

AMNESTY INTERNATIONAL

Public Statement

AI Index: IOR 41/022/2006 (Public)
News Service No: 296
16 November 2006

The Third Committee of the General Assembly must put concern for human rights before politics and vote on the merits of major proposals to strengthen human rights protection before it

The draft **UN Declaration on the Rights of Indigenous Peoples** is the outcome of 11 years of negotiations that bridges a gap in existing human rights standards for indigenous peoples. Some states have suggested further consultation of a text already adopted by the UN Human Rights Council, but Amnesty International believes that the text should not re-opened at this late stage. A small number of countries should not be allowed to undermine a broad international consensus for a strong Declaration. The draft declaration should now be adopted by consensus or, if a few states are unable to join consensus, be put to the vote without further delay.

Secret Detentions. The General Assembly has for too long ignored the abhorrent practice of prolonged or indefinite secret detentions of persons held in connection with alleged terrorist offences. The draft resolution "Inadmissibility of human rights violations through the practice of secret detentions and unlawful transfers while countering terrorism" , brought by the Republic of Belarus is the first specifically to address the issue. Amnesty International believes that the proposed text, is an important contribution to attempts to halt and prevent practices of secret detentions and covert transfers which involve participation of a range of countries in at least four continents. Such practices effectively constitute a form of enforced disappearance. The draft calls for:

- the elimination of practices of secret detentions and unlawful inter-State transfers;
- steps to ensure there are no arbitrary or secret detentions in a state's territory or territories under a state's effective control;
- impartial investigations into such practices; and
- steps to strengthen the legal regime under which foreign services operate on states' national territories, recognizing that they often escape scrutiny.

Amnesty International calls on all member states to seriously consider the proposal on its merits and help ensure that the strongest possible text is adopted.

This year, a range of resolutions have been introduced on country situations in Belarus, Canada, the Democratic People's Republic of Korea, Iran, Myanmar, Uzbekistan, and the United States of America. Amnesty International urges members of the Third Committee to consider all of these on their merits, regardless of political considerations, taking into account the seriousness of the situation, the governments' responsiveness to recommendations by UN human rights mechanisms, and the structures in place to protect human rights and provide accountability for abuses. Tabling a country resolution in the General Assembly is an important means to highlight human rights problems and making recommendations to improve the human rights situation in that country. The draft resolution 'Promotion of equitable and mutually

respectful dialogue on human rights", also brought by Belarus, and by Uzbekistan, seeks to avoid 'politically motivated and biased country-specific resolutions'. The draft underlines the importance of human rights dialogue and cooperation among states. However, no text should be adopted by the General Assembly which in any way limits its capacity to address human rights violations in any country.

Background

The Third Committee of the General Assembly, which deals with human rights issues, is considering the following draft resolutions dealing with human rights situations in Belarus (brought by the United States of America), Canada (brought by Iran), the Democratic People's Republic of Korea (brought by the European Union), Iran (brought by Canada), Myanmar (brought by the European Union), Uzbekistan (brought by the United States of America), and the United States of America (brought by Belarus).

In September 2006 the President of the United States of America acknowledged that the CIA had operated secret detention facilities. The exact location of most of these centres, commonly known as black sites, remains unknown, although detainees are known to have been held in secret in Afghanistan, Iraq, Guantanamo Bay and on US Naval ships. There have been reports that the USA operated black sites in Jordan, Pakistan, Thailand and Eastern Europe, as well as in Uzbekistan, Ukraine, Egypt, Morocco, Poland, Romania, and the British Indian Ocean territory of Diego Garcia, although most governments have denied the existence of such sites on their territory.

Airports in the following countries have reportedly been used for the transfer of prisoners held in secret detention: Algeria, Afghanistan, Azerbaijan, Bahrain, Belgium, Canada, Croatia, Cyprus, the Czech Republic, Djibouti, Egypt, Estonia, Fiji, Finland, France, the Gambia, Germany, Iceland, Ireland, Greece, Italy, Israel, Kuwait, Libya, Jordan, Macedonia, Malaysia, Malta, Morocco, the Netherlands, Norway, Pakistan, Portugal, Qatar, Romania, the Russian Federation, Saudi Arabia, Spain, Switzerland, Thailand, Turkey, the United Arab Emirates, the United Kingdom, the United States of America and Uzbekistan.