

## **Eighth session of the UN Human Rights Council, 2-20 June 2008**

### **Review of the Czech Republic, Poland and Romania under the Universal Periodic Review: Amnesty International's reflections on the outcomes**

Amnesty International welcomes that key human rights issues and recommendations were raised during the reviews of the Czech Republic, Poland and Romania in the UPR Working Group, including discrimination against minorities. However, Amnesty International regrets that other crucial issues were left out, such as the alleged involvement of authorities in the US-led programme of secret detention and renditions in the context of counter-terrorism measures.

In the reviews of the Czech Republic and Romania there was a strong focus on the rights of the Romani community which reportedly continues to suffer discrimination at the hands of both public officials and private individuals. Amnesty International welcomes the recommendations made to both governments to take further and effective measures to eliminate such discrimination and to ensure Roma's access, without discrimination, to education, housing, healthcare and employment. Amnesty International calls on the Czech Republic and Romania to endorse these recommendations and to implement them in full as a matter of priority. In particular, Amnesty International calls on the Czech Republic to urgently adopt specific anti-discrimination legislation as recommended in the UPR outcome document. In January 2007, the Czech government pledged to introduce such anti-discrimination legislation to safeguard the right to equal treatment and to protection against discrimination in line with EU directives and membership agreements in 2004. However, despite the approval of the legislation by the government in June 2007, the bill has still not been approved by Parliament and in May 2008 it was vetoed by the Czech President.

In the reviews of Poland and Romania there was also a focus on identity-based violence and discrimination and the need to adopt legislation to ensure equal treatment and non-discrimination. Amnesty International is deeply concerned at the climate of fear that increasingly threatens the human rights of lesbian, gay, bisexual and transgender people in both countries. Amnesty International calls on the Polish and Romanian authorities to act on the recommendations to adopt effective measures to combat discrimination, including on the grounds of sexual orientation, and to ensure that perpetrators are brought to justice in accordance with international standards for fair trials.

Amnesty International regrets, however, the lack of reference during the interactive dialogues with the Czech Republic, Poland and Romania to issues relating to the alleged involvement of authorities in the US-led programme of secret detentions and renditions in the context of counter-terrorism measures. There is strong evidence to suggest that both Poland and Romania may have hosted US-controlled detention facilities on their territory in which individuals were secretly detained, outside the rule of law. According to these serious allegations – supported by the European Parliament, the Parliamentary Assembly of the Council of Europe and the UN Committee against Torture – persons were unlawfully deprived of their liberty and flown into and over the territory of these countries. On 21 December 2005, the Polish Special Services Committee held a private meeting with the Minister Coordinator of Special Services and the heads of the intelligence services to discuss these claims. Amnesty International is concerned this does not constitute an independent, thorough and transparent investigation and that the outcome of the meeting on 21 December 2005 was not made public. Equally, the investigation carried out by a joint commission of the Romanian Chamber of Deputies and the Senate in November 2005 – the conclusions of which were endorsed by the Romanian Senate in April 2008 – did not constitute a thorough, independent

and impartial investigation. The authorities did not find any argument to sustain the allegations and the findings were never made public.

Amnesty International calls on the Polish and Romanian governments to initiate effective, independent and impartial investigations into allegations that secret detention facilities were operated on their territory and that individuals were secretly detained in these, outside of the rule of law, and that persons unlawfully deprived of their liberty were flown into and over their territory in the context of the US-led renditions programme. The scope, manner and findings of such investigations should be made public.