

# amnesty international

## 2007 Elections to the United Nations Human Rights Council

### Background information on candidate countries

On 17 May 2007, UN Member States will elect 14 members of the UN Human Rights Council. General Assembly resolution 60/251, establishing the Human Rights Council, provides that members elected to the Council “shall uphold the highest standards in the promotion and protection of human rights and fully cooperate with the Council”.<sup>1</sup> It further stipulates that when electing members of the Council, Member States “shall take into account the contribution of candidates to the promotion and protection of human rights and their voluntary pledges and commitments”.<sup>2</sup>

In order to assist Member States in making this assessment, Amnesty International is providing in this document a brief review of the current human rights situation and an overview of the candidates’ record of ratification and cooperation with the treaty bodies and Special Procedures.<sup>3</sup> Additional Amnesty International documents are listed after each country entry, where relevant; these may be downloaded from Amnesty International’s electronic library at: <http://web.amnesty.org/library/engindex>.

At the time of writing, only 15 countries had put themselves forward as candidates for the 14 seats available this year:<sup>4</sup>

- For four vacant seats in the African Group: Angola, Egypt, Madagascar, South Africa
- For four vacant seats in the Asian Group: India, Indonesia, Philippines, Qatar
- For two vacant seats in the Eastern European Group: Belarus, Bosnia and Herzegovina and Slovenia
- For two vacant seats in the Latin American and Caribbean Group: Bolivia, Nicaragua

---

<sup>1</sup> General Assembly resolution 60/251, Operative Paragraph 9, adopted 15 March 2006.

<sup>2</sup> *Ibid*, Operative Paragraph 8.

<sup>3</sup> This information is based on official UN sources; for more information on these sources, please refer to Annex I in this document.

<sup>4</sup> The list of candidates and their pledges is available on the UN’s website: <http://www.un.org/ga/61/elect/hrc/>  
*AI Index: IOR 41/012/2007* *Amnesty International May 2007*

- For two vacant seats in the Western and Others Group: Denmark, Italy, Netherlands

Amnesty International is very concerned to note that in three of the five regions the number of declared candidates matches exactly the number of vacant seats. This means that UN Member States will not be able to elect, on a comparative basis, candidates with the strongest commitments to promote and protect human rights and to cooperate with the Council. However, as each Member State must actively express its support for candidates by writing on the ballot paper the name of every candidate for which it votes, a Member State has an easily exercised option to not to express support for candidates that do not fully meet the standards for membership of the Council.

## List of contents

	<b>Page</b>
<b>African Group:</b>	
Angola .....	4
Egypt .....	7
Madagascar .....	10
South Africa .....	12
<b>Asian Group:</b>	
India .....	16
Indonesia .....	19
Philippines .....	23
Qatar .....	26
<b>Eastern European Group:</b>	
Belarus .....	29
Bosnia and Herzegovina .....	32
Slovenia .....	35
<b>Latin American and Caribbean Group:</b>	
Bolivia .....	38
Nicaragua .....	41
<b>Western European and Others Group:</b>	
Denmark .....	44
Italy .....	46
Netherlands .....	49
<b>Annex 1: Information sources</b> .....	<b>52</b>

## **AFRICAN STATES: 4 SEATS VACANT IN 2007 ELECTIONS**

**At the time of writing, four countries belonging to the African Group had put themselves forward: Angola, Egypt, Madagascar and South Africa.<sup>5</sup>**

### **ANGOLA**

---

Human rights defenders and political activists risk harassment and detention for exercising their right to freedom of expression and association. In August 2006, a national human rights organization was banned from operating in Cabinda leaving the area, which is rife with violations of human rights, without independent human rights monitoring.

Amnesty International is also concerned at forced evictions by armed members of the national police or armed forces, often with resort to excessive use of force and fire arms. Between 2001 and 2006, thousands of families were forcibly evicted from various neighbourhoods in the capital of Luanda. Such evictions tend to take place without prior notification, consultation or due process. Tens of thousands have been left without shelter and hundreds of families still living in the ruins. In March 2006, the Special Rapporteur on the right to adequate housing expressed concern over the persistent practice of forced evictions in Angola and reminded the government of its obligations under the International Covenant on Economic, Social and Cultural Rights, and to ensure that legal remedies, including adequate compensation, are available and accessible to those affected by an eviction order. He also expressed concern that a planned visit to the country had been postponed and not yet rescheduled by the government.

There are also reports of human rights violations committed by the police, including unlawful killings, torture and ill-treatment of detainees. Amnesty International notes the sentencing to 17 year's imprisonment of a police officer for the unlawful killing of a 16 year old boy and hopes that this verdict will send a strong message that unlawful acts by police officers will not be tolerated. The organization has urged the government to ensure thorough and independent investigations into all alleged killings, torture or ill-treatment by the police with a view to bringing those responsible to justice.

#### **Recent Amnesty International reports**

- Angola: Lives in ruins; forced evictions continue (AI Index: AFR 12/001/2007)
- Angola: Call on Government to end forced evictions and excessive use of force immediately (AI Index: AFR 12/004/2006)
- Angola: Human rights organization banned (AI Index: AFR 12/006/2006)
- Angola: A step towards ending police impunity (AI Index: AFR 12/007/2006)

---

<sup>5</sup> For a list of candidates to the UN Human Rights Council and a link to their pledges, please go to: <http://www.un.org/ga/61/elect/hrc/>  
Amnesty International May 2007

**Ratification of International Treaties**

<b>Treaty</b>	<b>Ratification</b>	<b>Reservations/ Declarations</b>
International Covenant on Civil and Political Rights (ICCPR)	Ratified	
Optional Protocol to the ICCPR	Ratified	
Second Optional Protocol to the ICCPR, on the death penalty		
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW		
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)		
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)		
Optional Protocol to CAT		
Convention on the Rights of the Child (CRC)	Ratified	
Optional Protocol to the CRC on children in armed conflict		
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families		
International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court	Signed	
Convention Relating to the Status of Refugees	Ratified	Entered
Protocol Relating to the Status of Refugees	Ratified	Entered
The Four Geneva Conventions	Ratified	Entered (Third Geneva Convention)
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	Entered
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts		

Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem	Signed	
---	--------	--

#### Compliance with Reporting Obligations

Total Overdue Reports – 5	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
Initial report on the ICCPR			1
Special report on the ICCPR			1
Initial, 2 <sup>nd</sup> and 3 <sup>rd</sup> periodic reports on the ICESCR	1	1	1

#### Cooperation with the Special Procedures

Extension of a standing invitation	Outstanding visit requests (year requested)	Forthcoming visits (dates if available)	Missions carried out between May 2006 and April 2007
No	None	1. Working Group on arbitrary detention (September 2007) 2. Special Rapporteur on adequate housing (agreed in principle) 3. Special Rapporteur on freedom of opinion and expression (agreed in principle) 4. Special Rapporteur on freedom of religion or belief (agreed in principle)	None

## EGYPT

---

Torture and other ill-treatment, arbitrary arrests and detention, and grossly unfair trials before emergency and military courts are all key features of Egypt's 40-year state of emergency and counter-terrorism campaign. The extensive powers granted to law enforcement officials, especially State Security Investigations officers, play a key role in facilitating such abuses. Emergency legislation also severely restricts the rights to freedom of expression, association and assembly.

In the wake of attacks by armed groups, security police have carried out mass arrests without recourse to due process. Relatives of suspects have also been threatened and abused. Due to provisions allowing incommunicado and secret detention some of those arrested have become victims of enforced disappearance for weeks or months. Some have died as a result of torture. Commonly cited methods include electric shocks, beatings, suspension in painful positions, solitary confinement, rape and threats of death, sexual abuse and attacks on relatives.

Around 18,000 administrative detainees, held without charge or trial under orders issued by the Interior Ministry, are languishing in Egypt's jails in degrading and inhumane conditions. Some have been held for more than a decade, despite court orders demanding their release.

A parallel system of emergency justice, involving specially constituted "emergency courts" and the trial of civilians before military courts, has been established for cases deemed by the authorities to affect national security. Under this system, safeguards for fair trial are routinely violated resulting in grossly unfair trials, including in cases where defendants have been sentenced to death and, in some cases, executed.

Despite Egypt's record of serious human rights violations, governments in other countries, notably the USA, have chosen to send detainees there in the context of the global "war on terror". These transfers have been carried out unlawfully, without due process and in breach of the principle of *non-refoulement* – the absolute prohibition of sending anyone to a country where they would be at risk of serious human rights abuses such as torture and other ill-treatment, or enforced disappearance. The UN Special Rapporteur on the promotion and protection of human rights while countering terrorism is seeking to visit the country to assess Egypt's human rights record in the "war on terror", but has not yet obtained a positive response from the Egyptian authorities.

Death sentences continue to be imposed. Three people convicted of terrorism-related offences were sentenced to death in 2006 after an unfair trial. At least four other people were executed in the same period.

### Recent Amnesty International reports

- Egypt: Systematic abuses in the name of security (AI Index: MDE 12/001/2007)

- Egypt: New anti-terror law must not entrench systematic human rights abuses (AI Index: MDE 12/013/2007)
- Egypt: Protection of torture victim is key for justice to be done (AI Index: MDE 12/003/2007)
- Egypt: Amnesty International calls for inquiry into killings and opposes threatened collective expulsions of Sudanese protesters (AI Index: MDE 12/002/2006)
- Egypt: Amnesty International condemns attack against civilians in Dahab (AI Index: MDE 12/006/2006)
- Egypt: Amnesty International concerned about the Egyptian security repression against peaceful protesters in Cairo (AI Index: MDE 12/009/2006)

#### Ratification of International Treaties

Treaty	Ratification	Reservations/ Declarations
International Covenant on Civil and Political Rights (ICCPR)	Ratified	Entered
Optional Protocol to the ICCPR		
Second Optional Protocol to the ICCPR, on the death penalty		
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	Entered
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	Entered
Optional Protocol to CEDAW		
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified	
Optional Protocol to CAT		
Convention on the Rights of the Child (CRC)	Ratified	
Optional Protocol to the CRC on children in armed conflict		
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Ratified	Entered



International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court	Signed	Entered
Convention Relating to the Status of Refugees	Ratified	Entered
Protocol Relating to the Status of Refugees	Ratified	
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	Entered
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	Entered
Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem		

#### Compliance with Reporting Obligations

Total Overdue – 9	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
5 <sup>th</sup> periodic report on the CAT	1		
4 <sup>th</sup> periodic report on the ICCPR	1		
6 <sup>th</sup> periodic report on the CEDAW	1		
17 <sup>th</sup> and 18 <sup>th</sup> periodic reports on the CERD	1		
2 <sup>nd</sup> , 3 <sup>rd</sup> and 4 <sup>th</sup> periodic reports on the ICESCR	1	1	1
Initial report on the OP to the CRC on the sale of children, child prostitution and child pornography	1		
3 <sup>rd</sup> periodic report on the CRC	1		

### Cooperation with the Special Procedures

Extension of a standing invitation	Outstanding visit requests (year requested)	Forthcoming visits (dates if available)	Missions carried out between May 2006 and April 2007
No	1. Special Rapporteur on torture (1996) 2. Special Representative on human rights defenders (2003) 3. Special Rapporteur on freedom of religion or belief (2005) 4. Special Rapporteur on human rights and counter terrorism (2005) 5. Special Rapporteur on the independence of judges and lawyers	None	None

## MADAGASCAR

---

Amnesty International is concerned at reports indicating violations of the right to freedom of expression and opinion, in particular in the context of the elections in 2001 and 2006. Several people belonging to the opposition parties remain in prison.

There are also concerns over prison conditions due to severe overcrowding, although political prisoners are generally able to have contact with relatives, lawyers and medical staff.

In March 2007, the Human Rights Committee expressed concern at the level of domestic violence and the lack of effective complaints mechanisms for victims. It called on the government to ensure better protection of women's rights and to reinforce preventive measures. The Committee further noted that although the right of detainees to legal counsel is enshrined in domestic legislation, in practice this is not respected. The Committee also expressed concern at the prison overcrowding and described the conditions as deplorable.

**Ratification of International Treaties**

<b>Treaty</b>	<b>Ratification</b>	<b>Reservations/ Declarations</b>
International Covenant on Civil and Political Rights (ICCPR)	Ratified	
Optional Protocol to the ICCPR	Ratified	
Second Optional Protocol to the ICCPR, on the death penalty		
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	Entered
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW	Signed	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified	
Optional Protocol to CAT	Signed	
Convention on the Rights of the Child	Ratified	
Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families		
International Convention for the Protection of All Persons from Enforced Disappearance	Signed	
Rome Statute of the International Criminal Court	Signed	
Convention Relating to the Status of Refugees	Ratified	Entered
Protocol Relating to the Status of Refugees		
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	
Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem	Signed	

### Compliance with Reporting Obligations

Total Overdue Reports – 10	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
Initial report on the CAT	1		
2 <sup>nd</sup> , 3 <sup>rd</sup> and 4 <sup>th</sup> periodic reports on the CEDAW	1	1	1
2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> and 5 <sup>th</sup> periodic reports on the ICESCR	1	1	2
Initial report on the OP to the CRC on children in armed conflict	1		
Initial report on the OP to the CRC on the sale of children, child prostitution and child pornography	1		

### Cooperation with the Special Procedures

Extension of a standing invitation	Outstanding visit requests (year requested)	Forthcoming visits (dates if available)	Missions carried out between May 2006 and April 2007
No	None	Special Rapporteur on the right to food (2007) (agreed in principle)	None

## SOUTH AFRICA

Amnesty International is concerned that torture and misuse of lethal force against crime suspects continued to be reported. There are reliable reports that members of the South African Police Service (SAPS), particularly from the Serious and Violent Crime Units (SVCU), torture suspects with suffocation and electric shock devices. Several detainees have died as a result.

There have been protests against forced evictions and other poor socio-economic conditions. Police are reported to have used excessive force on some occasions.

The report of the Jali Commission of Inquiry, appointed by President Mbeki in 2001, found that corruption and maladministration in prisons were institutionalized. It also found that solitary confinement and torture were routine in the CMax Super-Maximum security

prison, that sexual violence was widespread, in particular against young, gay and transsexual prisoners, and that prison guards were implicated in such assaults. Prison management had routinely failed to investigate such cases which had led to a culture of impunity. Prison conditions were reported to be inhumane due to severe overcrowding.

Amnesty International had expressed concerned at the "disappearance" for 18 months of Khalid Mehmood Rashid, a national of Pakistan, who was handed over by South African authorities to Pakistani officials in November 2005 and held in secret detention. However on 12 April 2007 Mr Rashid appeared before the Federal Review Board in Islamabad. Amnesty International is calling for Mr Rashid to be immediately brought to justice in a fair trial or released without delay.

According to UNAIDS, some 5.4 million people in South Africa are living with HIV. The Department of Health reported that anti-retroviral treatment was being provided to 213,828 people, although a further 300,000 also needed access to it.

The number of reported rapes remains high. More than 50,000 rapes were reported during the period April 2005 to March 2006 according to police statistics. However, investigators, prosecutors and the courts are restricted by the common-law definition of rape in their response to sexual violence cases. In November 2006, the Committee against Torture expressed concern at widespread acts of violence against women and children, especially rapes and domestic violence, and recommended that the government take all necessary measures to prevent, combat and punish violence against women and children, as well as undertake research into the root causes of the high incidence of rape and sexual violence.<sup>6</sup>

#### Recent Amnesty International reports

- South Africa: Government must investigate circumstances of "disappeared" Pakistani's transfer (AI Index: AFR 53/001/2006)
- South Africa: Briefing for the Committee against Torture (AI Index: AFR 53/002/2006)

#### Ratification of International Treaties

Treaty	Ratification	Reservations/ Declarations
International Covenant on Civil and Political Rights (ICCPR)	Ratified	
Optional Protocol to the ICCPR	Ratified	
Second Optional Protocol to the ICCPR, on the death penalty	Ratified	
International Covenant on Economic, Social and Cultural	Signed	

<sup>6</sup> Conclusions and recommendations of the Committee against Torture, South Africa, CAT/C/ZAF/CO/1.

Rights (ICESCR)		
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW	Ratified	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified <sup>art.14</sup>	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified <sup>art.22</sup>	
Optional Protocol to CAT	Signed	
Convention on the Rights of the Child	Ratified	
Optional Protocol to the CRC on children in armed conflict	Signed	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families		
International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court	Ratified	
Convention Relating to the Status of Refugees	Ratified	Entered
Protocol Relating to the Status of Refugees	Ratified	
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions on Protection of Victims of International Armed Conflicts	Ratified	
Protocol II to the Geneva Conventions on Protection of Victims of Non-International Armed Conflicts	Ratified	
Protocol III to the Geneva Conventions on Adoption of an Additional Distinctive Emblem		

### Compliance with Reporting Obligations

Total Overdue Reports – 5	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
Initial report on the ICCPR		1	
2 <sup>nd</sup> and 3 <sup>rd</sup> periodic reports on the	1	1	

CEDAW			
Initial report on the OP to the CRC on the sale of children, child prostitution and child pornography	1		
2 <sup>nd</sup> periodic report on the CRC	1		

### Cooperation with the Special Procedures

Extension of a standing invitation	Outstanding visit requests (year requested)	Forthcoming visits (dates if available)	Missions carried out between May 2006 and April 2007
Yes	Working Group on the use of mercenaries (2007)	<p>Special Rapporteur on human rights and counter terrorism (16-27 April 2007)</p> <p>Special Rapporteur on adequate housing (12-24 April 2007).</p> <p>Special Rapporteur on the right to food (agreed in principle)</p> <p>Special Rapporteur on migrants (agreed in principle)</p>	

## ASIAN STATES: 4 SEATS VACANT IN 2007

**At the time of writing, four countries belonging to the Asian Group had put themselves forward: India, Indonesia, Philippines and Qatar.<sup>7</sup>**

### INDIA

---

Amnesty International is concerned that perpetrators of past human rights violations continue to enjoy impunity. For example, there has been little progress in cases relating to the 1984 anti-Sikh riots in Delhi which followed the assassination of Prime Minister Indira Gandhi and led to a massacre of nearly 3,000 Sikhs. In Punjab, police officers responsible for serious human rights violations during civil unrest between 1984 and 1994 continue to evade justice.

Justice and rehabilitation also continue to evade many victims and survivors of the violence in 2002 in Gujarat in which thousands of Muslims were attacked and more than 2,000 killed. Members of the Muslim minority in Gujarat continue to experience difficulties in terms of access to adequate housing and there are reports that over 5,000 displaced families lived in “sub-human” conditions.

Twenty-two years after the Union Carbide Corporation pesticide plant in Bhopal leaked toxic gases that devastated countless lives and the environment, survivors continue to struggle for adequate compensation, medical aid and rehabilitation. Although the government has agreed to clean up the toxic waste, provide safe drinking water and set up a commission for rehabilitation of the victims, there has been little progress on the ground.

Amnesty International is concerned that security legislation continues to be used in several states to facilitate arbitrary detention and torture. Following the bombings in Mumbai and Malegaon, hundreds of people, mostly Muslims, were arbitrarily detained. Some were charged under the state Control of Organised Crime Act. At least 400 people remain in jail under the repealed Prevention of Terrorism Act (POTA); some of them face special trials whose proceedings fail to meet fair trial standards.

In Jammu and Kashmir, torture, deaths in custody, enforced disappearances and extrajudicial executions continue to be reported. Although criminal proceedings have been initiated in a few cases, impunity for human rights violations by state agents continue.

Concerns are growing over protection of economic, social and cultural rights of already marginalized communities. Around 300 million people remain in poverty despite implementation of new legislation guaranteeing minimum annual employment for the rural poor. Socially and economically marginalized groups, such as adivasis, dalits, marginal/landless farmers and the urban poor, face systemic discrimination and loss of livelihood because of development projects.

---

<sup>7</sup> For a list of candidates to the UN Human Rights Council and a link to their pledges, please go to: <http://www.un.org/ga/61/elect/hrc/>  
Amnesty International May 2007



In 2006, at least 40 people were sentenced to death although no executions took place. Comprehensive information on the number of people on death row is not available.

### Recent Amnesty International Reports

- India: Five years on - the bitter and uphill struggle for justice in Gujarat (AI Index ASA 20/007/2007)
- India: Amnesty International condemns multiple bomb attacks in Mumbai (AI Index: ASA 20/017/2006)
- India: Continuing concern over the safety of civilians, including adivasis, caught in escalating conflict in Chhattisgarh (AI Index: ASA 20/018/2006)
- India: Concerns with Protection of Human Rights Act (AI Index: ASA 20/019/2006)
- India: Amnesty International condemns multiple bomb attacks in Malegaon, Maharashtra (AI Index: ASA 20/025/2006)
- India: Continued detention two years after the repeal of POTA (AI Index: ASA 20/026/2006)
- India: The Armed Forces Special Powers Act (AFSPA) Review Committee takes one step forward and two backwards (AI Index: ASA 20/031/2006)

### Ratification of International Treaties

Treaty	Ratification	Reservations/ Declarations
International Covenant on Civil and Political Rights (ICCPR)	Ratified	Entered
Optional Protocol to the ICCPR		
Second Optional Protocol to the ICCPR, on the death penalty		
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	Entered
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	Entered
Optional Protocol to CEDAW		
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified	Entered
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Signed	
Optional Protocol to CAT		
Convention on the Rights of the Child	Ratified	Entered

Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families		
International Convention for the Protection of All Persons from Enforced Disappearance	Signed	
Rome Statute of the International Criminal Court		
Convention Relating to the Status of Refugees		
Protocol Relating to the Status of Refugees		
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts		
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts		
Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem		

#### Compliance with Reporting Obligations

Total Overdue Reports – 4	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
4 <sup>th</sup> periodic report on the ICCPR		1	
2 <sup>nd</sup> and 3 <sup>rd</sup> periodic reports on the CEDAW	1	1	
6 <sup>th</sup> periodic report on the ICESCR		1	

#### Cooperation with the Special Procedures

Extension of a standing invitation	Outstanding visit requests (year requested)	Forthcoming visits (dates if available)	Missions carried out between May 2006 and April 2007
No	1. Special Rapporteur on torture (1993) 2. Special Rapporteur on	1. Special Rapporteur on freedom of religion or belief (agreed in principle)	None

	<p>extrajudicial, summary or arbitrary executions (2000 and 2006)</p> <p>3. Special Rapporteur on sale of children (2004)</p> <p>4. Working Group on enforced or involuntary disappearances (2005)</p> <p>5. Special Rapporteur on racism (2006 - follow up request)</p> <p>6. Working Group on arbitrary detention</p> <p>7. Special Representative on human rights defenders</p> <p>8. Special Rapporteur on toxic waste (2006) (agreed in principle)</p>	<p>2. Special Rapporteur on the right to health (agreed in principle)</p>	
--	---	---	--

## INDONESIA

Amnesty International is concerned that the majority of human rights violations by the security forces are not investigated leading to impunity for such violations. The organization is also concerned at provisions in the mandate of the Commission of Truth and Friendship, established jointly by Indonesia and Timor-Leste to document crimes committed in Timor-Leste in 1999, including the ability to recommend amnesty for perpetrators of gross human rights violations. In October 2006, the Supreme Court overturned the conviction of Pollycarpus Budihari Priyanto for the murder of human rights defender Munir Said Thalib, a leading human rights activist, who was poisoned on a flight to the Netherlands in 2004. Despite reported evidence of a conspiracy involving many suspects, including high-ranking intelligence officers, no-one has yet been held to account for this crime. On 28 March 2007, the Special Rapporteur on extrajudicial, summary or arbitrary executions called on the government of Indonesia to release the final report of the Presidential fact-finding team and to investigate all those implicated by the report into Munir's murder.

In 2006, at least eight prisoners of conscience were sentenced to prison terms and eight others who had been sentenced earlier remain in jail. Among them are peaceful political activists, union leaders, religious practitioners and students.

Torture and ill-treatment of detainees and prisoners continue to be widespread, and prison conditions fall short of minimum international standards. Facilities are severely overcrowded and detainees risk physical and sexual violence and lack access to adequate health services and food and clean water.

Amnesty International continues to receive reports of extrajudicial executions, torture and ill-treatment, excessive use of force during demonstrations and harassment of human rights defenders in Papua. This is despite severe restrictions barring nearly all foreign journalists and NGOs from operating in Papua.

During 2006, at least three people were executed by firing-squad during 2006. There were concerns that their trial had been unfair and two of them were allegedly ill-treated before being executed. By the end of 2006, at least 92 people were known to be under sentence of death.

Women domestic workers in Indonesia are frequently subjected to human rights violations in their place of work, including economic exploitation, and physical, psychological and sexual violence. In some cases they have been killed by their employers. Reporting by domestic workers of incidents of abuse or violence is low, including for fear of losing their jobs. Domestic workers often have no-one to report to and even where mechanisms exist, they cannot access these due to severe restrictions to their freedom of movement.

In a report to the fourth session of the Human Rights Council, the Special Rapporteur on the human rights of migrants highlighted the precarious situation of Indonesian female migrant domestic workers and encouraged the Indonesian government to uphold its commitments to protect both internal and international migrants.<sup>8</sup>

Large-scale evictions have been carried out with inadequate consultation, little or no compensation and excessive use of force. These included forced evictions in east Jakarta, which are reported to have left over 600 families homeless, without suitable compensation or alternative housing.

### **Recent Amnesty International reports**

- Indonesia: Comments on the draft revised Criminal Procedure Code (AI Index: ASA 21/005/2006)
- Indonesia: Exploitation and abuse: the plight of women domestic workers (AI Index: ASA 21/003/2007)

---

<sup>8</sup> Report of the Special Rapporteur on the human rights of Migrants, Mission to Indonesia, 12-21 December 2006 (A/HRC/4/24/Add.3).

**Ratification of International Treaties**

<b>Treaty</b>	<b>Ratification</b>	<b>Reservations / Declarations</b>
International Covenant on Civil and Political Rights (ICCPR)	Ratified	Entered
Optional Protocol to the ICCPR		
Second Optional Protocol to the ICCPR, on the death penalty		
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	Entered
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	Entered
Optional Protocol to CEDAW	Signed	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified	Entered
Optional Protocol to CAT		
Convention on the Rights of the Child	Ratified	
Optional Protocol to the CRC on children in armed conflict	Signed	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Signed	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Signed	
International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court		
Convention Relating to the Status of Refugees		
Protocol Relating to the Status of Refugees		
The Four Geneva Conventions	Ratified	
Protocol I of the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts		
Protocol II of the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts		
Protocol III of the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem		

**Compliance with Reporting Obligations**

<b>Total Overdue Reports - 2</b>	<b>Up to 5 years overdue</b>	<b>5-10 years overdue</b>	<b>10 years or more overdue</b>
4 <sup>th</sup> and 5 <sup>th</sup> periodic reports on the CEDAW		2	

**Cooperation with the Special Procedures**

<b>Extension of a standing invitation</b>	<b>Outstanding visit requests (year requested)</b>	<b>Forthcoming visits (dates if available)</b>	<b>Missions carried out between May 2006 and April 2007</b>
No	1. Special Rapporteur on torture (1993) 2. Special Rapporteur on freedom of religion or belief (1996) 3. Special Rapporteur on freedom of opinion and expression (2002) 4. Special Rapporteur on extrajudicial, summary or arbitrary executions (2004) 5. Special Representative on human rights defenders (agreed in principle in Sept. 2006, request made in 2002)	1. Special Rapporteur on torture (November 2007 agreed in principle) 2. Independent Expert on structural adjustment policies and foreign debt (agreed in principle)	Special Rapporteur on migrants (December 2006)

## PHILIPPINES

---

Amnesty International is concerned at reports over recent years of an increased number of killings of political activists, predominantly those associated with leftist political parties. These attacks are often carried out by unidentified armed men on motorcycles. Some of those killed had received death threats. The organization is also concerned that the killings have played a major role in the breakdown of a protracted peace process and accompanying human rights agreement between the government and the National Democratic Front.<sup>9</sup> The relatives of the victims are often too frightened to co-operate with the police, and as a result the perpetrators are rarely brought to justice. Amnesty International is concerned at credible reports that members of the security forces have been directly or indirectly involved in the attacks.

The Special Rapporteur on extrajudicial, summary or arbitrary executions undertook a visit to the Philippines in February 2007 prompted by the large numbers of reported extrajudicial killings. While acknowledging a number of initiatives by the government to address such killings, the Special Rapporteur urged the government to also address the underlying causes of many of the killings. This includes taking measures to end the labelling of most groups on the left of the political spectrum as “front organizations” for armed groups whose aim is to destroy democracy and as such legitimate targets. The Special Rapporteur also recommended that the government to impress upon prosecutors that they have a duty to the public to uphold and protect human rights by ensuring effective investigation of cases and protection of witnesses.<sup>10</sup>

In February 2006, the President declared a week-long state of emergency in response to an alleged coup. The police banned public assemblies and threatened to shut down media outlets. Scores of people were arrested or threatened with arrest, particularly members of legal leftist political parties.

Amnesty International welcomes the announcement in April 2006 by the President that all death sentences would be commuted. A bill has been passed in congress to repeal the death penalty law and the President signed it in June 2006.

### Recent Amnesty International reports

- Philippines: Political killings, human rights and the peace process (AI Index: ASA 35/006/2006)
- Philippines: Towards ensuring justice and ending political killings (AI Index: ASA 35/010/2006)

---

<sup>9</sup> The National Democratic Front is a coalition of [left-wing](#) political parties, agricultural unions, trade unions, and other related groups.

<sup>10</sup> Preliminary note on the visit of the Special Rapporteur on extrajudicial, summary or arbitrary executions, to the Philippines, 12-21 February, A/HRC/4/20/Add.3.

**Ratification of International Treaties**

<b>Treaty</b>	<b>Ratification</b>	<b>Reservations/ Declarations</b>
International Covenant on Civil and Political Rights (ICCPR)	Ratified	
Optional Protocol to the ICCPR	Ratified	
Second Optional Protocol to the ICCPR, on the death penalty	Signed	
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW	Ratified	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified	
Optional Protocol to CAT		
Convention on the Rights of the Child (CRC)	Ratified	
Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Ratified	
International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court	Signed	
Convention Relating to the Status of Refugees	Ratified	
Protocol Relating to the Status of Refugees	Ratified	
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Signed	
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	
Protocol III to the Geneva Conventions relating to the	Ratified	



Adoption of an Additional Distinctive Emblem		
--	--	--

### Compliance with Reporting Obligations

Total Overdue Reports – 13	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> and 5 <sup>th</sup> periodic reports on the CAT	1	1	2
3 <sup>rd</sup> periodic report on the ICCPR	1		
15 <sup>th</sup> , 16 <sup>th</sup> , 17 <sup>th</sup> , 18 <sup>th</sup> and 19 <sup>th</sup> periodic reports on the CERD	2	3	
Initial report on the CMW	1		
Initial report on the OP to the CRC on children in armed conflict	1		
Initial report on the OP to the CRC on the sale of children, child prostitution and child pornography	1		

### Cooperation with the Special Procedures

Extension of a standing invitation	Outstanding visit requests (year requested)	Forthcoming visits (dates if available)	Missions carried out between May 2006 – April 2007
No	1. Special Rapporteur on freedom of expression or opinion (2004) 2. Special Rapporteur on human rights and counter terrorism (2005) 3. Special Rapporteur on toxic waste (2005) 4. Special Rapporteur on the right to food (2006) 5. Working Group on enforced and involuntary disappearances (2006)	Special Rapporteur on adequate housing (agreed in principle)  Special Rapporteur on independence of judges and lawyers (agreed in principle)	Special Rapporteur on extrajudicial, summary or arbitrary executions (February 2007)

	6 Special Rapporteur on migrants (2006)		
	7. Independent Expert on extreme poverty (2006)		

## QATAR

Scores of prisoners sentenced for allegedly plotting to overthrow the government in 1996 remain in prison, following unfair trials in 1999. Eighteen of them have been sentenced to death. Some of them complained of being tortured or ill-treated while in pre-trial detention; however, these allegations have never been adequately investigated. On examining Qatar's periodic report in July 2006, the Committee against Torture expressed concern that domestic legislation fails to define torture in accordance with international standards and that arrest and detention procedures place suspects at increased risk of torture

Amnesty International is concerned that at least 2,000 people, including members of the al- Ghufra branch of the al-Murra tribe, continue to be denied Qatari nationality by the authorities. They had earlier been deprived of Qatari nationality on the grounds that they held Saudi Arabian Nationality; the individual concerned deny this.

Following a visit to Qatar in November 2006, the Special Rapporteur on trafficking in persons, especially in women and children, expressed concern about the number of migrant workers who are victims of human trafficking. The Special Rapporteur recommended that the authorities should establish a National Coordinator on Human Trafficking and introduce mechanisms to identify and treat victims of trafficking.

### Recent Amnesty International report

- Qatar: Briefing to the Committee against Torture (AI Index: MDE 22/002/2006)

### Ratification of International Treaties

Treaty	Ratification	Reservations/ Declarations
International Covenant on Civil and Political Rights (ICCPR)		
Optional Protocol to the ICCPR		
Second Optional Protocol to the ICCPR, on the death penalty		

International Covenant on Economic, Social and Cultural Rights (ICESCR)		
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)		
Optional Protocol to CEDAW		
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified	Entered
Optional Protocol to CAT		
Convention on the Rights of the Child	Ratified	Entered
Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	Entered
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families		
International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court		
Convention Relating to the Status of Refugees		
Protocol Relating to the Status of Refugees		
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	Entered
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	
Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem		

**Compliance with Reporting Obligations**

<b>Total Overdue Reports - 3</b>	<b>Up to 5 years overdue</b>	<b>5-10 years overdue</b>	<b>10 years or more overdue</b>
13 <sup>th</sup> , 14 <sup>th</sup> and 15 <sup>th</sup> periodic reports on the CERD	2		
2 <sup>nd</sup> periodic report on the CRC	1		

**Cooperation with the Special Procedures**

<b>Extension of a standing invitation</b>	<b>Outstanding visit requests (year requested)</b>	<b>Forthcoming visits (dates if available)</b>	<b>Missions carried out between May 2006 – April 2007</b>
No	None		Special Rapporteur on trafficking in persons, especially women and children (8-12 November 2006)

## **EASTERN EUROPEAN STATES: 2 SEATS VACANT IN 2007**

**At the time of writing, three countries belonging to the Eastern European Group had put themselves forward: Belarus Bosnia and Herzegovina and Slovenia.<sup>11</sup>**

### **BELARUS**

---

The conduct of the presidential elections on 19 March 2006 gave rise to widespread international criticism. In the lead up to the elections, members and supporters of the opposition parties were harassed and detained. Following the elections, hundreds of peaceful demonstrators were detained and beaten by riot police and anti-terrorist forces. On 29 March 2006, seven UN independent human rights experts expressed serious concern over the deterioration of the human rights situation around the presidential elections. Specifically there were alarmed at the large number of violations of the rights to freedom of expression, freedom of association, fair trial, physical and mental integrity and to liberty, and called for an independent, prompt and transparent investigation into all allegations of serious human rights violations.

The Organization for Security and Cooperation in Europe stated that the elections failed to meet the organization's standards for democratic elections, citing harassment of opposition candidates and campaign workers, heavily biased media coverage, and a lack of transparency in ballot counting. In December 2006, the General Assembly adopted a resolution in which it expressed deep concern about the government's failure to cooperate with the Special Rapporteur on the situation of human rights in Belarus, and about a number of serious violations of human rights in connection with the presidential elections. These included arbitrary use of State power against opposition candidates, routine harassment and arrest of political and civil society activists, harassment and detention of journalists and human rights defenders, and closure of civil society organizations. It urged the government to cease politically motivated prosecution, harassment and intimidation of political opponents, to respect the rights to freedom of speech, assembly and association, and to investigate and hold accountable those responsible for mistreatment, arbitrary arrest and incarceration of political activists.<sup>12</sup>

However, members of the political opposition and civil society activists continue to be harassed and intimidated by the Belarusian authorities, in an attempt to obstruct their work. Non-governmental organizations face strict controls on their activities. Members of civil society have been detained or charged under Article 193 of the Criminal Code which was recently amended to include a prison sentence of up to three years for "organizing and running an unregistered organization that infringes the rights of citizens".

---

<sup>11</sup> For a list of candidates to the UN Human Rights Council and a link to their pledges, please go to: <http://www.un.org/ga/61/elect/hrc/>

<sup>12</sup> A/Res/61/175

Prisoners of conscience continue to be held. These include the leader of the Belarusian Socialist Democratic Party sentenced to five and a half years' imprisonment and members of an election monitoring organization sentenced to terms of up to two years.

Despite some progress, measures to protect women from violence in the family remain inadequate, partly due to the fact that there is no mandatory government training programmes for police, judges and medical staff. There are no accurate statistics on the numbers of victims of domestic violence, but in 2005, 166 people were murdered in the home, and 2,736 women were victims of crimes in the home. The lack of public awareness and support means many women are unable to escape violent situations.

Belarus is the last country in Europe which still executes prisoners. According to official statistics, nine death sentences were passed in 2006; there were no official statistics for the number of executions.

#### Recent Amnesty International reports

- Commonwealth of Independent States: Positive trend on the abolition of the death penalty but more needs to be done (AI Index: EUR 04/003/2006)
- Belarus: Domestic Violence – more than a private scandal (AI Index: EUR 49/014/2006)
- Belarus: Amnesty International Concerns in 2006 (AI Index: EUR 49/003/2007)

#### Ratification of International Treaties

Treaty	Ratification	Reservations/ Declarations
International Covenant on Civil and Political Rights (ICCPR)	Ratified	
Optional Protocol to the ICCPR	Ratified	
Second Optional Protocol to the ICCPR, on the death penalty		
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW	Ratified	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified	Entered
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified	
Optional Protocol to CAT		

Convention on the Rights of the Child (CRC)	Ratified	
Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families		
International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court		
Convention Relating to the Status of Refugees	Ratified	
Protocol Relating to the Status of Refugees	Ratified	
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	
Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem		

#### Compliance with Reporting Obligations

Total Overdue Reports – 7	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
4 <sup>th</sup> and 5 <sup>th</sup> periodic reports on the CAT	1	1	
5 <sup>th</sup> periodic report on the ICCPR		1	
7 <sup>th</sup> periodic report on the CEDAW	1		
4 <sup>th</sup> and 5 <sup>th</sup> periodic reports on the ICESCR	1	1	
Initial report on the OP to the CRC on the sale of children, child prostitution and child pornography	1		

**Cooperation with the Special Procedures**

<b>Extension of a standing invitation</b>	<b>Outstanding visit requests (year requested)</b>	<b>Forthcoming visits (dates if available)</b>	<b>Missions carried out between May 2006 – April 2007</b>
No	1. Special Rapporteur on freedom of opinion and expression (follow up 2003)  2. Special Rapporteur on Belarus (2004 and 2006)  3 Special Rapporteur on torture (2005)  4. Special Representative on human rights defenders	Special Rapporteur on trafficking (2007 agreed in principle)	None

**BOSNIA AND HERZEGOVINA**

Perpetrators of war crimes and crimes against humanity during the 1992-95 war continue to evade justice. There has been a number of successful convictions by the International Criminal Tribunal for the former Yugoslavia; however, the co-operation between the Republika Srpska and the Tribunal remains inadequate. No progress has been made in locating former Bosnian Serb leader Radovan Karadžić, who has been indicted by the Tribunal on charges including genocide. In an address to the UN Security Council in December 2006, the Tribunal Prosecutor said that central institutions were not working efficiently and that the authorities had not shown a robust willingness to arrest Radovan Karadžić. According to the “completion strategy” by the Security Council, the Tribunal is to conclude all cases by 2010. In order to meet this deadline, the Tribunal has referred a number of cases involving lower level perpetrators to national jurisdictions in the former Yugoslavia.

According to estimates of the International Commission on Missing Persons, approximately 13,000 people, who went missing during the war, are still unaccounted for. Many of them are victims of enforced disappearances, whose perpetrators continue to enjoy impunity. Progress has been slow in transferring competencies from the two entities’ missing persons commissions in Republika Srpska and the Federation of Bosnia and Herzegovina to the national Missing Persons Institute.

More than a million refugees and internally displaced persons are estimated to have returned to their homes since the end of the 1992-95 war. However, in the past few years



progress on returns has been limited, including due to lack of jobs, and there are reports of violence towards and harassment of returnees and members of minorities by private individuals.

Six men of Algerian origin, unlawfully transferred in 2002 by the authorities to US custody, remain in detention in Guantánamo Bay, Cuba. In June, the Rapporteur appointed by the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe, reported that the six men were “a well documented example of the abduction of European citizens and residents by the American authorities with the active collusion of the authorities of a Council of Europe member state”. The report called for a credible diplomatic intervention by the authorities with the US government to secure the rapid repatriation of the detainees.

Minorities continue to face discrimination in access to education. Attendance at primary school of Romani children is low. One of the main causes of the exclusion of Roma from education is extreme poverty. Romani language, culture and traditions are not included in a systematic way in school curricula.

In June 2006, the UN Committee on the Elimination of Discrimination against Women expressed concern that Bosnia and Herzegovina remains a country of origin, transit and destination in the trafficking in women, and that victims of sexual violence during the 1992-1995 war had suffered additional disadvantages as both female heads of households and internally displaced.

#### **Recent Amnesty International reports**

- Partners in crime: Europe’s role in US renditions (AI Index: EUR 01/008/2006)
- Europe and Central Asia: Summary of Amnesty International’s concerns in the region, January-June 2006 (AI Index: EUR 01/017/2006)
- False starts: The exclusion of Romani children from primary education in Bosnia and Herzegovina, Croatia and Slovenia (AI Index: EUR 05/002/2006)
- Appeal to the United Nations Security Council to ensure that the International Criminal Tribunal for the former Yugoslavia fulfils its mandate (AI Index: EUR 05/006/2006)
- Bosnia and Herzegovina: Behind closed gates – ethnic discrimination in employment (AI Index: EUR 63/001/2006)

### Ratification of International Treaties

Treaty	Ratification	Reservations/ Declarations
International Covenant on Civil and Political Rights (ICCPR)	Ratified	
Optional Protocol to the ICCPR	Ratified	
Second Optional Protocol to the ICCPR, on the death penalty	Ratified	
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW	Ratified	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified <sup>art.22</sup>	
Optional Protocol to CAT		
Convention on the Rights of the Child (CRC)	Ratified	Entered
Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Ratified	
International Convention for the Protection of All Persons from Enforced Disappearance	Signed	
Rome Statute of the International Criminal Court	Ratified	
Convention Relating to the Status of Refugees	Ratified	
Protocol Relating to the Status of Refugees	Ratified	
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	
Protocol III to the Geneva Conventions relating to the Adoption	Signed	

of an Additional Distinctive Emblem		
-------------------------------------	--	--

#### Compliance with Reporting Obligations

Total Overdue Reports – 11	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
Initial, 2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> and 6 <sup>th</sup> periodic reports on the CERD	3	2	3
Initial report on the CMW	1		
Initial report on the OP to the CRC on children in armed conflict	1		
Initial report on the OP to the CRC on the sale of children, child prostitution and child pornography	1		

#### Cooperation with the Special Procedures

Extension of a standing invitation	Outstanding visit requests (year requested)	Forthcoming visits (dates if available)	Missions carried out between May 2006 and April 2007
No	Special Rapporteur on education (request made in 2006) (agreed in principle)	None	None

## SLOVENIA

---

Amnesty International continues to be concerned about the status of thousands of people whose names were removed from the registry of permanent residents in Slovenia in 1992. Known as the “erased”, these are people from other former Yugoslav republics who had been living in Slovenia, but who had not acquired Slovenian citizenship when the country became independent. The “erased” do not enjoy full access to economic and social rights, including the right to work and access to health care. Although the Slovenian Constitutional Court ruled in 1999 and 2003 that the removal of these individuals from the registry of permanent residents was unlawful, approximately one third of the “erased” still do not have Slovenian citizenship or a permanent residence permit.

Members of Romani communities continue to face discrimination. The authorities have failed to fully integrate Romani children in education and some Romani children are taught a reduced curriculum in special classes. This method of education has been criticized by education experts in Slovenia for effectively resulting in the segregation of Roma.

#### Recent Amnesty International reports

- Europe and Central Asia: Summary of Amnesty International's concerns in the region, January-June 2006 (AI Index: EUR 01/017/2006)
- False starts: The exclusion of Romani children from primary education in Slovenia, Croatia and Bosnia and Herzegovina (AI Index: EUR 05/002/2006)

#### Ratification of International Treaties

Treaty	Ratification	Reservations/ Declarations
International Covenant on Civil and Political Rights (ICCPR)	Ratified	
Optional Protocol to the ICCPR	Ratified	Entered
Second Optional Protocol to the ICCPR, on the death penalty	Ratified	
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW	Ratified	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified <sup>art.14</sup>	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified <sup>art.22</sup>	
Optional Protocol to CAT		
Convention on the Rights of the Child (CRC)	Ratified	
Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families		
International Convention for the Protection of All Persons from Enforced Disappearance		

Rome Statute of the International Criminal Court	Ratified	
Convention Relating to the Status of Refugees	Ratified	Entered
Protocol Relating to the Status of Refugees	Ratified	
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	
Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem	Signed	

#### Compliance with Reporting Obligations

<b>Total Overdue Reports - 5</b>	<b>Up to 5 years overdue</b>	<b>5-10 years overdue</b>	<b>10 years or more overdue</b>
3 <sup>rd</sup> periodic report on the CAT	1		
4 <sup>th</sup> periodic report on the CEDAW	1		
6 <sup>th</sup> and 7 <sup>th</sup> periodic reports on the CERD	1		
Initial report on the OP to the CRC on children in armed conflict	1		
Initial report on the OP to the CRC on the sale of children, child prostitution and child pornography	1		

#### Cooperation with the Special Procedures

<b>Extension of a standing invitation</b>	<b>Outstanding visit requests (year requested)</b>	<b>Forthcoming visits (dates if available)</b>	<b>Missions carried out between May 2006 – April 2007</b>
Yes	None		None

<p style="text-align: center;"><b>LATIN AMERICAN AND CARIBBEAN STATES: 2 SEATS VACANT IN 2007</b></p>
---

**At the time of writing, two countries belonging to the Latin American and Caribbean Group had put themselves forward: Bolivia and Nicaragua.<sup>13</sup>**

## **BOLIVIA**

---

On 11 January 2007 at least two people were killed and over 100 injured in Cochabamba, Cochabamba Department, following violent clashes between groups supporting the governing party, *Movement toward Socialism* (MAS), who are calling for the resignation of the Prefect of Cochabamba, and groups supporting the Prefect and calls for regional autonomy. These followed clashes in December 2006 in Santa Cruz Province, also between groups supporting MAS and those opposing it. Amnesty International has urged the national government to ensure that its security forces operate within a framework of full respect for human rights and has called for an investigation into both incidents.

In June 2006, a programme of land reform was launched which provides for the distribution of state-owned land and unproductive private land to peasants and Indigenous people. Landowners have opposed the reform in a number of Departments. In December 2006, there were clashes with civilian, Indigenous and political groups, in the context of local consultations on regional autonomy. Indigenous community centres were set on fire, and members of Indigenous groups had their houses ransacked. Investigative journalists were attacked in the streets of Santa Cruz city and radio stations were forced to stop transmission due to harassment.

In October 2006, at least nine miners were killed and dozens injured in clashes between state-employed miners and members of an independent co-operative in the mining town of Huanuni, La Paz Department. The confrontation was sparked by a dispute over the access rights to working areas in the tin mines.

Prison conditions are reported to be poor. In Palmasola prison in the city of Santa Cruz, five inmates were killed in April 2006, allegedly as a result of a fight between rival gangs of prisoners. In November 2006, inmates in 19 prisons around the country went on hunger strike demanding prompt trials and better prison conditions.

In December 2006, the Attorney General's Office charged former President Gonzalo Sánchez de Lozada and two former ministers with the killing of at least 60 people during demonstrations in October 2003.

---

<sup>13</sup> For a list of candidates to the UN Human Rights Council and a link to their pledges, please go to: <http://www.un.org/ga/61/elect/hrc/>  
Amnesty International May 2007

**Recent Amnesty International reports**

- Bolivia: Open letter to the President of the Republic of Bolivia, Evo Morales Ayma (AI Index: AMR 18/001/2006)
- Bolivia: Amnesty International calls for Human Rights Plan, action to prevent further clashes and protection for defenders (AI Index: AMR 18/003/2007)

**Ratification of International Treaties**

<b>Treaty</b>	<b>Ratification</b>	<b>Reservations/ Declarations</b>
International Covenant on Civil and Political Rights (ICCPR)	Ratified	
Optional Protocol to the ICCPR	Ratified	
Second Optional Protocol to the ICCPR, on the death penalty		
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW	Ratified	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified <sup>art.14</sup>	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified <sup>art.22</sup>	
Optional Protocol to CAT	Ratified	
Convention on the Rights of the Child (CRC)	Ratified	
Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Ratified	
International Convention for the Protection of All Persons from Enforced Disappearance	Signed	
Rome Statute of the International Criminal Court	Ratified	
Convention Relating to the Status of Refugees	Ratified	
Protocol Relating to the Status of Refugees	Ratified	
The Four Geneva Conventions	Ratified	

Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	
Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem	Signed	

### Compliance with Reporting Obligations

Total Overdue Reports - 9	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
2 <sup>nd</sup> periodic report on the CAT	1		
3 <sup>rd</sup> periodic report on the ICCPR		1	
2 <sup>nd</sup> , 3 <sup>rd</sup> & 4 <sup>th</sup> periodic reports on the CEDAW	1	1	1
17 <sup>th</sup> & 18 <sup>th</sup> periodic reports on the CERD	1		
Initial report on the CMW	1		
Initial report on the OP to the CRC on children in armed conflict	1		
Initial report on the OP to the CRC on the sale of children, child prostitution and child pornography	1		

### Cooperation with the Special Procedures

Extension of a standing invitation	Outstanding visit requests (year requested)	Forthcoming visits (dates if available)	Missions carried out between May 2006 – April 2007
No	Special Rapporteur on Education (2006)	1. Special Rapporteur on torture (agreed in principle)  Special Rapporteur on the right to food (April-May 2007)	None



## NICARAGUA

---

In June 2006, Indigenous peoples complained to the Inter-American Commission on Human Rights that the government continues to violate their rights, including in relation to land and natural resources issues.

National women's organizations have raised concern about increasing levels of violence against women. The response by the authorities remains inadequate.

In October 2006, the National Assembly approved a bill which outlawed all forms of abortion; the President signed the bill into law in November. Previously abortions had been permitted in cases where the woman's life was at risk.

According to local non-governmental organizations, over 1,000 people died between 2003 and 2006 from illnesses caused by exposure to the pesticide Nemaqón. Former agricultural workers suffering from Nemaqón-related illnesses protested against irregularities in the way compensation had been paid to them.

Following a visit to Nicaragua in May 2006, the Working Group on Arbitrary Detention made a number of recommendations to the government including to ensure strict monitoring of compliance by the police with its obligation to bring detainees before a judge within 48 hours following arrest; to improve the system for booking detainees in police stations, to revise the country's drug laws, specifically in relation to rehabilitation and reintegration of prisoners; and to review conditions of detention in Bluefields.<sup>14</sup>

### Ratification of International Treaties

Treaty	Ratification/ Accession	Reservations/ Declarations
International Covenant on Civil and Political Rights (ICCPR)	Ratified	
Optional Protocol to the ICCPR	Ratified	
Second Optional Protocol to the ICCPR, on the death penalty	Signed	
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW		
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified	

---

<sup>14</sup> Report of the Working Group on Arbitrary Detention, Visit to Nicaragua, A/HRC/4/40/Add.3.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified	
Optional Protocol to CAT	Signed	
Convention on the Rights of the Child (CRC)	Ratified	
Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Ratified	Entered
International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court		
Convention Relating to the Status of Refugees	Ratified	Entered
Protocol Relating to the Status of Refugees	Ratified	
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	
Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem	Signed	

### **Compliance with Reporting Obligations**

<b>Total Overdue Reports – 16</b>	<b>Up to 5 years overdue</b>	<b>5-10 years overdue</b>	<b>10 years or more overdue</b>
Initial report on the CAT	1		
3 <sup>rd</sup> periodic report on the ICCPR			1
6 <sup>th</sup> periodic report on the CEDAW	1		
10 <sup>th</sup> , 11 <sup>th</sup> , 12 <sup>th</sup> , 13 <sup>th</sup> and 14 <sup>th</sup> periodic reports on the CERD	4	2	1
2 <sup>nd</sup> , 3 <sup>rd</sup> and 4 <sup>th</sup> periodic reports on the ICESCR	1	1	1
Initial report on the CMW	1		

Initial report on the OP to the CRC on children in armed conflict	1		
Initial report on the OP to the CRC on the sale of children, child prostitution and child pornography	1		

#### Cooperation with the Special Procedures

<b>Extension of a standing invitations</b>	<b>Outstanding visit requests (year requested)</b>	<b>Forthcoming visits (dates if available)</b>	<b>Missions carried out between May 2006 – April 2007</b>
No	1. Working Group on enforced and involuntary disappearances (2006)  2. Special Rapporteur on racism (tentative in July 2006) (agreed in principle)		Working Group on arbitrary detention (May 2006)

<p style="text-align: center;"><b>WESTERN EUROPEAN AND OTHER STATES: 2 SEATS VACANT IN 2007</b></p>
---

**At the time of writing, three countries belonging to the Western European and Other States Group have put themselves forward: Denmark, Italy and Netherlands.<sup>15</sup>**

## **DENMARK**

---

Amnesty International is concerned at reports indicating increased intolerance and xenophobia against refugees, asylum-seekers and minorities. Such concerns have been expressed by both the European Commission against Racism and Intolerance and by the UN Committee on the Elimination of Racial Discrimination. Both noted a low rate of prosecutions in cases involving racially motivated offences which has led to an atmosphere of impunity.

In August 2006, the Committee on the Elimination of Discrimination against Women called on the government to intensify its efforts to eliminate discrimination against women and to continue to address the issue of violence against women and girls. It also expressed concern about the trafficking of women and girls into Denmark, and about family reunified women, who risk expulsion after leaving their violent husbands.

The Danish government has yet to ensure that that the Convention against Torture and a distinct offence criminalizing torture in a manner consistent with Article 1 of the Convention are incorporated into Danish law.

Amnesty International remains concerned that the system for investigating human rights violations committed by the police does not meet the required standards of independence and impartiality. The case of the death in police custody of Jens Arne Ørskov highlights these concerns.

### **Recent Amnesty International reports:**

- Denmark: Jens Arne Ørskov's death in custody – A mother's quest for justice (AI Index: EUR 18/001/2006)
- Denmark: A briefing for the Committee against Torture (AI Index: EUR 18/001/2007)

---

<sup>15</sup> For a list of candidates to the UN Human Rights Council and a link to their pledges, please go to: <http://www.un.org/ga/61/elect/hrc/>  
Amnesty International May 2007

**Ratification of International Treaties**

<b>Treaty</b>	<b>Ratification/ Accession</b>	<b>Reservations/ Declarations</b>
International Covenant on Civil and Political Rights (ICCPR)	Ratified	Entered
Optional Protocol to the ICCPR	Ratified	Entered
Second Optional Protocol to the ICCPR, on the death penalty	Ratified	
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	Entered
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW	Ratified	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified <sup>art.14</sup>	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified <sup>art.22</sup>	
Optional Protocol to CAT	Ratified	
Convention on the Rights of the Child (CRC)	Ratified	Entered
Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	Entered
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families		
International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court	Ratified	Entered
Convention Relating to the Status of Refugees	Ratified	Entered
Protocol Relating to the Status of Refugees	Ratified	
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	Entered
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	

Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem	Signed	
---	--------	--

#### **Compliance with Reporting Obligations**

<b>Total Overdue Reports – 1</b>	<b>Up to 5 years overdue</b>	<b>5-10 years overdue</b>	<b>10 years or more overdue</b>
5 <sup>th</sup> periodic report on the ICCPR	1		

#### **Cooperation with the Special Procedures**

<b>Extension of a standing invitation</b>	<b>Outstanding visit requests (year requested)</b>	<b>Forthcoming visits (dates if available)</b>	<b>Missions carried out between May 2006 and April 2007</b>
Yes	None		None

## **ITALY**

Italy does not yet have a specific crime of torture as part of its criminal legislation and has yet to ratify the Optional Protocol to the Convention against Torture. Nearly seven years after having ratified the Rome Statute of the International Criminal Court, Italy has yet to enact implementing legislation.

Italy also lacks a comprehensive asylum law. The 2002 provisions of the Bossi-Fini law, contrary to human rights laws and standards, still allow detention of asylum-seekers throughout the asylum procedure and do not provide for an effective appeal against rejection of an asylum request. Despite some recent improvements with regard to the treatment of migrant minors, children arriving by sea are still routinely detained with their families in “identification centres” and “reception centres” without a clear prioritization of their best interest in the decision-making. Often minors are often not given legal aid or information about their rights.

The Italian government failed to forward to the United States authorities the extradition requests issued by an Italian court against 26 US citizens - most of whom believed to be US Central Intelligence Agency (CIA) agents - in connection with the rendition of Abu Omar, an Egyptian citizen with an Italian residence permit, who was abducted from a street in Milan in 2003 and subsequently flown by the USA to Egypt, where he was reported to have been tortured while in detention. In February 2006, the court issued indictments against the same 26 US citizens and against members of the Italian military and security service agency, Servizio per le Informazioni e la Sicurezza Militare (SISMI).

Several migrants have been given expulsion orders and some were sent back to their countries of origin based on counter-terrorism legislation (Law 155/05, the so-called “Pisanu Law”). No judicial control was carried out on whether those expelled were involved in criminal activities, whether the expulsion itself was legal, or whether subjects of the expulsion orders were at risk of human rights violations in their countries of origin.

Italy has no independent police complaint and accountability body and no independent national human rights institution. In April 2006, the UN Human Rights Committee recommended that Italy should establish an independent national human rights institution, in accordance with the UN Paris Principles. It also recommended that efforts be increased to ensure that prompt and impartial investigations be carried out into allegations of ill-treatment by law enforcement officers.

#### Recent Amnesty International reports:

- Italy: Invisible children – The human rights of migrant and asylum-seeking minors detained upon arrival at the maritime border in Italy (AI Index: EUR 30/001/2006)
- Italy: Five years after the G8 Genoa policing operations – Italian authorities must take concrete action to prevent and prosecute police brutality in all circumstances (AI Index: EUR 30/005/2006)
- Italy: Abu Omar – Italian authorities must cooperate fully with all investigations (AI Index: EUR 30/006/2006)
- Italy: Minister of Justice must forward CIA extradition requests to US authorities (AI Index: EUR 30/002/2007)
- Italy: A briefing to the UN Committee against Torture (AI Index: EUR 30/003/2007)
- Egypt: Systematic abuses in the name of security (AI Index: MDE 12/001/2007)

#### Ratification of International Treaties

Treaty	Ratification	Reservations/ Declarations
International Covenant on Civil and Political Rights (ICCPR)	Ratified	Entered
Optional Protocol to the ICCPR	Ratified	Entered
Second Optional Protocol to the ICCPR, on the death penalty	Ratified	
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	
Optional Protocol to CEDAW	Ratified	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified <sup>art.14</sup>	Entered
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified <sup>art.22</sup>	
Optional Protocol to CAT	Signed	
Convention on the Rights of the Child (CRC)	Ratified	
Optional Protocol to the CRC on children in armed conflict	Ratified	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families		
International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court	Ratified	
Convention Relating to the Status of Refugees	Ratified	Entered
Protocol Relating to the Status of Refugees	Ratified	
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	Entered
Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts	Ratified	
Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem	Signed	

#### Compliance with Reporting Obligations

Total Overdue Reports - 1	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
6 <sup>th</sup> periodic report on the CEDAW	1		



**Cooperation with the Special Procedures**

<b>Extension of a standing invitation</b>	<b>Outstanding visit requests (year requested)</b>	<b>Forthcoming visits (dates if available)</b>	<b>Missions carried out between May 2006 – April 2007</b>
Yes	None	Working Group on arbitrary detention (agreed in principle)	Special Rapporteur on racism (October 2006)

**NETHERLANDS**

The Dutch authorities failed to prevent the expulsion from the USA to Syria via the Netherlands in January 2005 of a Syrian national who was subsequently sentenced to death for membership of the Muslim Brotherhood following an unfair trial. His death sentence was immediately commuted to 12 years' imprisonment. Amnesty International considers him to be a prisoner of conscience. In May 2006, the UN Working Group on Arbitrary Detention found his detention to be arbitrary given "the gravity of the violation of the right to a fair trial"<sup>16</sup>

New legislation aimed at countering terrorism will provide for an increase in the maximum period of pre-trial detention for people charged with terrorism offences and for the prosecution not to be obliged to fully disclose evidence during this period.

Amnesty International continues to be concerned at government policy providing for the detention of migrant minors, although the numbers appear to decline following nationwide protests.

Following a visit to the Netherlands in July 2006, the Special Rapporteur on violence against women, its causes and consequences, recommended to the government to improve the gender-equality policy, to eliminate all forms of discrimination, to investigate and punish perpetrators of violence against women, and to protect women at risk.<sup>17</sup>

**Recent Amnesty International report**

- The Netherlands: Concerns about Schiphol fire need urgent follow up (AI Index: EUR 35/001/2006)

<sup>16</sup> Opinions adopted by the Working Group on Arbitrary Detention. Opinion No 16/2006, A/HRC/4/40/Add.1

<sup>17</sup> Report of the Special Rapporteur on violence against women, its causes and consequences, Mission to the Netherlands, A/HRC/4/34/Add.4.

**Ratification of International Treaties**

<b>Treaty</b>	<b>Ratification</b>	<b>Reservations/ Declarations</b>
International Covenant on Civil and Political Rights (ICCPR)	Ratified	Entered
Optional Protocol to the ICCPR	Ratified	
Second Optional Protocol to the ICCPR, on the death penalty	Ratified	
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified	Entered
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratified	Entered
Optional Protocol to CEDAW	Ratified	
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Ratified <sup>art.14</sup>	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Ratified <sup>art.22</sup>	
Optional Protocol to CAT	Signed	
Convention on the Rights of the Child (CRC)	Ratified	Entered
Optional Protocol to the CRC on children in armed conflict	Signed	
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratified	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families		
International Convention for the Protection of All Persons from Enforced Disappearance		
Rome Statute of the International Criminal Court	Ratified	
Convention Relating to the Status of Refugees	Ratified	Entered
Protocol Relating to the Status of Refugees	Ratified	Entered
The Four Geneva Conventions	Ratified	
Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts	Ratified	Entered
Protocol II to the Geneva Conventions relating to the	Ratified	

Protection of Victims of Non-International Armed Conflicts		
Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem	Ratified	

#### Compliance with Reporting Obligations

Total Overdue Reports – 3	Up to 5 years overdue	5-10 years overdue	10 years or more overdue
4 <sup>th</sup> periodic report on the ICCPR	1		
17 <sup>th</sup> and 18 <sup>th</sup> periodic reports on the CERD	1		
3 <sup>rd</sup> periodic report on the CRC	1		

#### Cooperation with the Special Procedures

Extension of a standing invitation	Outstanding Visit Requests (Year requested)	Forthcoming Visits (dates if available)	Missions carried out between May 2006 and April 2007
Yes	None		Special Rapporteur on violence against women (July 2006)

## **ANNEX 1: INFORMATION ABOUT INTERNATIONAL TREATIES AND THE SPECIAL PROCEDURES**

### **Ratification of International Treaties** (information correct as at 23 April 2007)

Information on ratifications and reservations/declarations of United Nations treaties is sourced from UN Treaty section: <http://untreaty.un.org>. All reservations and declarations entered by states which have not been withdrawn are noted in this document, with the exception of declarations made under the Optional Protocol on children in armed conflict to the Convention on the Rights of the Child. Under Article 3(3) of the Optional Protocol states parties are required to make a declaration regarding the age at which national forces will permit voluntary recruitment as well as the steps that states will take to ensure that such recruitment is never forced or coerced. Thus any declarations noted in this document under that Optional Protocol relate to other declarations entered by the state concerned.

Declarations made under Article 22 of the Convention against Torture and under Article 14 of the Convention on Elimination of All Forms of Racial Discrimination providing for individual communications are highlighted separately.

### **Compliance with Reporting Obligations** (information correct as at 23 April 2007)

Under the terms of seven of the treaties referred to in this document, states are required to provide periodic reports to the bodies which monitor their compliance with those treaties. This information is sourced from the website of the Office of the High Commissioner for Human Rights: [www.ohchr.org](http://www.ohchr.org). In this document we follow the approach of the OHCHR whereby agreement that two or more periodic reports are to be submitted at the same time counted as one overdue report.

Information on ratification and reservations/declarations of the Four Geneva Conventions and related Protocols is sourced from the website of the International Committee of the Red Cross: <http://www.icr.org/ihl.nsf/CONVPRES?OpenView>.

Information on ratification and reservations/declarations of the Rome Statute of the International Criminal Court is sourced from the website of the International Criminal Court at: <http://www.icc-cpi.int/asp/statesparties.html>

### **Cooperation with the Special Procedures** (information correct as at 23 April 2007)

Information about standing invitations and outstanding requests by the Special Procedures to carry out a visit is taken from the Special Procedures webpage at the OHCHR website – <http://www.ohchr.org>. A state which has extended a standing invitation has made a commitment to facilitating visits by the thematic Special Procedures. An outstanding request to visit indicates that a Special Procedure has sought an invitation to visit, but the state has either failed to provide a positive response or else the visit has been agreed in principle, but no date has been agreed.