

COUNCIL MONITOR

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Overview

The Human Rights Council (the Council) opened its third week with discussion of Item 4, human rights situations that require the Council's attention. Debate on the interim report of the Expert Group on the human rights situation in Darfur (the Expert Group) was remarkably focused, with most delegations heeding the President's call to limit discussion to the subject at hand. A large number of States used the second half of the morning meeting to discuss other human rights situations under general debate. This discussion continued throughout the afternoon meeting, which included a considerable number of statements by non-governmental organisations (NGOs).

Human rights situations that require the Council's attention (Item 4)

Interim report by the Expert Group on Darfur

The Council opened Item 4 with the consideration of an interim report on the situation of human rights in Darfur, prepared by the group of experts mandated by the Council in its *Resolution 4/8*.¹ Mr Walter Kälin,

¹ The Expert Group is presided by the Special Rapporteur on the situation of human rights in the Sudan and composed of the Special Representative of the Secretary-General for children and armed conflict, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Representative of the Secretary-General on the situation of human rights defenders, the Representative of the Secretary-General on the human rights of internally displaced persons, the Special Rapporteur on the question of torture, and the Special Rapporteur on violence against women, its causes and consequences.

Representative of the Secretary-General for internally displaced persons and the Rapporteur of the Expert Group, presented the group's interim report.² In his oral presentation, Mr Kälin noted that the methodology used by the group had not changed.³ It still involved transparent cooperation with the Government of the Sudan, the identification of obstacles to the implementation of previous recommendations, and a differentiated approach distinguishing between short and medium term recommendations. Mr Kälin drew the Council's attention to a Plan of Action submitted by the Sudanese Advisory Council on Human Rights contained in the annex to the report as a noteworthy effort by the Sudanese authorities. However, he also stressed that the group was 'not in a position to report that a clear impact on the ground has been identified' and that the 'ultimate measure of the Government's implementation of the recommendations compiled by the group has to be concrete improvement in the human rights situation on the ground in Darfur'.⁴ The Expert Group will present a more comprehensive analysis of the status of implementation of recommendations in December 2007.

Interactive dialogue

During the interactive dialogue following Mr Kälin's presentation, many States welcomed the report.⁵

- Most States that took the floor thanked the Government of the Sudan for its cooperation with the Expert Group. The United Kingdom (UK) saw potential in the approach taken by the Expert Group, saying that 'constructive cooperation, leading to concrete change on the ground must be the model for the Council's work.'
- The Sudan thanked the Expert Group for its work, and pointed out what efforts it had undertaken.⁶ It regretted that the UN had not designated a focal point to centralise the Government's contacts with all United Nations (UN) mechanisms⁷ and that it had not received the necessary technical assistance. It expressed its hope that the final report of the Expert Group would be as equally productive as the current one, both for the Council and the people in Darfur.
- Egypt, speaking on behalf of the African Group, expressed the wish to see the December report build on the existing positive analysis. Algeria advocated a 'balanced approach' towards the Sudan, building on technical assistance.
- China asked the international community to work towards a 'development strategy to address the root causes of the conflict' by also looking at economic and social development in the Sudan.
- Many speakers urged all parties to the conflict to fulfil their human rights obligations and to stop the violence.⁸ The particularly precarious situation of women and children was emphasised by a number of delegations.⁹ A number of States expressed concern about the difficulty of access for humanitarian workers.¹⁰

² A/HRC/6/7, 22 September 2007.

³ Oral statements made at the Council can be found on the OHCHR extranet, which can be accessed at www.ohchr.org/english/bodies/hrcouncil/form.htm (fill out the form on the page to receive the user name and password). Recorded video and audio files of all formal meetings of the Council are available on the webcast: <http://www.un.org/webcast/unhrc/index.asp>.

⁴ The recommendations compiled by the Expert Group are contained in document A/HRC/5/6, 20 June 2006.

⁵ Some regretted the late publishing of the report, which was only released two days prior to its consideration.

⁶ Including to facilitate the access of international observers to detainees, a new armed forces act including a chapter on international humanitarian law and on human rights, orders passed by the Director-General of the Police to prevent arbitrary detention and ensure a better treatment of prisoners, and a declaration issued by the Minister of Justice to combat violence against women in Darfur.

⁷ See ISHR's *Daily Update* of 18-20 June 2007, available at www.ishr.ch/hrm/council.

⁸ Portugal (on behalf of the EU), Canada.

⁹ Portugal (on behalf of the EU), Canada, Republic of Korea.

¹⁰ Norway, United Kingdom (UK), Japan.

- Many States welcomed the hybrid peacekeeping force composed of African Union and United Nations troops (UNAMID).¹¹ Indonesia emphasised that the full capacity of the force needed to be ensured.
- A number of States and NGOs expressed concern about the continuing impunity for human rights violations perpetrated in Darfur.¹² The UK asked Mr Kälin what the Council could do to address this issue between now and the presentation of the final report in December 2007.
- Canada urged the Sudan to start cooperating with the International Criminal Court (ICC).¹³ In this context, many States deplored the recent appointment of Ahmed Mohammed Haroun, a former member of the Government, as the co-chair of a government committee to investigate human rights abuses in Darfur.¹⁴ The ICC has issued an arrest warrant on Mr Haroun, who is suspected of having committed war crimes in Darfur. Canada said this appointment casts doubts about the Government's will to cooperate with the Council.
- Egypt (on behalf of the African Group) announced that the December session would be the right time to end the mandate of the Special Rapporteur on the situation of human rights in the Sudan.¹⁵ According to Egypt, this would be justified given that the Sudan was cooperating with the Council, that the conflict in Darfur was only a local conflict, and that the Sudan would also undergo the universal periodic review (UPR). It felt that the Expert Group would be sufficient.
- A number of NGOs deplored the persistent violations of human rights in Darfur.¹⁶ Femmes Africa Solidarité urged the international community to let women play their crucial role in the peace process, and to invite women to the negotiating table. Human Rights Watch suggested a number of concrete actions the Sudan should take immediately to make use of the time left until the presentation of the final report by the Expert Group.¹⁷

Other human rights situations

Discussion under Item 4 was divided between States supporting¹⁸ and opposing¹⁹ the use of Item 4 to consider country situations. Cuba said the use of Item 4 for 'naming and shaming' would politicise the Council, and added a list of alternative issues to be discussed under this item. China suggested focusing on more broad 'situations' since there were too many (geographical) human rights situations requiring the Council's

¹¹ UNAMID was established by Security Council *Resolution 1769* of 31 July 2007. Portugal (on behalf of the EU), Republic of Korea, China, Ireland, Indonesia, France, International Federation of Human Rights Leagues (FIDH), and Sudan Organisation against Torture (SOAT).

¹² The Expert Group urged the Government of the Sudan to address that issue. States who raised this included Portugal (on behalf of the EU), Republic of Korea, Ireland, Canada, UK, FIDH, SOAT, International Commission of Jurists (ICJ).

¹³ Supported by Ireland.

¹⁴ Ireland, Canada, Portugal (on behalf of the EU), Switzerland, Netherlands.

¹⁵ This should take place in the context of the review, rationalisation and improvement of all special procedure mandates. Egypt has tabled a draft resolution postponing the decision on the mandate on the Sudan to September (A/HRC/6/L.20). Draft resolutions are available on the OHCHR extranet.

¹⁶ FIDH and SOAT, ICJ, Femmes Africa Solidarité, Human Rights Watch.

¹⁷ Including to publish, disseminate and enforce orders not to attack civilians, remove Ahmed Haroun from all posts, no tolerance for violence against women, provide an updated list of all detainees and where they are detained, cease the use of airplanes or helicopters painted white or mimicking UN organisations, not issue amnesties for war criminals, cooperate with the ICC and surrender suspects, cooperate with AMIS including by expediting the visa process, and issue standing invitations to all human rights mechanisms giving them full and unimpeded access to the Sudan.

¹⁸ Portugal (speaking on behalf of the EU, Croatia, Macedonia, Georgia), Japan, Switzerland, Germany, France, UK, Canada, Netherlands, Australia, New Zealand, United States of America (USA), Denmark, Sweden, Belgium. Pakistan also discussed the situation of human rights in Jammu and Kashmir.

¹⁹ Cuba, Sri Lanka (speaking on behalf of the Asian Group), China, Egypt (speaking on behalf of the African Group). The Democratic Republic of the Congo and Lesotho also criticised the use of Item 4 by a number of States to address the human rights situation in Zimbabwe.

attention.²⁰ Egypt (on behalf of the African Group) described Item 4 ‘as a new manifestation of naming and shaming’.

Zimbabwe

A number of States and NGOs addressed the human rights situation in **Zimbabwe**.²¹ Portugal (on behalf of the EU) and the UK raised the curtailment of political freedoms and the violation of human rights,²² and discussed the effect that economic reform policies have had on food security and refugee flows. To the UK, ‘the facts are stark’.²³ The efforts of the Southern African Development Community (SADC) in working with Zimbabwe toward its June 2008 elections was also duly noted and commended. Egypt (on behalf of the African Group) took the floor in support of Zimbabwe. It cited the unanimous adoption by the Zimbabwean Parliament of *Resolution 18*, ‘charting a new way forward’ and providing for the establishment of a national human rights institution (NHRI). Egypt (on behalf of the African Group) attributed the economic crisis in Zimbabwe to economic sanctions enforced against it, and pressed that the African Group would not support efforts to ‘derail the great strides in Zimbabwe to return the country to normality’.

Conectas Direitos Humanos described the daily situation in Zimbabwe as ‘worse than war’ and stated that if this was not sufficient to require the Council’s attention, it did not know which situations would qualify for attention. Australia called on the Government of Zimbabwe to allow independent opposition to function. The Democratic Republic of Congo (DRC) emphasised that a ‘policy of systematic demonisation’ would not assist a State in addressing the situation it faces and that what was needed was dialogue and assistance, as exemplified by the work of SADC with Zimbabwe. Lesotho, while recognising that the situation had deteriorated, stated that the economic sanctions imposed had contributed to causing the economic hardship of the country and that nothing should be done that could ‘endanger the spirit of national conciliation’. Conectas Direitos Humanos called on the Council to recognise the situation in Zimbabwe and to revive previous efforts to dispatch special procedures to assess the situation. It urged that if the Government continued not to cooperate a special session should be called.

Gabon

Belgium welcomed the decision by **Gabon** to abolish the death penalty.²⁴ It also appreciated the agreement to establish a regional human rights mechanism in Asia and stated that this was a major development for the promotion and protection of human rights.

Iran

Iran was also the subject of discussion, with a number of States and NGOs alleging an alarming rise in executions (including the execution of minors, public executions, and execution by stoning), and the use of cruel, inhuman and degrading punishment (including flogging and amputation).²⁵ States called on Iran to take

²⁰ The issues to be addressed as such ‘situations’ would be the death of children of curable diseases, deterioration of the livelihood of poor farmers in the south due to agricultural subsidies in advanced countries, the loss of lives in militarily occupied areas, religious hatred affecting Muslims, and the rights of indigenous people.

²¹ Portugal (on behalf of the EU), UK, the Netherlands, Australia, New Zealand, USA, Denmark, FIDH, ICJ, Conectas Direitos Humanos.

²² Including the curtailment of freedom of expression and association, and violations including the use of torture and arbitrary arrest and detention.

²³ The UK reported that by the end of 2007 four million Zimbabweans will be dependent on food aid and that the average life expectancy in Zimbabwe is now 37 years of age.

²⁴ Human Rights Watch.

²⁵ Portugal (on behalf of the EU), Germany, UK, Canada, Australia, USA, Sweden, FIDH, UN Watch, Human Rights Watch, Amnesty International.

judicial and legislative steps to end these practices. Concern was also expressed at the curtailment of freedom of expression, discrimination against minorities,²⁶ mass arrests of human rights defenders and journalists, and the treatment of women as ‘second class citizens’.²⁷ Iran, in its right of reply, stated that false accusations had been made by States and NGOs and emphasised its commitment to the promotion and protection of human rights, including ‘full cooperation’ with human rights bodies and mechanisms. It then stated that these statements repeated old habits of politicisation, double standards and selectivity exercised by the so-called champions of human rights. Iran called on the Council not to allow these States to discredit the Council.

Sri Lanka

Concern was expressed at the violation of human rights and international humanitarian law by Government forces, the Liberation Tigers of Tamil Eelam (LTTE), and the Karuna faction in **Sri Lanka**.²⁸ While acknowledging that both sides were committing abuses, comments asserted that it was the Government’s responsibility to ensure the protection of civilians and human rights defenders. Portugal (on behalf of the EU) called on the Government of Sri Lanka to hold perpetrators of human rights violations to account, to provide adequate protection to human rights defenders, humanitarian workers, and journalists, and to allow impartial investigations on violations in the country. It also linked the LTTE and Karuna faction to the targeted killing of civilians, extortion, and the recruitment of child soldiers. A number of States noted Sri Lanka’s cooperation with the Office of the High Commissioner for Human Rights (OHCHR) and select special procedures,²⁹ expressing hope that the visit of the High Commissioner for Human Rights (the High Commissioner) scheduled for October 2007 would foster closer cooperation.

In response, Sri Lanka stated that while it did not ‘rule out of court’ expressions of concern for the situation of human rights in its country, it did press that human rights should not be viewed as a ‘new version of the White Man’s Burden’. It stated that, as a practicing democracy, it cared for its people as both citizens and voters, and dismissed criticism from States that, in their own past, had practiced neutrality or established concentration camps during times of war. While committing to cooperate with the High Commissioner, Sri Lanka stated that the establishment of an OHCHR field presence in Sri Lanka was a decision to be taken by it alone.

A number of NGOs also expressed concern about the situation in Sri Lanka, in particular renewed violations by security forces, enforced disappearances, targeted killings, reduced space for civil society organisations, abductions, and the use of child soldiers.³⁰ The International Movement Against All Forms of Discrimination And Racism (IMADR), in a joint statement with Pax Romana and Forum-Asia, expressed concern at the defence budget of Sri Lanka, which amounts to 40% of the national budget. In addition, these organisations expressed regret at the Government’s misallocation of resources for beautiful brochures and CD-Roms instead of measures to assist its citizens.³¹ The International Commission of Jurists (ICJ) again called on the Council to urge the Government to accept a field monitoring presence. Amnesty International expressed concern about the Government’s denial of the situation and its attempts to discredit those that speak out about the situation. It urged the Council to hold a special session soon after the visit of the High Commissioner to Sri Lanka. Sri Lanka stated that it was grateful for the assistance of the international community in efforts to improve the human rights situation. It stated that the task of improving the situation was made more difficulty by ‘frivolities’. It characterised the statement made by the ICJ as a typical example of ‘absurdity’ and stated

²⁶ Including religious minorities such as the Baha’i.

²⁷ Canada.

²⁸ Portugal (on behalf of the EU), Japan, Switzerland, Germany, UK, Netherlands, Sweden.

²⁹ Japan, Switzerland, UK.

³⁰ ICJ.

³¹ This statement referred to the distribution by the Government of large amounts of brochures and documentation to all delegations inside the plenary room and in parallel to the session.

that the organisation had a taste for ‘melodrama’. In response to the joint statement by a number of NGOs, it stated that the facts of the situation had been ignored and that the targeting of Sri Lanka made it impossible to give ‘careful attention to the improvement of the situation’.

Myanmar/Burma

Several delegations condemned political repression in **Myanmar/Burma**,³² expressing concern at the continued curtailment of civil and political rights and freedoms.³³ A number of States called for the immediate release of National League for Democracy leader Ms Daw Aung San Suu Kyi from house arrest.³⁴ Others urged Myanmar to cooperate with OHCHR and UN human rights mechanisms. Switzerland repeated its previous calls on Myanmar to allow the International Committee of the Red Cross (ICRC) to resume its activities in the country. Belgium expressed regret at the lack of cooperation by the country with the Special Rapporteur on the human rights situation in Myanmar. It stated that no country can claim to be perfect but refusal to cooperate with the international human rights system is inadmissible. The ICJ urged the Government to allow the Special Rapporteur to visit. Australia urged the regime in Myanmar to exercise restraint and to ensure respect for human rights. New Zealand called for the immediate release of those detained in recent demonstrations and of political prisoners.³⁵ Human Rights Watch urged the Council to ‘act decisively’ and call a special session on Myanmar.

The Sudan

Despite having been addressed earlier in the morning, the human rights situation in the Darfur region of the **Sudan** was readdressed by a number of States.³⁶ Security Council *Resolution 1769* establishing the hybrid UNAMID peacekeeping force received warm welcome from States, which called for its swift mobilisation. Concern was directed at the appointment of Mr Ahmed Mohammed Haroun as the co-chair of a Government committee to investigate human rights abuses in Darfur, at continuing gross and systematic human rights violations in the Darfur region, at the plight of internally displaced persons (IDPs) and refugees, and the risk of the destabilisation of Eastern Chad and the Central African Republic as a product of the conflict. Switzerland restated its commitment to providing the Sudan with technical assistance. Australia urged the Expert Group on Darfur to provide advice and recommendations to the Council so it could take decisive action. New Zealand stated that it looked forward to substantive engagement with the Expert Group when it presents its final report at the resumed 6th session in December 2007.³⁷ The United States of America (USA) noted that humanitarian personnel and organisations were experiencing harassment, including through denial of visas. Belgium stated that the Government must cooperate with the ICC and end impunity. The African Union stated that it was seized of the situation in Darfur and was working with the UN and the Government to address the situation. A number of NGO noted the lack of implementation of recommendations by the Government and expressed concern about the situation in Darfur.³⁸ The Cairo Institute for Human Rights also expressed concern at the ‘culture of impunity’ and the lack of seriousness of the Government in relation to its human rights obligations. The Sudan, in its right of reply, stated that Mr Haroun had not been nominated as a member of the committee on the human rights situation in Darfur as alleged by some States. It underlined that sources of information must be credible and called on speakers to be accurate in the information they provide.

³² Referred to as Myanmar by Portugal (on behalf of the EU), Switzerland, France, Canada. Referred to as Burma by the UK, the Netherlands.

³³ USA, Sweden, Belgium, FIDH, ICJ, Human Rights Watch, Amnesty International.

³⁴ UK, Canada.

³⁵ Belgium.

³⁶ Portugal (on behalf of the EU), Switzerland, UK, France, Netherlands, Denmark, Belgium.

³⁷ The resumed 6th session is scheduled to take place from 10 to 14 December 2007.

³⁸ Arab organisation for human rights, Amnesty International.

The Democratic Peoples Republic of Korea

The Democratic Peoples Republic of Korea (DPRK) also generated discussion.³⁹ States cited the abduction of foreign nationals, mistreatment, torture, and execution of prisoners, the treatment of dissent as a political crime, and the forced repatriation of those caught trying to flee the country. States also commended the Special Rapporteur on the situation of human rights in the DPRK for his work and called on the DPRK to cooperate with the special procedures and other UN human rights mechanisms. The DPRK categorically rejected the accusations made by Japan, the USA, and the EU, stating that Japan had ‘blood on its hands’ and that the USA must address the killings in Iraq. It also noted that a practice of naming and shaming would bring the Council into the same situation as the former Commission on Human Rights. Japan replied to the DPRK’s right of reply stating that the comments made were unsubstantiated and unacceptable. It recalled that the Government of Japan is ready to normalise relations with the DPRK.

Pakistan

The Asian Legal Resource Centre stated that the situation in **Pakistan** did not get the attention it deserved in response to endemic torture and a very high level of enforced disappearances. It further stated that no investigation had taken place into the torture and death of the speaker’s son who allegedly was killed as a result of his father’s human rights work. It also noted that more than 600 persons had been handed over to US officials in exchange for money and that they had been transferred to Guantánamo.

Jammu and Kashmir

A number of NGOs spoke about the situation in **Jammu and Kashmir**.⁴⁰ India replied to Pakistan that Jammu and Kashmir are an integral part of India and, recalling its right of reply on 17 September 2007, again requested Pakistan not to raise a bilateral matter in multilateral fora. Pakistan, in its right of reply, said that the agenda Item under discussion allowed the Council to address any situation that merited its attention and that it was the appropriate forum to address the situation in Jammu and Kashmir. It stated that human rights violations in Jammu and Kashmir were well documented and offered to quote from reports of Amnesty International and Human Rights Watch.

The Philippines

A number of NGOs spoke about the situation in the **Philippines** and the large number of extrajudicial killings, illegal arrests, and enforced disappearances.⁴¹ They recalled the report by the Special Rapporteur on extrajudicial executions and the lack of measures taken by the Government in response to the report’s findings and recommendations. They called on the Philippines to live up to its human rights obligations and urged the Council to consider these issues when the country would be reviewed under the UPR. The Philippines stated in its right of reply that the Government has taken firm steps to stop political killings. It also affirmed its openness and commitment to address issues and work with the international community to strengthen its capacity to promote and protect human rights.

Iraq

Several delegations acknowledged the on-going violence in **Iraq** and urged the Government of Iraq ‘and all other States and parties involved’⁴² to settle the conflict, halt human rights violations, and to protect civilians,

³⁹ Portugal (on behalf of the EU), Canada, Japan, UK, France.

⁴⁰ Pakistan, Interfaith International, International Islamic Federation of Students Organisations, International human rights association of American minorities, World Muslim Congress.

⁴¹ World Council of Churches (in a joint statement with Asia Pacific Forum on Women, Law and Development).

⁴² Portugal (on behalf of the EU).

including IDPs and other vulnerable groups.⁴³ Human Rights Watch stated that the situation in Iraq was worrying with more than four million refugees and internally displaced persons, and recalled that the Government should protect IDPs.⁴⁴ It also emphasised the particular responsibilities of the USA and the UK to respond to the crisis and address its causes. Expressing its concern at increasing human rights violations and killings of civilians, the Union of Arab Jurists and International Educational Development called on the Council to convene a special session and to appoint a special rapporteur to address the situation. Iraq replied to the Arab organisation for human rights, stating that the Government did not incite to hatred and that it could not accept that the elected Government be put into question. It finally recalled a saying in Iraq: ‘ God help me from my own friends’.

Belarus

The situation of human rights in **Belarus** was also addressed.⁴⁵ States called on the Government to release political prisoners and end politically motivated arrests and disappearances. The plight of trade unionists, journalists, and human rights defenders received particular address. The UK expressed regret at the discontinuation of the mandate of the Special Rapporteur on the situation of human rights Belarus. Belarus, in its right of reply, stated that UN bodies should not be used ‘to settle accounts’ and argued that the Council should rather focus on mutually beneficial dialogues.

Cuba

Portugal (on behalf of the EU) described the situation of human rights in **Cuba** as ‘precarious’, calling on Cuba to cooperate with international human rights mechanisms. The Netherlands called for the release of political prisoners. The UK expressed regret at the discontinuation of the mandate of the Personal Representative of the High Commissioner for Human Rights on the situation of human rights in Cuba. Cuba, in its right of reply, recalled its statement made in the morning, setting out the guidelines for discussion under Item 4. It ‘warned the usual extremists’ that if they wanted to continue the practice of naming and shaming they would undermine the Council. It went on to state that while it was advocating for dialogue and cooperation within the Council ‘it was ready for a fight’ and ‘knew how to fight well’. It noted that it was now clear what the American administration in Washington was doing and who their accomplices were. Finally, Cuba stated that every action would have the reaction it deserves and that those wanting to bring down the Council ‘should be ready to bear the costs’.

Occupied Palestinian Territories

The situation of human rights in the **Occupied Palestinian Territories (OPT)** was also discussed by a handful of States,⁴⁶ with France condemning human rights violations committed by all parties in the conflict. Switzerland restated its belief that the situation of human rights in the OPT should be addressed under agenda Item 4, thereby removing the need for agenda Item 7.⁴⁷ The Movement against racism and for friendship among peoples (MRAP) stated that the people of Palestine are denied their rights and welcomed the particular attention given to this situation by the Council through Item 7. The Arab organisation for human rights expressed concern at the deteriorating situation and stated that the embargo against Gaza had only escalated the problems. It called on Israel to abide by international law.

⁴³ Portugal (on behalf of the EU), Switzerland.

⁴⁴ Arab Organisation for Human Rights, Amnesty International.

⁴⁵ Portugal (on behalf of the EU), UK, Canada, Netherlands, USA, FIDH.

⁴⁶ France, Switzerland.

⁴⁷ Human rights situation in Palestine and other occupied Arab territories.

Fiji

The UK expressed concern over developments in **Fiji** since the December 2006 coup, calling for a return to democracy. Australia stated that it shared the High Commissioner's concerns about the reinstatement of a state of emergency in Fiji and the intimidation of members of the media and members of the legal profession. It called on the Government to allow the Special Rapporteur on the independence of judges and lawyers to visit the country.

The United States of America

Several delegations spoke with concern about the counter-terrorism measures used by the **USA**, including renditions, secret detention, and torture.⁴⁸ One NGO stated that the Council should address the annexation by the USA of Alaska as this violated the rights of indigenous peoples and amounted to discrimination.⁴⁹

Colombia

The Colombian Commission of Jurists expressed concern at torture, enforced disappearances, abductions, attacks on civilians, and violence against women and children in **Colombia**.⁵⁰ Colombia noted, in its right of reply, that it had tried to implement the recommendations from OHCHR and stated that Colombia should not have been mentioned in the debate.

Egypt

A few NGOs noted the situation in **Egypt**. The Baha'i International Community spoke of the unacceptable treatment of the Baha'i by the Government and its denial of national identity cards as barring access to employment, education, healthcare, and other services. Human Rights Watch urged the Council to assess the implementation of pledges made by States running for election to the Council, and mentioned Egypt as an example where there had been crackdowns on the media and closing of human rights organisations.

Uzbekistan

Canada pointed out the threat to individual liberty and freedom of expression in **Uzbekistan**, describing the situation of human rights as 'precarious'. Human Rights Watch was also concerned at widespread torture in Uzbekistan despite recommendations by the Special Rapporteur on torture.⁵¹ Uzbekistan, in its right of reply, characterised the statements made as 'unsubstantiated'. It refuted the description of the human rights situation in the country and stated that the 'brazen statements' made were evidence of biased positions. It then referred to the human rights situations in Canada and the USA and encouraged these States to examine their own situations. Canada replied to statements made by Uzbekistan, the DPRK and others stating that it did not claim to have a perfect human rights record. When addressing situations of concern it argued that it was simply assuming its responsibilities as a member of the UN family dedicated to advancing human rights for all.

⁴⁸ ICJ.

⁴⁹ Indian Council of South America.

⁵⁰ Amnesty International.

⁵¹ Amnesty International.

Western Sahara

Several NGOs mentioned the situation in **Western Sahara**, regretting that the right to self-determination was not on the Council's agenda.⁵² Morocco in its right of reply stated that speakers had distorted the reality of the situation in the south province of Morocco and noted that the suffering of people in Polisario camps had been ignored.

France welcomed progress and reform in **Haiti, the Democratic Republic of the Congo, and Burundi**, pressing that improvements in the field are dependant on State willingness to cooperate with human rights mechanisms. It pressed that the continuation of efforts in these States remains 'indispensable'.

The USA expressed concern about the human rights situation in **China**⁵³ and the **Russian Federation**. China, in its right of reply to a statement by the United States that according to which it was restricting NGO activities in the country, assured that it valued the role of NGOs. It stated that the statement made raised doubts about the intentions of the USA in supporting certain NGOs. The Russian Federation expressed surprise at the 'arrogant and brazen' statement by the USA in its right of reply. It underlined that the Council should not be used for political purposes. It called attention to the human rights issues in the USA, noting that it was not cooperating with the UN and that it had even stopped financing it.

Other issues addressed

Some States also raised general points not directly related to a specific country situation.

Japan and the Nippon Foundation said that measures against the discrimination of **leprosy** patients were urgently needed.

France urged all States to sign and ratify the *International Convention for the Protection of All Persons from Enforced Disappearance*, and called for the abolition of the death penalty.

The USA expressed concern at the many attacks on well-established human rights principles and the organisations working to protect these principles. It stated that **human rights defenders** are working to protect the rights of others but increasingly also have to protect themselves against attacks and intimidation, including in Cuba,⁵⁴ the DPRK, and Uzbekistan.

Amnesty International expressed concern at the erosion of human rights law as a result of the '**war on terror**', in particular enforced disappearances, unlawful transfers of detainees (rendition), and secret detention. It stated that these practices had been committed by or with the complicity of several States, including the USA, Egypt, Jordan, Morocco, Pakistan, Syria, Tanzania, and countries of the EU. It also mentioned the use of diplomatic assurances despite the use of torture and ill-treatment in countries to which the individual had been returned. Tanzania replied to Amnesty International's statement regarding its participation in unlawful detainee transfers and stated that it had always been committed to transfers in accordance with international and bilateral agreements.

The International association of schools of social work (IASSW) were concerned about **extreme poverty** as a violation of human rights and noted the importance of human rights education in eradicating poverty.

⁵² The Movement against racism and for friendship among peoples (MRAP), Union de l'Action Feminine, World Federation of Democratic Youth, International Union of Socialist Youth, France Liberte,

⁵³ Sweden.

⁵⁴ Sweden,

Next steps

The President announced that the deadline for the submission of proposals and draft resolutions had been again extended for 24 hours until 12 p.m. on Tuesday, 25 September 2007.⁵⁵ Guatemala and Sri Lanka asked the President for how long this flexibility would continue. In reply, the President assured them that this would be the last extension he would grant.

The President also announced that the Bureau would meet after the session to discuss necessary adjustments to the Council's programme of work.

On Tuesday, 25 September 2007 the Council is scheduled to assess the mandate of the Independent Expert on the human rights situation in Haiti. It will then discuss outstanding issues under Item 9. In the afternoon, it is scheduled to take up Item 10 and the report of the Independent Expert on the Democratic Republic of Congo.

⁵⁵ It had originally been set on Friday, 21 September 2007 and then had been moved to Monday, 24 September 2007.

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