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**HUMAN RIGHTS COUNCIL**  
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**Written statement submitted by the World Organisation Against Torture (OMCT)**

**In view of the Universal Periodic Review (UPR), OMCT presents a few remarks on States serving a one-year term at the Human Rights Council.**

**African States**

**Algeria**

OMCT is highly concerned with harassment and intimidation acts committed against human rights defenders in the country in 2006, particularly against those fighting impunity. In February 2007, the Algerian authorities prevented an international seminar on enforced disappearances entitled “For Truth, Peace and Conciliation” (*Pour la Vérité, la Paix et la Conciliation*) from taking place, one day after signing the International Convention for the Protection of All Persons from Enforced Disappearance in Paris. International human rights experts and NGO representatives were not allowed to enter the Algerian territory. It should be recalled that in Algeria’s pledged and voluntary commitments presented in view of its candidacy to the Human Rights Council, it stated that it had welcomed NGOs each time they had wished to visit the country.

**Morocco**

OMCT welcomes the measures taken by Morocco to address past abuses and human rights in general, such as the significant changes introduced in the legislation regarding women and children’s rights. However, OMCT remains concerned about allegations of violence committed by security forces notably in the region of El-Ayoun. OMCT invites Morocco to take all appropriate measures to ensure that none of these violations remain unpunished.

**South Africa**

While OMCT acknowledges the significant efforts undertaken by South Africa in tackling human rights violations, it wishes to further encourage the authorities to take active measures in regard to *viligante* justice and mob justice which have been on the increase in response to high levels of crime in general. Furthermore, these high levels of crime have also contributed to severe problems in the criminal justice system, such as the backlog of criminal court cases which in turn has continuously worsened prison overcrowding.

**Tunisia**

Torture and ill-treatment in detention or to extract confession continue to prevail in Tunisia, even though it is a State party to the UN Convention against Torture. OMCT also remains

concerned about the Tunisian authorities' refusal to grant legal recognition to independent human rights organisations that have applied for it over the past years. Moreover, human rights defenders are being subjected to harassment and repression.

## **Asian States**

### **Bahrain**

OMCT welcomes the liberalisation of the regime and the measures taken beginning of 2000 to fight against torture and to promote women's rights. However, OMCT is highly concerned with the new counter-terrorism bill ratified in August 2006. Due to the broad definition of terrorism and other vague terms, human rights organisations fear that this might lead to the criminalisation and limitation of its activities in the country. OMCT wishes to recall that Bahrain has censored NGOs declarations and press releases denouncing human rights violations during 2006. Moreover, many NGOs websites remain inaccessible within the country.

### **India**

OMCT is highly concerned that, although India has signed onto the UN Convention against Torture, it has failed to ratify it yet. While the National Human Rights Commission (NHRC) is now able to visit prisons without prior announcement, it is still not allowed to visit detention places used by the army and the paramilitary forces, nor to investigate into the existence of illegal detention places in states like in Jammu and Kashmir. In this regard, impunity of officials and members of the security forces perpetrating human rights violations remains a critical issue.

### **Indonesia**

OMCT is highly concerned, that although Indonesia is a State party to the UN Convention against Torture, torture is not specifically prohibited in criminal law, which leads to inappropriate punishments handed down to offenders. OMCT expresses its concern over the existing climate of impunity within the country. OMCT therefore reminds Indonesia of its voluntary pledges to fully implement all international human rights instruments to which it is party.

### **Philippines**

In 2006, reports of extrajudicial killings /executions of political opponents, human rights defenders, journalists, lawyers, trade union leaders and communitarian leaders, who are reporting human rights violations committed by the government and the army, have increased dramatically (in Sulu, Luzon Island and in the centre of the Philippines). Although mechanisms have been established in an attempt to investigate into these violations (Task Force USIG and an independent commission), it is feared that these measures will remain superficial.

## **Eastern European States**

### **Czech Republic**

OMCT invites the Czech Republic to fully implement the Concluding comments of the Committee on the Elimination of Discrimination against Women issued in 2006, in particular those regarding the issue of involuntary or coercive sterilization of Roma women. While OMCT acknowledges the significant efforts undertaken by the authorities to fight human trafficking, it calls upon the authorities to adopt the Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

### **Poland**

OMCT condemns the reported unwillingness of the Polish government to cooperate with the European Parliament Temporary Committee's investigations into the alleged use of European countries by the US Central Intelligence Agency (CIA) for the transportation and illegal detention of prisoners supposed to have been tortured or ill-treated in secret detention places. In this regard, OMCT regrets that no special investigation has been launched by the authorities. Furthermore, OMCT is concerned with harassment and defamation campaigns against Lesbian, Gay, Bisexual and Transgender people- LGBT which occurred in 2006.

### **Latin American and Caribbean States**

#### **Argentina**

While Argentina has taken important steps to bring to justice former military and police personnel accused of having committed grave human rights violations during the country's "dirty war", particularly after declaring null and void the Full Stop Law (*Ley de Punto Final*) and the Due Obedience Law (*Ley de Obediencia Debida*) providing since the possibility to prosecute perpetrators of violations committed during the dictatorship, OMCT is highly concerned with the security of witnesses, families of victims and human rights defenders involved in human rights trials who were subjected to threats, harassment and even disappearance in 2006.

#### **Ecuador**

OMCT is highly concerned with the violent repression by security forces of social and indigenous movements in 2006, and the subsequent impunity of the perpetrators. Moreover, OMCT is also concerned about conditions of detention in prisons which fail to meet minimum international and regional standards.

### **Western Europe and other States**

#### **Finland**

OMCT invites the Finnish authorities to fully implement the recommendations of the Committee against Torture (CAT) issued in 2005, in particular those regarding the improvement of prison's conditions.

#### **Netherlands**

OMCT is concerned that State response to terrorism continue to pose challenges to human rights protection in the EU countries. On 14 November 2006, the Dutch Senate adopted two bills on counter-terrorism that will give law enforcement agencies greater investigative and surveillance powers upon an "indication" (as opposed to the higher standard of "reasonable suspicion").