

Norwegian NGO-forum for Human Rights:

— Recommendations on Human Rights at the United Nations in 2008

on behalf of

Amnesty International Norway
Anti Racist Centre
Church of Norway Council on Ecumenical and International Relations
Human Rights House Foundation
Norwegian Burma Committee
Norwegian Helsinki Committee
Norwegian Mission to the East
Norwegian Organization for Asylum Seekers
Norwegian People's Aid
Norwegian PEN
Norwegian Tibet Committee
Norwegian Youth Council
Save the Children Norway

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Country issues

Bhutan, including problems related to refugees in Nepal

Bhutan seems to be moving towards greater democratization, and parliamentary elections are to be held in the spring of 2008. Prior to this process, however, one sixth of the population were forced to flee the country and were stripped of their citizenship.

Bhutan has historically been seen as a multi-cultural and relatively harmonious society – a meeting point of Hindus and Buddhists and peoples of different languages and cultures. In the 1980s, however, the human rights situation in the kingdom seriously deteriorated. New laws and policies in line with the king's command of "one nation, one people" consolidated the power, values and identity of the Buddhist elite. The Nepali-language minority was considered a political and cultural threat. Without access to democratic channels, minorities grew increasingly fearful. There were harsh crackdowns on peaceful demonstrations. As of 1993, one sixth of the population had left the country due to threats, detentions, the confiscation of property and other measures, which particularly targeted the Nepali-language minority. Those who remain in Bhutan are still targets of human rights violations.

The majority of the refugees are in camps in Nepal. There has been no concrete result of the bilateral negotiations between Bhutan and Nepal. Not even a single refugee has been allowed to return home. The recent proposal of voluntary resettlement for the refugees in a third-country is positive – especially for the most vulnerable groups. However, the international community must also defend the refugees' right to return and should push for their citizenship to be restored. The refugees must have a voice in the country's first real parliamentary elections to be held in the spring of 2008. Exclusion of an ethnic group before an election cannot be considered real democratization.

We call on all actors to aim for the following:

- Bhutan must eliminate all discrimination against ethnic minorities and take steps to ensure that no new displacement takes place.
- Bhutan must respect the right to return for all Bhutanese refugees.
- Bhutan must ensure that every adult Bhutanese receives a (new) citizenship card and is allowed to register as voter for the 2008 elections. The right to citizenship for all Bhutanese refugees and their right to participate in the elections must be respected.
- It must be emphasized to Bhutan and all parties that the choice of resettlement is voluntary and does not in any way negate the right to return.

Burma

In September 2007, the Burmese military government used force to suppress peaceful protests. In addition to these recent acts of repression, systematic and ongoing violations of human rights are commonplace in Burma.

Following the crackdown by the authorities, the UN Human Rights Council met in a special session to discuss the situation in Burma/Myanmar. The Human Rights Council adopted two

resolutions in late 2007. The Special Envoy of the UN Secretary-General for Myanmar visited Burma in September and November 2007. The Security Council met in October 2007 for a briefing by the Special Envoy and issued a presidential statement demanding the release of political prisoners, genuine dialogue between the junta and the opposition, and that the recommendations and proposals by the Special Envoy of the UN Secretary-General for Myanmar be taken into consideration.

So far, there are few signs that the ruling junta is really responding to the international calls for action. There has been no serious attempt to address the socio-economic grievances, which were the origin of the protests last year. More arrests have taken, and are still taking place. According to Amnesty International, at least 96 persons are detained, in addition to the 1100 political prisoners who were already imprisoned before the uprising. Five meetings between the imprisoned general secretary of National League for Democracy, Aung San Suu Kyi, and Liaison officer Aung Kyi have taken place between October 2007 and January 2008 without any significant process being made. Aung San Suu Kyi has only been able to meet her party colleagues twice since the talks with the government started.

The Burmese army has engaged in offensives targeting civilians in eastern Burma since 2005. Gross violations of human rights and international humanitarian law continue to take place in connection with armed conflict as well as in post-conflict areas of the country, as part of military counter-insurgency operations, for the construction or support of new army battalions, to make way for infrastructure development projects, in the context of natural resource extraction and in order to provide vested interests (including military) and foreign groups with business opportunities. Humanitarian organizations continue to be refused access to remote border areas. The number of refugees in camps in Thailand increased to approximately 153.000 at the end of 2007, while the total number of Internally Displaced Persons in eastern Burma was 503.000 by October 2007, both numbers according to the Thai-Burma Border Consortium.

We call on Burma to:

- Stop the continuous violations of human rights in Burma, with a particular focus on violations of international humanitarian law and human rights that occur in connection with military operations or/and in post-conflict areas.
- Ensure regular and unhindered access to the country for all UN Special Procedures, especially the UN Special Rapporteur on the situation of human rights in Myanmar and to provide guarantees for the security of their interlocutors.
- Encourage the government of Burma to allow a permanent in situ presence of human rights monitoring mechanism under the auspices of the UN High Commissioner for Human Rights.

China

China continues to make progress in some human rights areas like poverty reduction and education. The situation with regard to civil and political rights, however, is still alarming or even deteriorating, as with regard to freedom of expression, information and assembly, freedom of belief, freedom from torture and the right to fair trial before independent courts.

While foreign journalists are being allowed greater freedom in connection with the Beijing Summer Olympics, censorship of Chinese media and especially the internet is getting

harsher, and many journalists face imprisonment or other harassment because of their work. Censorship and surveillance of the Internet is carried out by more and more sophisticated means, with good assistance from Western software and Internet companies.

Human rights defenders and other government critics are at serious risk of being accused of such crimes as “revealing state secrets”, “causing public disorder” or “undermining the country’s unity” and sentenced to long prison terms. In addition, critics and their families are routinely subjected to all kinds of abuse including torture and ill treatment. Among those risking persecution on an increasing scale are housing rights activists.

Persecution because of belief or ethnic origin continues to be a serious concern, especially with regard to Falun Gong practitioners, unregistered Christian churches, Tibetan monks and the Muslim population of the Xinjiang Uighur Autonomous Region (XUAR).

Little progress has been made with regard to the Chinese government’s promise to reform or even abolish the system of so-called re-education through labor (RTL). On the contrary, there have been clear indications of RTL and similar measures being used on an increasing scale to cleanse Beijing from unwanted individuals in connection with the Olympics.

Chinese authorities have repeatedly expressed the wish to reduce the use of death penalty, or even to abolish this penalty in the long run, and there have been welcome steps towards reform. However, statistics regarding executions and death sentences in China are still kept secret, so that it is impossible to judge whether any real progress is being made. Even if the claims of certain improvements are true, it must be feared that China is still executing people at a larger scale than any other country in the world.

Asylum seekers from North Korea are regularly forcibly returned without access to the normal asylum procedure. Up to 350,000 people from North Korea live in hiding in China, and are particularly vulnerable to abuse in the black labor market or sexual exploitation.

We call on governments to:

- Be clear in its criticism of the serious human rights violations in China both in bilateral contacts and within the United Nations.

We call on China to:

- Abolish re-education through labor and other forms of prolonged detention without charge or trial.
- Make public statistical information about its use of death penalty and to abolish death penalty for non-violent crimes as a first step towards full abolition.
- Grant Chinese media and journalists the same liberties that now are allowed foreign media in the run-up to the Olympics, and to make these liberties permanent also after the Olympics.
- Cooperate with the UNHCR on asylum seekers from North Korea.

Colombia

The long-running internal armed conflict in Colombia continues to result in high levels of serious human rights abuses. Massacres, attacks and intimidation of civilian population by the armed groups, particularly in rural areas, as well as violations against human rights, social and community activists, continue to be reported.

Colombia has the world's largest internal displacement crisis after Sudan. More than 3.5 million out of the country's 44 million people have been displaced during the last two decades, according to CODHES, an authoritative non-governmental source. More than one million of the IDPs are children. The UN Committee on the Rights of the Child (2006) expresses grave concern at the continuously high incidence of children victims of extrajudicial killings, homicides, torture and massacres as a consequence of the armed conflict, as well as the large-scale recruitment of children by illegal armed groups for combat purposes and also as sex slaves. The Committee regrets that several of its concerns and recommendations have been insufficiently or only partly addressed.

Reports of the United Nations' Office of the High Commissioner for Human Rights (UNHCHR) also convey that the government fails to implement UN recommendations.

Since it took office in 2002, the Uribe government has pursued a policy of "democratic security", which aims at cracking down on armed groups by, among other things, involving civilians in counter-insurgency activities, arming peasant soldiers and setting up networks of informants. Acts of torture and "disappearances", committed by all sides to the conflict, have increased, as have reports of extra judicial executions attributed directly to government forces.

The Special Representative of the Secretary-General on Human Rights Defenders acknowledges that deliberate targeting and stigmatization of local and international human rights organizations and activists make Colombia one of the most dangerous places in the world for human rights defenders.

We call on governments to:

- Condemn all violations of international human rights and humanitarian law, committed by guerrilla groups, paramilitary groups and government forces, and call for the perpetrators to be held to account. This includes expressing concern about policies that may lead to impunity for human rights abuses, emphasize the need for an effective dismantling of the paramilitary groups and their connivance with members of the authorities.

We call on Colombia to:

- Guarantee the safety of all vulnerable groups such as human rights defenders, journalists, trade unionists, student activists, indigenous people and politicians, and respect the value of their work to a democratic society.
- Implement in full the recommendations and views of the UN Committee on the rights of the Child (2006).
- Implement in full the recommendations and views of the latest report on Colombia of the UNHCHR (2006).

- Implement in full recommendations and views of the former Human Rights Committee and the Committee Against Torture, as well as the UN Guiding Principles on Internal Displacement.
- Implement the recommendations made by the Representative of the Secretary-General on the human rights of internally displaced persons in his report of January 2007.

Iran

There has been a dramatic increase in the number of executions in Iran the last year. Amnesty International is aware of 300 people who were executed in 2007, and 5 of them were children. Amnesty is aware of 75 child offenders who are currently under the sentence of death. Iran has the shameful status of being the world's last official executioner of child offenders. Iran also holds the macabre distinction of having executed more child offenders than any other country in the world since 1990, according to Amnesty International's records.

Execution by stoning, a punishment prescribed in Iran's Penal Code, is a particularly grotesque and horrific practice. Iranian law prescribes that the stones are deliberately chosen to be large enough to cause pain, but not so large as to kill the victim immediately.

We are concerned by continuing violations of the rights of members of Iran's ethnic minorities, including Iranian Azerbaijanis, Kurds, Baluchis, and Arabs. Iran's ethnic minorities face growing restrictions and persecutions.

We are greatly concerned over the harassment of human rights defenders, including many journalists, women's rights activists, students and labour rights activists. Because of fundamental flaws in the administration of justice in Iran, it is easy for the authorities to harass intellectuals, journalists and other human rights defenders.

Many of the Iranian women's activists supporting the "Campaign for Equality", aimed at collecting a million signatures from Iranian in support of changes of the law to end legalised discrimination against women, have been arrested and released a number of times.

Baha'is in Iran are subject to discriminatory laws and regulations which violate their right to practise their religion freely and which deny them equal rights to work and to a decent standard of living by restricting their access to employment and benefits such as pensions. They are not permitted to meet, hold religious ceremonies or to practice their religion communally.

We call on governments to:

- Express deep concern over and criticize the dramatic increase in the number of executions and the horrific practice of execution by stoning. They should express unconditional opposition to the death penalty, as the ultimate cruel, inhuman and degrading punishment and violation of the right to life.
- Condemn the execution of child offenders, and to stress that by sentencing child offenders to death, Iran is contravening international law and violating instruments to which Iran is a state party.

We call on Iran to:

- Respect freedom of expression and association. Iran has specific obligations under Article 19 of the International Covenant on Civil and Political Rights to safeguard the right to freedom of expression.
- Stop Persecuting Baha'is for peaceful practicing their faith, and not to torture or ill-treat prisoners of conscience like Baha'is who have been arrested because of their faith.

Sudan

There is a gravely concerning lack of political will and commitment on the part of the Sudan Government (GNU) to a lasting peace, security and sustainable development in the country.

It is believed that since 2003, more than 90,000 people have been killed as a result of the conflict in Darfur. About 200,000 are thought to have died from conflict-related causes.

Over 2.3 million are internally displaced. Faced with a rebellion in 2003, the Sudanese government exploited existing tensions to arm local militias and used them, with government air and ground support, to forcibly displace people. Most of those driven from their homes and communities are now living in more than 65 camps. Many families have been forcibly displaced several times, and newly displaced people continue to arrive at IDP camps. In addition, about 240,000 people from Darfur are known to be living in 12 refugee camps in eastern Chad.

The government of Sudan still continues to carry out aerial and ground attacks with complete disregard for the protection of civilians.

Instead of disarming the Janjaweed militia, as it agreed to do in many accords including under the Darfur Peace Agreement, the government of Sudan distributed more and better arms to them and incorporated them into paramilitary organizations: the Popular Defence Forces (PDF), the Popular Police, the Nomadic Police, and the Border Intelligence Guards. Some of the Janjaweed militia wear the uniforms of the government paramilitary force, travel in government vehicles and are armed with rocket-propelled grenades.

Conflicts between ethnic groups, including in between Arab groups, continue. Different factions of the armed Arab groups have allied with the government, cooperated with armed opposition groups, or have remained independent, using their weaponry for looting.

The two armed groups which opposed the government in 2003 and attended the 2006 peace talks fragmented before the end of 2006. Various estimates put the number of armed opposition groups at more than 50, some larger and better equipped than others.

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. From January 2007 to the end of November, 128 vehicles belonging to the UN and NGOs were hijacked and 74 humanitarian convoys were attacked.

In 2007, the conflict situation has, if anything, worsened. Since 2004 an African Union force, the African Union Mission in Sudan (AMIS), has been in Darfur, at first solely to monitor a ceasefire agreement but later with a mandate to protect civilians. However, AMIS, with its personnel fully stretched and without adequate means of transport, has proved unable to

defend itself, let alone the local population. At the end of 2007 the African Union-United Nations Hybrid Operation in Darfur (UNAMID) took over from AMIS.

In addition to the continuing atrocities in Darfur there is an un-excusable low level of commitment to the implementation of the provisions of the Comprehensive Peace Agreement (CPA), which ended the civil war between the South and the Central Government. Lack of adherence to CPA provisions with regard to key elements like demarcation of borders, delay in withdrawal of forces and lack of transparency in distribution of oil revenue might impede the exercise of the census and may subsequently lead to delays in elections and the referendum foreseen by the CPA. There is reason to believe that the GNU deliberately poses these obstacles to the CPA, which could eventually lead to a break-down in implementation of the agreement or to increasing frustration and instability in the South. While important achievements with regard to human rights for the population have been made in South Sudan under the CPA, these will be threatened if the Agreement is weakened. On the other hand, a successful implementation of CPA could have positive impact on the situation in Darfur.

The situation in Northern and Eastern Sudan remains serious, rule of law is lacking, as is clear separation of powers. Governance systems are poor and un-harmonized. Overall, there is serious concern for the lack of commitment to fundamental human rights as provided for in the Bill of Rights in the CPA. People continue to suffer from lack of security and safety in vast areas in the Sudan. Repressive laws, notably media laws and the National Security Act, regulations and other restrictive conditions are prevalent. In the North, media continue to be harassed and controlled by GNU security agents. For instance, Northern media are not allowed to cover the Darfur conflict. There are isolated cases of interference in media activities in the South. Women's rights continue to be seriously curtailed by negative customs and traditions, laws and the lack of laws promoting gender equality. Women's marginalization hinders them from fully participating in nation-building and other political processes.

We call on governments to:

- Condemn the extremely serious and continually deteriorating human rights situation in Darfur and the Sudanese government's failure to provide protection to civilians, and to 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.

We call on Sudan to:

- Cease obstructing the deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID).
- Disarm the Janjaweed militias and other armed groups under its control in Darfur and ensure strong command control of all governmental paramilitary forces, pending their disarmament as part of an integrated disarmament, demobilization and reintegration program.
- Fulfill 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.

- Respect CPA and facilitate its implementation according to plan.

Thematic issues

Protecting the Right to Freedom of Association

The right to freedom of association is recognized as a fundamental human right in both the Universal Declaration of Human Rights and the UN Covenant on Civil and Political Rights. The ILO conventions no. 87 and 98 recognize workers' freedom of association and the protection of the right to organize and collective bargaining.

The right to freedom of association includes not only a right to form and join an association freely. In order for individuals to fully realize their right to freedom of association, organizations themselves must be able to function freely without unreasonable governmental interference in their establishment, functioning or administration.

Civil society and collective organizations not only represent their members' interests, but also help to develop and defend democracy. They serve as the foundations of both existing and emerging democracies and their support is crucial for economic and political transitions.

We are committed to the promotion and protection of the right to freedom of association. However, we note with growing concern the tendency of many countries to limit various aspects of this human right. In some countries judicial obstacles and governmental interference inhibit, even outlaw the work of Civil Society Organizations (CSOs) and human rights defenders. In other countries democratic mobilization by CSOs and human rights defenders are met with persecution and imprisonment.

The Convention on the Rights of the Child recognizes the right of children and youth to freedom of association. Youth organizations in many countries are under severe pressure. This is especially serious since many of the members of associations run by children and youth are under the age where they can participate in other democratic processes in their countries, such as elections. CSOs thus become their only channel to learn democratic methods and express views on matters affecting them as well as to promote their interests.

It is essential for governments and international organizations, including the UN, to give priority to the protection of the right to freedom of association. Therefore,

We call on Governments to:

- Make the issue of the right to freedom of association a discussion point when meeting with other states.
- Encourage the UN and member states to establish and finance a Special Rapporteur on the promotion and protection of the right to freedom of association.
- Encourage the UN Committee on the Rights of the Child (CRC) to address the right to freedom of association.
- Promote an international UN led campaign on the right to freedom of association.

Human Rights of Refugees and IDPs

Internally displaced persons are those who have been forced from their homes or places of habitual residence and who have not crossed an internationally recognized State border. Their movement is involuntary; they have no choice but to flee as a result of or to avoid the effects of armed conflicts, generalized violence, violations of human rights or natural and human-made disasters. Remaining within national borders, IDPs retain all the rights and freedoms under domestic and international law.

Internal displacement exposes people to numerous protection threats in the process of being displaced, during displacement as well as during and after return. It often jeopardizes the enjoyment by IDPs and/ or returnees of a range of fundamental human rights, ranging from civil and political to economic, social and cultural. Deprived of essential protection mechanisms, such as community networks, as well as access to services and livelihoods, internally displaced people and returnees are often particularly vulnerable and in need of protection and assistance. Therefore, internal displacement should be systematically regarded as an indicator of potential vulnerability.

As specified by the 1998 Guiding Principles on Internal Displacement and elaborated in the Framework for National Responsibility presented by the RSG on the human rights of IDPs to the Commission on Human Rights in 2006 (E/CN.4/2006/71/Add.1), the primary duty and responsibility to assist and protect the displaced belongs to national authorities. It is essential that this responsibility be stressed and invoked now in 2008, the year which marks the 10th anniversary of the drafting of the Guiding Principles and the launch of Universal Periodic Review mechanism by the Human Rights Council, which will monitor States' fulfilment of their human rights obligations and commitments.

We call on all actors to:

- Conduct or support training of relevant national and international actors on the Guiding Principles on Internal Displacement
- Ensure that national legislation and policies are in line with the Guiding Principles on Internal Displacement and international standards. Ensuring that the rights of IDPs are upheld on an equal basis with other persons in a country can be done in a number of ways, including through the adoption or amendment of laws and/or policies as well as the designation or creation of a national institutional focal point on internal displacement.
- Reaffirm the duty and responsibility of national authorities to assist and protect IDPs in line with the Guiding Principles on Internal Displacement and the Framework for National Responsibility. National authorities should be encouraged to conduct assessment of the enjoyment of human rights and humanitarian situation of IDPs. As recommended by the UN Secretary-General in 2005 (A/59/2005, para 210), national authorities should bring their national legal and/or policy frameworks in line with the Guiding Principles. National authorities should seek assistance of and cooperate with the RSG on the human rights of IDPs to solve the problem of displacement, including by following up on his recommendations and reporting on the process to the Human Right Council. If unable to solve the problem of internal displacement on their own, national authorities should seek assistance and technical or other advise from the relevant UN bodies.
- Continue to support regional efforts and mechanisms aiming to respond to the problem of internal displacement, e.g. the Special Rapporteur on Refugees, Asylum

Seekers, Migrants and Internally Displaced Persons in Africa (of the African Commission on Human and People's Rights).

Freedom of expression under attack: attacks on journalists and human rights defenders

Last year's reports again shows tragic attacks on reporters, photographers, translators, editors and human rights defenders. The attacks remain at record levels and that there is a trend of high risk for these actors in many areas in the world.

Journalists and human rights defenders were intimidated, faced with groundless criminal proceedings, unfair trials and imprisonment, and subjected to attacks and extrajudicial killings because of their work.

For the third year in succession, the International Federation of Journalists (IFJ) reports an extremely high number of deaths of journalists and people who work with them. Many killings were targeted attacks and some were crossfire casualties in war zones.

The IFJ has recorded a total of 172 deaths in 2007. These figures are dominated by the body count of Iraqi journalists in a war that has now accounted for more than 250 media killings according to the IFJ's affiliate the Iraqi Syndicate of Journalists.

Conflict areas like Somalia, Pakistan, Afghanistan and Sri Lanka also had high numbers of casualties of journalists and human rights defenders.

But the attacks and crisis of impunity is not confined to conflict zones. This is a problem in many different countries like for instance Paraguay, Mexico, Turkey, Uzbekistan and Kenya.

The murder of Russian journalist Anna Politkovskaya in October 2006 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.

We urge Norwegian authorities to take steps so that journalists and media workers get special protection and all murders become investigated and resolved.

We call on Governments to:

- Establish targeted measures to combat impunity for killings and other violations of the rights of reporters, photographers, translators, editors and human rights defenders.
- Urge that the UN Special Rapporteur on Freedom of Expression and the UN Special Rapporteur on Human Rights Defenders to launch independent UN investigative commissions, in situations where killings of journalists and human rights defenders are not being properly investigated, as in Russia, Turkey and Mexico.

Individual Communication Procedure for Violations of the Convention on the Rights of the Child

Eighteen years after adoption of the Convention on the Rights of the Child (CRC), the basic human rights of millions of children are still not being met.

The Convention will soon be the only international human rights treaty with mandatory reporting that is lacking an individual complaints mechanism. Such a mechanism needs to be put in place to better protect children's human rights.

While children and their representatives can use the mechanisms already established under other international instruments to pursue many of their rights, those instruments do not cover, separately or together, the full range and detail of rights in the CRC.

Furthermore, complaints made on behalf of children to other treaty bodies are not considered by experts with special expertise on children's rights. Similar persuasive arguments were made for the adoption of the communications' mechanisms under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and under the new Convention on the Rights of Persons with Disabilities.

We call on governments to:

- Take initiative to strengthen the accountability of States Parties to the UNCRC by proceeding towards establishing an Optional Protocol to the Convention on the Rights of the Child to provide a complaints procedure.
- Support the establishment of an Ad Hoc Working Group to draft the Optional Protocol; ensuring that it will be an effective instrument for the safeguarding of children's rights.
- Once adopted, sign and ratify the Optional Protocol, promote rapid ratification by other States Parties and work to ensure that adequate resources are provided to support the Committee on the Rights of the Child in responding to complaints.

Torture and other human rights violations in connection with the so-called war on terror

Serious human rights violations continue to be committed on a daily basis in connection with the so-called war on terror. Torture and other ill treatment are routinely used against terror suspects. Special laws and regulations limiting some of the most fundamental principles of the rule of law or even legitimizing torture undermine respect for international standards, as does the extradition of people to third countries in violation of the principle of non-refoulement. Civilians who get caught up in armed anti terror operations are regularly and arbitrarily killed.

Thousands of detainees continue to be held by the United States without charge or trial at such places as Guantánamo or the Bagram airbase in Afghanistan, or even at secret places of detention. All these detainees are at serious risk of torture and other ill- treatment, even more so as instructions for American military personnel and interrogators legitimize the use of methods, which are clearly forbidden under international law.

The USA has so far denied UN Special Rapporteurs and other international and national monitoring bodies proper access to "war on terror" detainees.

American agents have detained or abducted a presumably large number of people and transported them by air to American places of detention outside the USA or third countries. Those subjected to such “extraordinary renditions” are at serious risk of torture or “disappearance”. Several countries have been accomplices to this illegal practise by condoning the use of their airspace and airports for extraordinary renditions.

Asylum seekers and refugees being suspected of terror connections are regularly returned to their countries of origin in spite of a clear risk of being subjected to torture, often in return for diplomatic assurances that the returnee will not be subjected to human rights violations. As the countries of origin often lack both the will and the practical possibility to monitor the treatment of a returnee, let alone to prevent him or her from being subjected to torture, such diplomatic assurances by no means relieve a country of the obligation of non-refoulement.

We call on governments to:

- Make sure that the respect for international human rights principles, including the prohibition of torture and principles concerning fair trial and rule of law, is at the core of all UN activities concerning the combat of international terrorism;
- Strengthen the position of UN Special Rapporteurs, Treaty Monitoring Bodies and similar international and national institutions and their possibility to monitor and report about treatment of detainees in the so-called war on terror;
- Strongly defend the principle of non-refoulement, and to make it clear that diplomatic assurances by no means are enough to relieve a country from its obligation not to return anybody to a place where he or she is at serious risk of torture;
- Encourage and support processes to investigate and prevent extraordinary renditions both on international and national level;
- Ratify the Optional Protocol to the UN Convention against Torture and the UN Convention for the Protection of All Persons from Enforced Disappearance