to ensure that all return happens voluntarily, in safety and dignity. In particular, Russian authorities must ensure that Chechen IDPs are not evicted from temporary residence centres in Ingushetia without being offered adequate, alternative shelter outside Chechnya; that IDPs are provided with humanitarian assistance both inside and outside Chechnya; and that the compensation mechanism is reinstated without delay and the granting of compensation is not conditional upon return to Chechnya.
- Urge the Russian Federation to urgently address discrimination and hate-crime against ethnic minorities.

Sudan

The challenges facing Sudanese authorities in establishing peace in a large and diverse country cannot be an excuse for the situation in Darfur to remain one of the world's worst humanitarian and human rights crises. Two years after the first UN Security Council resolution on Darfur in July 2004, and in spite of the Darfur Peace Agreement, grave violations of international humanitarian law and human rights law continue unabated in Darfur.

The inhabitants of the targeted villages are almost without exception from ethnic groups identified as "African". The method, targeting, and degree of violence employed by the so-called Janjaweed, suggest that their main purpose is to terrorise the people and forcibly displace them from the land. The wanton burning of grain stores, harvest crops and homes, the looting of herds of cattle and sheep, appear to leave inhabitants no option but to flee without hope of return.

All along Chad's eastern border with Sudan, Janjaweed incursions continue. Although such incursions have occurred at least since 2003, they have become far more intensive, serious and abusive over the last months of 2005, as relations between the Sudan and Chad governments have deteriorated. Since September 2005, Janjaweed attacks into eastern Chad have caused the forced displacement of between 50,000 and 75,000 people, according to Amnesty International.

Since the signing of the Darfur Peace Agreement in May 2006, humanitarian agencies have faced increasing obstacles to the delivery of vital aid to the civilian population. Rising insecurity, attacks on aid workers and restrictions on the work of humanitarian agencies by government forces and armed rebel groups have narrowed the space in which humanitarian assistance can be provided. Tens of thousands of people are now at risk of dying for lack of humanitarian aid, as the overall protection crisis is worsening day by day.

We call on the Norwegian government to:

- Condemn the extremely serious and continually deteriorating human rights situation in Darfur and the Sudanese government's failure to provide protection to civilians.
- Call on the government of Sudan to implement, in full and without delay, the recommendations made by the Special Rapporteurs, the High Commissioner for Human Rights and the International Commission of Inquiry as well as those included in the resolutions adopted by the Commission on Human Rights;
- Call on the government of Sudan to consent to the immediate deployment of an international peacekeeping force in Darfur, and to commit to the establishment of a hybrid operation of UN and African Union peacekeepers in accordance with the decision made by the AU Peace and Security Council on 30 November 2006. The hybrid peacekeeping force should have the resources, logistical support and personnel to effectively protect the population, and eventually support and protect displaced persons and refugees to return voluntarily and in safety to their homes;
- Call on the government of Sudan to fulfil its obligations under Security Council resolution 1593, to fully cooperate with the International Criminal Court (ICC), and to provide the ICC immediate, unrestricted and safe access to all parts of Sudan, provide access to all documents requested, facilitate, without delay, interviews with all persons requested -- including those arrested by the government -- and take effective measures to prevent any reprisals against anyone assisting the ICC Prosecutor's investigations;
- Call on the Sudanese Government of National Unity to investigate transparently and comprehensively state agents' involvement in human rights abuses;
- Call on all countries with economic interests in Sudan, including China and Malaysia, to promote the protection of civilians and bringing perpetrators of human rights violations to justice;
- Call on the Sudanese Government of National Unity to give full support and unhindered access to humanitarian agencies and all organisations aiming at alleviating the suffering of the civilian population.

Thematic issues

Individual communication procedure for violations of Economic, Social and Cultural Rights

After the 1993 World Conference on Human Rights in Vienna only one substantive issue remains to be implemented in order to secure the equality, indivisibility, interrelatedness and interdependence of all human rights; the establishment of an international individual communication procedure for violations of the International Covenant on Economic, Social and Cultural Rights (CESCR), through the adoption of an optional protocol to the Covenant.

With the adoption of the Human Rights Act of 1999, the CESCR was given increased importance in Norwegian law. This priority should be reflected at the international level as well, where Norway can play an important role in the coming negotiations in the Intergovernmental Working Group mandated by the Human Rights Council's resolution 2006/3, to draft an optional protocol to the CESCR. Such a protocol can strengthen the economic, social and cultural rights and provide an important tool for many, especially the world's 854 million people food insecure and the 1.2 billion people who do not have access to safe water.

A failure to adopt a useful communications procedure, taking due account of standards which have been reached so far in similar international instruments, could be seen to run counter to the principle of indivisibility of human rights, as communications procedures already exists under CCPR, CAT, CERD, CEDAW and MWC.

Signing or ratifying an optional protocol will not be an obligation of states parties to CESCR. The protocol will not create new obligations. It will be a new supervision procedure for obligations that already exists.

We call on the Norwegian government to:

- Actively participate in the intergovernmental working group mandated by the Human Rights Council through resolution 2006/3 to elaborate an optional protocol to the International Covenant on Economic, Social and Cultural Rights (OP-CESCR).
- Recommend to the working group that the OP-CESCR avoids reference to resource allocations or related policy questions. These areas fall within the competency of the Committee, which should apply a test of "reasonableness" in its application of article 2 of the CESCR.
- Emphasize in the working group that exclusion of any particular right(s) in the Covenant from the OP-CESCR would result in the discriminatory exclusion of particular groups from access to the procedure.
- Recommend to the working group that the OP-CESCR should provide both individuals and groups of individuals alleging violation(s) of rights under the CESCR, as well as their representatives, have standing to lodge complaints under this mechanism. Also third parties, including non-governmental organizations, should be granted standing in cases where the victims have consented or where the author of the complaint can provide reasonable justification for acting on behalf of victims in the absence of express consent. Provisions on standing should be consistent with those contained in the Optional Protocol to the CEDAW.

- Work towards the inclusion in the Optional Protocol of further procedures such as an inquiry procedure and the ability for the CESCR to order interim measures.

Human Rights of Refugees and Internally Displaced Persons

In refugee issues at the United Nations much attention is rightly given to access to protection. But too little is said of the rights of refugees in the various phases of their displacement, and even less about the particular needs of indigenous peoples as refugees or IDPs.

Within this group, indigenous peoples face additional challenges as refugees or IDPs. For instance, there are growing concerns over Colombia's indigenous peoples in the wake of the armed conflict. For many of these groups displacement often results in the permanent loss of language and culture as their traditional social patterns and political structures break down. The pressure on the displaced indigenous communities or those at risk increases social tension and adversely affects indigenous identity and self-esteem. In addition to focussing on the general concerns of indigenous peoples, it is important to keep in mind that these peoples will often be much more dependent on the territory they are displaced from as compared to other groups. The ties to the territory may be religious and cultural but may also take the form of dependence on an in-depth knowledge of the habitat for survival. In addition they may face difficulties related to lack of identity papers, proof of landownership and similar problems.

In Uganda, the protection of IDPs largely depends on the outcome of the currently stalled peace talks. The majority of IDPs remain in camps. Some have moved to smaller camps closer to their homes and are able to cultivate their land, while a limited number have returned. The realisation of a full and voluntary return depends on the Government of Uganda's ability and willingness to provide protection, and it is crucial that continued pressure is put on Uganda to secure protection of IDPs in camps and return areas, in line with Uganda's National IDP Policy and the Guiding Principles on Internal Displacement.

We call on the Norwegian Government to:

- Encourage all states to ratify and implement the Refugee Convention and to implement the Guiding Principles on Internal Displacement, including the recognition of IDP status in national legislation;
- Call for an assessment of the scope of internal displacement in all relevant countries, based on the IDP definition, to ensure that no IDP group is overlooked, ignored or marginalised. Particular attention should be given to indigenous peoples where relevant.
- Promote a continued and effective mandate for the Special Representative of the Secretary-General on the Human Rights of IDPs.

Journalists' safety: Murders and impunity

2006 was a tragic year for international media as killings of reporters and media staff reached historic levels with at least 155 murders, assassinations and unexplained deaths. According to the International federation of Journalists "2006 was the worst year on record, a year of targeting, brutality and continued impunity in the killing of journalists." There have been 19 such killings only in Iraq and in all these cases media organisations and victims' families are still waiting for independent and credible information about what happened. A vast majority of these killings have been at the hands of terrorists and sectarian gangs who have made Baghdad and other cities no-go areas for news teams.

The crisis of impunity is not confined to conflict zones. The murder of Russian journalist Anna Politkovskaya last October was the latest in more than 200 killings of journalists in Russia since 1993. Many of these have been explained, but since president Putin came to power, around 40 killings of journalists have taken place and none of them have been satisfactorily resolved.

In December, the UN Security Council unanimously adopted resolution 1738, which condemns the targeting of journalists and calls for the prosecution of such crimes. We welcome this resolution. Still, we urge Norwegian authorities to promote special protection for journalists and media workers and the investigation and resolution of all murders of journalists and media workers.

We call on the Norwegian Government to:

- Support, and actively seek support from other member countries, for the work of the International Federation of Journalists in their requests to national authorities for the launching of investigations of journalist killings.
- Urge that the UN special rapporteur on Freedom of Expression is given unhindered access to examine extreme situations for journalists, as for instance in Russia and the Philippines where repeated killings of journalists are not being properly investigated.

Protecting the Right to Thought, Conscience and Belief

Freedom of religion or belief includes theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. Freedom of Religion or Belief, as defined in the UN Covenant on Civil and Political Rights, is a non-derogable human right that may be subject only to such limitations as are proscribed by law and are necessary to protect public safety, order, health, morals and rights and freedoms of others.

We are committed to the promotion and protection of the freedom of religion or belief and call for tolerance in matters relating to religion or belief. We acknowledge with appreciation initiatives aimed at the promotion of understanding between religions and beliefs, such as the UN Year of Dialogue among Civilizations and the UN Alliance of Civilizations and we are grateful for the work being done by the UN Special Rapporteur for Religion or Belief.

It is essential for governments and international organisations, such as the UN and various regional organisations, to give priority to the protection of the freedom of religion or belief and to the eradication of all forms of intolerance and of discrimination based on religion or belief.

However, we note with growing concern the tendency many places in the world to limit various aspects of this human right. Specifically the right to change one's religion and the right to practice one's religion openly and with others is threatened. Therefore,

We call on the Norwegian government to:

- Establish an expert group or committee on freedom of religion or belief to act as an advisory body for the Norwegian government, especially the Ministry of Foreign Affairs.

- Make the issue of Freedom of Religion or Belief a discussion point when meeting with other states, especially those states with which Norway has a human rights dialogue.
- Provide training for its embassy personnel to be more sensitive to cases of abuse of the right to freedom of religion or belief.
- Examine its current asylum practices regarding religious converts.
- Express concern for the many cases for punishment for apostasy (changing one's religion) and blasphemy.
- Encourage the UN and member states to increase and strengthen their support for the work of the Special Rapporteur for Religion or Belief.
- Encourage all states to review educational textbooks and curricula, as well as practices of state-controlled media, to remove or end expressions of hatred and intolerance based on religion or belief.
- Encourage the UN to more actively promote understanding of and adherence to the 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief.

Torture and ill-treatment

Last year saw the coming into force of the Optional Protocol to the UN-Convention against Torture (OP-CAT). This was an important positive development especially at a time when the absolute prohibition against torture and other cruel, inhuman or degrading treatment or punishment is under increasing threat. We hope that the number of states ratifying this protocol will increase swiftly and that Norway's ratification will be added in the course of 2007.

Other developments have been far less promising. Torture continues to be used routinely and systematically in a considerable number of countries, either directly ordered or encouraged by governments or due to a lack of effective preventive measures. International and national human rights monitoring bodies have been denied unhindered access to places of detention or obstructed in their work in other ways. States have failed to ensure that no one is expelled, extradited or returned ("refouled") to a country where they may be in danger of being subjected to torture.

Many of the most alarming developments with regard to torture and ill-treatment have been connected to the so-called war on terror. So-called anti-terrorism-measures have laid the ground for an undermining of the absolute prohibition of torture and ill treatment. Executive branches have been given increased powers to hold suspects in prolonged detention – often in isolation – without charge or trial. People suspected of terrorist connections have been refouled to countries notorious for their use of torture, often on the basis of worthless diplomatic assurances of their safety. The Council of Europe, Amnesty International and Human Rights Watch have presented extensive documentation on the use of European territory by the United States in the course of "extraordinary renditions" and similar transfers of detainees in violation of international human rights law.

New legislation passed in the USA, especially the Military Tribunals Act, not only legalised unfair criminal procedures against foreign terrorist suspects, it also legitimised ill-treatment of detainees and attempted to reduce torture victims' possibilities of seeking redress. The US government still has not shown any serious intent of closing down the internment camp at

Guantánamo Bay or other centres of detention for terror suspects, which constitute clear violations of international human rights and humanitarian law.

The so-called war on terror has also continued to be successfully used by other countries to evade international criticism of torture, “disappearances”, arbitrary killings and other serious human rights violations. Torture has been routinely used by government security forces dealing with alleged anti-terror operations against Muslim groups in Russia, China and several other countries.

We call on the Norwegian government to:

- Make sure the Optional Protocol to the UN-Convention against Torture (OP-CAT) can be ratified by Norway before the end of 2007;
- Proceed towards establishing an independent national preventive mechanism for the prevention of torture in accordance with OP-CAT (part IV) and to ensure a strong and clearly defined role for independent human rights organisations within this mechanism;
- Support other developments of international law to support the prevention of torture, like the UN-Convention against Enforced Disappearances;
- Strongly support the work of international and national human rights bodies monitoring the observance of the absolute prohibition of torture, including encouraging other countries to allow these bodies full and unobstructed access to places of detention;
- Strongly oppose all attempts of undermining the prohibition of torture and of refolement by extraordinary renditions or the acceptance of diplomatic assurances;
- Strongly support measures to prevent torture or ill treatment of detainees to occur in the context of NATO operations; this should include measures to prevent detainees from being handed over to national security forces or third parties where this would put them at serious risk of torture or ill treatment.

Violence against women

Violence against women (VAW) means any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm of suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Violence against women is prevalent in every society in the world and cuts across boundaries of wealth, ethnicity and culture as a manifestation of the historically unequal power relations between men and women that is perpetuated through legitimisation of violence as an acceptable form of behaviour.

Violence against women and girls is a major global problem, with many institutional, legal and cultural obstacles to its elimination. Despite efforts made during the past few decades, women who experience or have experienced gender-based violence still face numerous barriers to escaping such violence and seeking redress. VAW is still exacerbated and kept hidden by victims' and survivors' fear of stigmatisation. Women's lack of access to legal information, aid, protection or other services, the inadequate implementation of laws that prohibit violence against women, insufficient efforts on the part of public authorities to promote awareness of and to enforce existing laws, and the absence of educational and other means to address the causes and consequences of violence and challenge attitudes and stereotypes.

Even though the human rights and women's rights movements have achieved some successes in negotiating international instruments and standards, there is still a massive failure of political will to translate them into effective practices that make positive changes in women's lives.

We ask the Norwegian government to:

- Call for a stronger, more consistent and visible leadership role by intergovernmental bodies and the entities of the United Nations system, demonstrated by political will, greater prominence on the international agenda, sustained action and more significant allocation of resources to strengthen implementation of a normative and a policy framework for addressing violence against women;
- Call intergovernmental bodies, including the Peacebuilding Commission, the Human Rights Council and the Economic and Social Council and its functional commissions to discuss by 2008, the question of violence against women in all its forms and manifestations in relation to their mandates, and set priorities for addressing this issue in their future efforts and work programmes. Intergovernmental bodies should also identify and address gaps in the international policy and normative framework pertaining to violence against women within their respective areas of competence;
- Call for the development of a set of international indicators that can assess the scope, prevalence and incidence of violence against women, monitor progress in addressing such violence and assess the impact of different measures and interventions. This work should build on existing proposals for indicators on violence against women, as well as on the work of the Special Rapporteur on violence against women, its causes and consequences, called for in resolution 2004/46 of the Commission on Human Rights;
- Call for the development and full implementation of comprehensive national action plans on violence against women that include national awareness-raising campaigns, that place emphasis on strengthening knowledge of rights and availability of services and on changing gender-based stereotypical norms and attitudes that condone and perpetuate male violence against women.