

Recommendations to the Norwegian government on human rights at the United Nations in 2006

These recommendations are submitted on behalf of

Amnesty International Norway
Church of Norway, Council on Ecumenical and International Relations
FIAN Norway
FOKUS - Forum for women and development
Human Rights House Foundation
Norwegian Burma Committee
Norwegian Confederation of Trade Unions
Norwegian Helsinki Committee
Norwegian Mission to the East
Norwegian Organisation for Asylum Seekers (NOAS)
Norwegian PEN
Norwegian People's Aid
Norwegian Refugee Council
Norwegian Tibet Committee
Norwegian Youth Council

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Thematic issues

Torture and cruel, inhuman or degrading treatment or punishment

The absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is a fundamental tenet of international law. The prohibition has underpinned all relevant international human rights instruments elaborated by the United Nations, including the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Rome Statute of the International Criminal Court.

Yet governments regularly violate the prohibition against torture and cruel, inhuman and degrading treatment or punishment. Some fail to regulate effectively the export of equipment used to perpetrate these violations. Impunity persists. Acts of torture and ill-treatment are committed on a regular basis, often condoned or even actively encouraged by governments, in all regions of the world, including in more than half of the states which are currently members of the UN Commission on Human Rights.

A number of states have undertaken measures to counter terrorism that have challenged the framework of international law. In his report to the 59th General Assembly, the Special Rapporteur on torture stated, "*the condoning of torture is per se a violation of the prohibition of torture*". He went on to identify further challenges to the prohibition of torture that have arisen in the context of "countering terrorism", including the use of evidence elicited as a result of torture in proceedings other than for bringing to justice alleged perpetrators of torture.

Further violations of international law have been perpetrated by states, which 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.

In 2002 the General Assembly adopted the Optional Protocol to the Convention against Torture inter alia allowing visits to places of detention in states, which are parties to the Protocol. The Protocol requires 20 ratifications before it can enter into force. It had reached 16 by 26 January 2006.

We call on the Norwegian government to:

- Promote a comprehensive and progressive resolution on the prohibition of torture and cruel, inhuman or degrading treatment or punishment, which:
 - Reaffirms the absolute prohibition against torture and cruel, inhuman or degrading treatment or punishment
 - Reminds states that statements and any other evidence which has been obtained as a result of torture and cruel, inhuman or degrading treatment or punishment shall not be invoked in any proceedings, except against a person accused of torture and cruel, inhuman or degrading treatment or punishment.
 - Reaffirms that states shall not expel, return, extradite or in any other way transfer a person to another state where there are substantial grounds for believing that the person would be in danger of being subjected to torture
- Urge all states to implement fully the Convention against Torture and comply with the reporting obligations contained therein.
- To ratify the Optional Protocol to the Convention against Torture and encourage other states to do the same.

Establishment of an 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 and Social Rights (ICESCR), through the adoption of an optional protocol to the Covenant.

The open ended working group tasked to elaborate the protocol has not yet started drafting a protocol, but is still discussing when and whether the drafting should commence. A majority of states now support a renewal and expansion of the mandate of the working group so that a drafting process of the protocol can begin.

With the adoption of the Human Rights Act of 1999, the ICESCR 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 and could contribute to the strengthening of economic, social and cultural rights.

An international communication procedure on violations of economic, social and cultural rights can offer a possibility to claim rights in situations where rights such as the rights to food, water, housing and health are denied or ignored.

A failure to adopt the communications procedure could be seen to run counter to the principle of indivisibility of human rights, as communications procedures already exist under ICCPR, CAT, CERD, CEDAW and MWC.

Signing of an optional protocol will not be an obligation of state parties to ICESCR. The protocol will not create new obligations. It will be a new supervision procedure for obligations that already exist.

We call on the Norwegian government to:

- Acknowledge the Vienna Declaration's statement that all human rights are equal, indivisible, interrelated and interdependent.
- Actively support the continuation of the open-ended working group
- Promote a more specific mandate for the working group, in particular promote that the working group be tasked to start drafting the optional protocol.
- Undertake a commitment to actively promote that the Optional Protocol is adopted by the General Assembly as soon as possible.

Human rights and Counter Terrorism

Wherever terrorism constitutes a threat to peace and security, states have an obligation to prevent it. However, violating human rights in the process can only damage the rights and liberties that are supposed to be protected, and render the measures counterproductive. To systematically protect and defend human rights is obviously an overriding end and obligation in itself, but it is also an essential element in any successful strategy of countering terrorism.

Many states have enacted laws, purportedly to counter terrorism, but use them to legitimise human rights violations against political or other opponents, critics, human rights defenders, against minorities and other vulnerable groups, including refugees and asylum seekers. Most domestic laws prohibiting terrorism give broad definitions of the term. There are presently a number of international conventions on terrorism, yet no single agreed definition. The lack of clarity provides scope for abuse. In addition, we are concerned that a climate of fear can cause xenophobia and suspicion, which may in turn cause stricter asylum laws and practices that curb the right to seek asylum and put minorities and other vulnerable groups at additional risk of discrimination and persecution.

A number of countries have introduced new capital offences relating to terrorism, and have weakened human rights protection relevant to fair trials, such as the introduction of arrest without charge or trial, indefinite detention and the use of evidence that may have been extracted under torture.

People detained with reference to so-called anti-terrorist measures are being held in secret and incommunicado detention at grave risk of being subjected to torture or ill-treatment. Safeguards against torture are being further undermined by the refoulement or extradition of terrorist suspects to countries where they are at serious risk of torture, often in exchange for worthless diplomatic assurances.

In this regard we are alarmed that relevant Special Rapporteurs and Working Groups of the UN Commission of Human Rights are frequently denied access to places of detention.

States must ensure that any measures taken to combat terrorism comply with their obligations under international law, in particular human rights, refugee and humanitarian law, as reaffirmed by the UN General Assembly as well as the Commission on Human Rights in 2005. Such compliance will require political will and vigorous monitoring, domestically and internationally. At the international level, the UN Commission on Human Rights and UN Human Rights Council should ensure all necessary support and resources to the Special Rapporteur on human rights and counter-terrorism, and ensure that human rights concerns are fully integrated into the UN counter-terrorism agenda, especially at the UN Security Council Counter-Terrorism Committee.

We call on the Norwegian government to:

- Call on all states to ensure that all measures to combat terrorism comply with their obligations under international law, in particular human rights, refugee and humanitarian law, including in particular the absolute prohibition against torture and cruel, inhuman or degrading treatment or punishment under all circumstances; fair trial; freedom of expression and belief; the right to seek asylum; the right to be a human rights defender and the principle of non-refoulement.
- Express support for the Special Rapporteur on human rights and counter terrorism and urge all member states to ensure that he is given sufficient resources and support to enable him to carry out his functions effectively.
- Urge all member states to provide information on concrete steps they have taken to ensure that counter-terrorism measures also meet their obligations under international law, in particular international human rights, refugee and humanitarian law, in their reports to the Counter-Terrorism Committee of the UN Security Council. The participation of NGOs in this process should be encouraged and strengthened.

- Urge all states to co-operate fully and effectively with the Special Procedures, *inter alia* by granting them full and unhindered access to all places of detention where terrorist suspects are held.

Human Rights Education

On 14 July 2005 the UN General Assembly adopted the revised Plan of Action for the first phase (2005-2007) of the World Programme for Human Rights Education by consensus. During the first phase the focus is on the integration of human rights education into primary and secondary schools. This pertains not only to curricula and textbooks, but to the educational processes and the environment within which education takes place as well.

Human rights education is an essential mean to the realization of human rights. It can contribute significantly to the promotion of equality, prevention of conflict and human rights violations and enhance participation and democratic processes, with a view to develop societies in which all human beings are valued and respected. Human rights education is based on internationally agreed standards and principles and can usefully supplement other strategies for the promotion of human rights. It has a long-term scope, and is often consensual and co-operative in character and it helps build the legitimacy of universal international human rights. Human rights education is a powerful and necessary item in the toolbox of human rights promotion.

The Plan of Action should receive more attention. In particular it proposes a concrete and comprehensive implementation strategy for the national level. The main responsibility for implementation rests with the Ministry of Education in each country, which should assign or strengthen a relevant department or unit responsible for coordinating the elaboration, implementation and monitoring of the national implementation strategy, in close collaboration with all relevant actors. States are also encouraged to identify and support a resource centre for collection and dissemination of initiatives and information (good practices from diverse contexts and countries, educational materials, events) on human rights education at the national level.

We call on the Norwegian government to:

- Actively promote a resolution on human rights education with the aim of increasing awareness of the World Programme for Human Rights Education and encourage states to implement the Plan of Action.
- Call on all states to implement as a minimum action during the first phase (2005-2007) the following: An analysis of the current situation of human rights education in the school system (stage 1); Setting of priorities and the development of a national implementation strategy (stage 2); and to start implementing these plans.
- Call on all states to assign or strengthen a relevant department or unit responsible for coordinating the elaboration, implementation and monitoring of the national implementation strategy.
- Call on all states to identify and support a resource centre for collecting and disseminating initiatives and information on human rights education at the national level.
- Call on all states to increase their support to the Office of the High Commissioner so that the office will be able to promote the national implementation of the plan of action, provide relevant technical assistance when requested and coordinate related international efforts.

- Appeal to relevant organs, bodies or agencies of the United Nations system, as well as all other international and regional intergovernmental and nongovernmental organisations to promote and technically assist, when requested, the national implementation of the plan of action.

Violence against Women

The term violence against women means any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm or 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 not confined to any particular political or economic system, but is prevalent in every society in the world and cuts across boundaries of wealth, race and culture.

An underlying cause of violence against women is discrimination that denies women equality of rights with men. In some countries, the state enforces gender-based violence against women and discrimination is written into the law; in others the laws are inadequate; and even where the laws are adequate, the practices of government authorities, agencies, police and prosecutors often foster discrimination and violence against women.

Some women are at particular risk of violence by virtue of a multiplicity of intersecting factors such as discrimination on the basis of gender, race, ethnicity, nationality, religion, sexual orientation, class, caste, health status (particularly HIV status), status as indigenous peoples, language, age, poverty, gender identity or expression and physical or mental ability.

In the vast majority of countries, neither state nor society recognise violence against women in intimate relationships as a human rights violation and therefore fail to engage in the issue. It is also apparent that in many countries, violence against women in intimate relationships is not identified as a gender based crime. In some countries, certain forms of violence against women in intimate relationships, such as a husband being allowed to “discipline” his wife, are even condoned in law. Where laws do exist, they are often not implemented nor backed up with funding, training and gender -sensitive practices and policies by the State and allows society at large to “ignore” the issue.

Situations of armed conflict reinforce and exacerbate existing patterns of discrimination and all forms of violence against women increase, including rape and other forms of sexual violence. Rape is used as a weapon of war to conquer, expel or control women and their communities in many wars and internal armed conflicts. As a form of gender-based torture, rape is used to extract information, to punish, intimidate and humiliate women, and to strip them of their dignity. Rape is also sometimes used as a form of collective violence to drive people from their land.

The use of women in international prostitution and trafficking networks has become a major focus of international organised crime. This constitutes a violation of the human rights and fundamental freedoms of women and girls.

We call on the Norwegian government to support a strong resolution on violence against women which

- Acknowledges violence against women as a human rights violation.
- Calls on states to take concrete steps, including through the implementation of national action plans, accompanied by gender-specific budgets, to end discrimination

and violence against women, including rape, specifically marital rape, female genital mutilation and other traditional practices harmful to women.

- Urges states to exercise fully and without delay their duty of due diligence to prevent, investigate and punish all acts of violence against women, including by enacting, reinforcing or amending national legislation to end discrimination against women and protect their human rights in accordance with relevant international standards.
- Urges states to take comprehensive action to eliminate trafficking in women and assist victims of violence related to prostitution and trafficking.
- Urges all parties to conflict to take concrete steps to protect the human rights of women in accordance with international human rights and humanitarian law and through full implementation of Security Council resolution 1325 on women, peace and security.
- Urges governments to ensure access for survivors of rape and other forms of violence against women to comprehensive and confidential sexual and reproductive health services.
- Urges all states to promote and protect the sexual and reproductive rights of all women, including their right to have control over and decide freely and responsibly on matters related to their sexuality free of discrimination, coercion or violence.

Countries and areas

Burma

Burma's military government still refuse to accept the results of the democratic elections in 1990 where the National League for Democracy (NLD) won more than 80 percent of the parliamentary seats. The parliament has never been convened. The military is currently promoting a one-sided political process that lacks legitimacy within Burma as well as with the international community.

The human rights situation in Burma remains extremely grave and continues to deteriorate. The people of Burma experience widespread violations of fundamental political, civil, economic, social and cultural rights, including, inter alia, politically-motivated and arbitrary detention and arrest (the number of political prisoners is estimated at 1.100), use of torture, deaths in custody, denial of freedom of expression, association, assembly and movement, forced labour, including child labour, forced relocations, continued recruitment and use of child soldiers, abuses of religious freedom, confiscation of land, crop, livestock and other possessions.

Ethnic and religious minority groups face discrimination and abuse. Members of the armed forces nationwide, particularly in ethnic minority areas, persistently perpetrate gender-based violence, including rape and other forms of sexual violence.

Since 1991 and 1992 respectively the United Nations General Assembly and Commission on Human Rights have passed annual resolutions calling for democratic change in respect for human rights in Burma. But Burma's military dictatorship continues to ignore the calls of the people of Burma and the international community. Neither the UN Special Rapporteur on human rights in Burma nor the UN special envoy to Burma has been granted access to Burma since November 2003 and March 2004 respectively. In January 2006 the UN special envoy resigned from his post in protest.

We therefore call on the Norwegian government to:

- Call for the immediate and unconditional release of Aung San Suu Kyi and all other political prisoners in Burma.
- Condemn the widespread practice of torture, ill treatment and arbitrary detention, with particular reference to interrogation centres and prisons and call the Burma's military government to ratify the International Covenant on Civil and Political Rights and the Convention Against Torture.
- Condemn rape and other forms of sexual violence carried out by armed forces against women and girls, and call on Burma to ensure that perpetrators are duly prosecuted for such abuses.
- Condemn the gross and systematic violations of human rights of ethnic minority groups.
- Request the Government of Burma to work with the UN Secretary General's office in implementing a plan for national reconciliation and a restoration of a democratically elected government.
- Urge the UN Security Council to pass a resolution on the situation in Burma in response to the gross and systematic violations of human rights and the threats that Burma poses to international and regional peace and security.

- Urge the international community to otherwise address the gross and systematic violations of human rights in Burma, inter alia:
 - Request the UN Secretary-General to remain actively engaged with the dispute resolution process in Burma;
 - To promote the implementation of UN Security Council resolution 1325 on Women, peace and security with regards to Burma, in particular in order to ensure the protection and promotion of the human rights of women and girls, and to promote the participation of women in peace and reconciliation efforts at all levels.
 - To seek a long term and just solution to the situation of internally displaced persons and refugees.
- Work closely with the US, EU, India, China and ASEAN in an active pursuit of national reconciliation, democracy and respect for human rights in Burma.

Colombia

Colombia has been on the agenda of the Commission on Human Rights for a number of years. It is one of the countries where the report of the United Nations' Office of the High Commissioner for Human Rights (UNHCHR), conveys that the government fails to implement UN recommendations. The humanitarian crisis is amongst the most serious in the world.

The country is now in a process of disarmament, demobilisation and re-integration (DDR) of the paramilitary groups. A legal framework for the process was adopted in Congress on 21 June 2005. UNHCHR among others, has expressed great concern that the law does not secure truth, justice and reparation for the victims, that it opens up for impunity and a continued connivance between officials and members of illegal groups and that it will be insufficient to start a reconciliation process. The government has continued its so-called "democratic security measures", which it claims have led to a decrease in homicides, abductions and acts of terror. However, 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 government has created a "militia" of one million informants that is expected to provide intelligence information to the government forces. In addition, a "peasant army" comprised of civilians that will be armed and trained by the public forces is to be established. The establishment of a "militia" and a "peasant army" run counter to reconciliation and demobilisation, as demobilised persons are again dragged into the armed conflict. There have been reports of abuse of civilians recruited into these structures, including reports of arbitrary detention under false accusations of terrorist or guerrilla activity.

Reports about torture shows that it is widespread. All parties to the conflict use sexual harassment of women and girls as a weapon of war. Perpetrators of such acts have enjoyed practically total impunity.

The situation for the civilian population is deteriorating, in particular for the internally displaced (IDP) and the increasing number of refugees in neighbouring countries. More than three million Colombians have been displaced since 1985 and during the first six months of 2005 the number of IDPs rose by 15%. Displacement disproportionately affects Afro-Colombians and indigenous people, especially women. As many IDPs avoid to officially registering themselves for fear of reprisal attacks by armed groups, they are often denied even the limited welfare services that the state offers. The fact that the difficult security

situation often hinders access of humanitarian organisations to populations in need compounds the problem.

The Special Representative of the Secretary-General on Human Rights Defenders has expressed concern about the pattern of violations against human rights defenders. She acknowledges that deliberate targeting and stigmatisation of local and international human rights organisations and activists make Colombia one of the most dangerous places in the world for human rights defenders.

We call on the Norwegian government 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, emphasise the need for an effective dismantling of the paramilitary groups and their connivance with members of the authorities. In addition stress the government's responsibility to ensure protection to prosecutors, judges, witnesses and victims.
- Call on the government of Colombia to implement in full recommendations and views of the Human Rights Committee and the Committee Against Torture, as well as the recommendations of the Commission on Human Rights; the Office of the High Commissioner for Human Rights; the UN Guiding Principles on Internal Displacement, including prevention of forced displacement, protection of the internally displaced, access to humanitarian aid and the right to return, resettlement or reintegration in conditions of safety and dignity. The measures taken should have a gender perspective that compensates for the economic, political and social discrimination women are subjected to.
- Call on the Colombian government to return land taken from displaced persons, or to provide sufficient compensation when return of land is not possible.
- Call on the Colombian government to provide political and economic support for the work of UNHCHR in Colombia, in order to strengthen its role in the demobilization process.
- Call on the Colombian government to guarantee the safety of all human rights defenders, and respect the value of their work to a democratic society. This includes the effective implementation of the Presidential Directives that regulate how officials should be sanctioned if guilty of stigmatising vulnerable groups such as human rights defenders, journalists, trade unionists, indigenous people and politicians.
- Demand that the Colombian government take tangible measures to eradicate torture by meeting its obligations derived from the Convention against torture and to adjust the measures to the special situation of violence to which women and children are victims.
- Call on Colombia to ensure the participation of women in the peace process, in accordance with UN Security Council resolution 1325.

Russian Federation

The human right trend in Russia is deteriorating, and domestic critics of this trend, notably the media and human rights NGOs are under severe pressure. A law published on January 17 2006 has a potential of significantly inhibiting and even outlawing the work of human rights NGOs and other human rights defenders. The law is vaguely formulated, and leaves

much room for abuse and zealous exercise of power. Its requirement that all NGOs must re-register as well as report all their sources of funding to the state will similarly increase the likelihood and space for arbitrary or systematic control and interference in the work of independent and well-respected human rights NGOs.

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 for such expression of non-violent views.

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. The November 2005 parliamentary elections were held while “military mop-up operations”, frequent kidnappings and torture continued.

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. In Ingushetia, where a majority of IDPs from Chechnya have been residing, direct pressure has been exercised on IDPs to return to Chechnya in contradiction to the principle of voluntary return. IDPs from Chechnya often face insurmountable obstacles when attempting to seek safety in other regions 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, have limited access to basic social right such as employment, social security and education.

We call on the Norwegian government to:

- Urge the Russian Federation to respect freedom of association in general, to repeal the recently passed legislation pertaining to NGOs, 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, the Russian Federation should be urged 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 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. The Russian Federation should be urged to give access to all relevant mechanisms of the Commission / 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 should be 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 voluntary, in safety and dignity. In particular, the Russian authorities must ensure that Chechen IDPs are not evicted from temporary residence centres in Ingushetia without being offered alternative shelter outside Chechnya; that IDPs are provided with humanitarian assistance both inside and outside Chechnya; and that the granting of compensation is not conditional upon return to Chechnya.

Sudan

The power-sharing agreement between the Sudanese government and the Sudan People's Liberation Movement (SPLM) of June 2004, laid down in some detail the human rights standards that the Sudanese government has ratified and the SPLM has promised to adhere to. A number of human rights, including the right to life, the right not to be arbitrarily arrested, the right not to be tortured and the right to freedom of association and assembly are specifically listed in the agreement. In reality, however, these rights continue to be limited and violated.

The situation in Darfur remains one of the world's worst humanitarian and human rights crises. Tens of thousands of people have been killed or suffered torture, rape and other abuses since the conflict began in early 2003, the vast majority at the hands of Sudanese government forces and the government-backed militias known as the "Janjaweed." These abuses amount to war crimes and crimes against humanity. More than two million displaced people remain confined in camps, unable to return to their homes due to the continuing violence. The grave violations of international human rights and humanitarian law in Darfur have been and are being committed with impunity. Commissions of Inquiry set up by the government of Sudan have failed to carry out serious investigations or to report publicly. United Nations Security Council Resolution 1593 has referred the situation in Darfur to the Prosecutor of the International Criminal Court. The Sudanese government has stated that no Sudanese suspect will be handed over to the ICC.

Sudanese authorities detain people indefinitely, without charge or trial, break up peaceful demonstrations and to violate human rights under the pretext of counter-insurgency with reference to domestic state of emergency regulations. Many political detainees have remained in detention for months without charge or trial, sometimes without being given any reasons for their arrest and without any access to the outside world. A worrying new development since September 2004 has been the re-emergence of "ghost houses" – secret flats or apartments where detainees are held incommunicado and often tortured.

The Sudanese government is continuing to pursue a path of harassment of human rights defenders and critics. Many Sudanese are under threat, suffering harassment or even arrest, by Sudanese authorities. In October 2005 the Government launched legal proceedings against one of the country's leading human rights groups, Sudan Organisation Against Torture in an apparent attempt to silence the organisation.

We call on the Norwegian government to:

- Demand immediate stop of the Sudanese government forces' support for the "Janjaweed" and bring to justice those within the militia responsible for harassment and abuse of the civilian population.
- Urge that the establishment of accountability mechanisms throughout the country to investigate all abuses of human rights and humanitarian law, including past abuses.
- Demand that the government secure sufficient protection to the population in the IDP camps.
- Urge the Sudanese Government and the Government of South Sudan to fulfil their obligations under Security Council resolution 1593 to fully cooperate with the ICC.
- Call for a clear and independent inspection system to monitor prison and detention centres, to ensure that international law and standards such as the Standard Minimum Rules for the Treatment of Prisoners are enforced, among other things with regard to the living conditions in detention and to detainees' right to regular and confidential access to families and lawyers.
- Call for guarantees for respect of freedom of expression, thought, conscience and religion.
- Urge the government to give all political detainees immediate and regular access to their lawyers and families. Those detained simply for exercising their right to freedom of expression without using or advocating violence should be immediately and unconditionally released. Others should be released unless they are promptly brought to fair trial according to international standards on recognizable criminal charges.
- Call for international and national human rights and humanitarian organisations in Sudan to be able to carry out their activities without obstruction by the authorities. Intimidations, harassment, detentions and threats against human rights activists must not be tolerated.

Uganda

The war between the government and rebels in Northern Uganda has created one of the world's most serious protection crises. Violations of international humanitarian and human rights law are perpetrated against civilians on a grand scale, with culpability on both sides.

Civilians have become the principle strategic targets and victims of violence. Most seriously, civilians live with the ever-present risk of being abducted or murdered by the rebel group Lord's Resistance Army (LRA). The LRA has committed grave violations of children's human rights. It has abducted and forced more than 20.000 children to serve as child soldiers or sex slaves. According to the UNHCR, more than 80% of LRA soldiers are children. Ugandan military personnel also commit violations; with impunity. The effect on the local population, especially on women and children, has been devastating.

By now, the vast majority of the population in the region have sought refuge in IDP camps and night commuter shelters. As a consequence, most self- subsistence livelihood systems have collapsed. The total number of IDPs in Northern Uganda is now 1,8 million. The Government of Uganda has refused to declare the districts as emergency areas and has failed to provide protection for the affected population. On the contrary, it has contributed to their plight by ordering people into camps where living conditions are often abhorrent. More than 90 % of IDPs live in such camps. Most IDPs are entirely dependent on food distribution. The government has proclaimed that its minimal efforts are due to lack of resources. However, the fact that funding from international donors make up almost 50 percent of Uganda's national budgets, suggests otherwise.

Peace talks carried out by Betty Bigombe, supported by Norway, the Netherlands, UK and US, were stilted in October 2005. LRA activity increased, also targeting international NGOs, and the security situation deteriorated even further.

The international community has also failed at adequately fulfilling its obligation to protect the people of Northern Uganda. The protection gap faced by civilians has not been effectively closed, neither via the provision of appropriate levels of effective humanitarian assistance, nor via political avenues. A positive development was the opening of the UNHCHR office in 2005.

The UN-reform process, giving UNHCR a protection mandate for IDPs, is particularly important for Uganda, that has been chosen as one of three countries where UNHCR will initiate implementation of it's new mandate, also by being responsible for Camp management in designated areas.

We call on the Norwegian government to:

- Bring the rapidly deteriorating humanitarian situation in Northern Uganda and the massive human rights violations, committed by both sides in the conflict, to the attention of the Commission on Human Rights: with the following recommendations;
 - Condemn LRA atrocities and call on the LRA to immediately cease all acts of violence, ensure safe access to civilians for aid agencies, release abductees and dependants, and surrender to claim amnesty or face fair and impartial trial by the International Criminal Court.
 - Demand efficient implementation of Uganda's own National IDP policy, and urge the government to fully implement the Guiding Principles on Internal Displacement, including protection of all civilians against human rights violations, access to humanitarian aid and the right to return or resettle.
 - Condemn the violence of LRA and call on the government to ensure that violations of Human Rights and International Humanitarian Law committed by Ugandan Military Personnel are investigated and those responsible brought to justice and to urge all parties to co-operate fully with the International Criminal Court.
 - Encourage the UN Special Representative on children in armed conflict to pay particular attention to the situation of children in northern Uganda.

Uzbekistan

Uzbekistan is led by a totalitarian regime, which is among one of the world's most repressive. The human rights situation in the country is critical, with systematic torture, a general lack of civil and political freedoms, and persecution of independent Muslims faiths.

On 13 May 2005, hundreds of civilians, including women and children, were killed in a massacre against a demonstration in the eastern town of Andijan. Uzbek authorities have not accepted independent investigation of the killings, but have held show trials against alleged "Muslim extremists" responsible for freeing prisoners and organising protests against local authorities.

The human rights situation significantly deteriorated after the massacres in Andijan. Harassment and persecution of human rights activists has increased, most likely in an attempt to silence witnesses of the killings. Uzbek authorities apply Soviet style methods of repression, including hospitalisation of dissidents into psychiatric institutions, show trials, and total government control over media. Authorities do not allow free and fair elections. Opposition politicians are either imprisoned or in exile.

The grim human rights situation has been met with international criticism as well as sanctions. The European Bank of Reconstruction and Development (EBRD) and the EU has cancelled co-operation with Uzbekistan. The European Union has blacklisted several Uzbek officials from visa permissions. There is an embargo on arms trade from EU countries to Uzbekistan. These measures have been supported by Norway.

We call on the Norwegian government to actively promote a resolution which:

- Establishes a mandate of Special Rapporteur or Representative on the human rights situation in Uzbekistan.
- Calls for Uzbek and international human rights and humanitarian NGOs and other human rights defenders to be allowed to operate freely.
- Condemns the Andijan massacre, the systematic use of torture, the use of the death penalty, the use of staged court cases, the lack of political and religious freedom and the persecution of human rights defenders.
- Calls for an independent international investigation and prosecution of government officials responsible for the massacre.
- Urges States to investigate and prosecute individuals suspected for responsibility of the Andijan massacre in their respective domestic courts with reference to universal jurisdiction for cases of crimes against humanity.
- Calls for the Security Council to consider an arms trade embargo and visa sanctions similar or identical to those already employed by the European Union.