HUMAN RIGHTS COUNCIL ADOPTS OUTCOMES OF UNIVERSAL PERIODIC REVIEW OF IRAQ, THE GAMBIA, AND EGYPT

11 June 2010

The Human Rights Council this morning adopted the outcomes of the Universal Periodic Review of Iraq, the Gambia, and Egypt.

Wijdan Salim, Minister for Human Rights of Iraq, said a national conference would be held to discuss a draft road map for the implementation of the recommendations approved by Iraq. Despite the complexity of the situation and the challenges Iraq was facing, the Government approach was moving towards rooting the rule of law and respect and protection of human rights through a number of measures based on human rights principles and included in the Constitution. The Governmental system had now become strong and capable enough to protect people from torture and involuntary disappearance and the Government had improved a number of procedural reforms. The Iraqi delegation had immediately approved 135 of the 176 recommendations, confirming the positive Iraqi approach in dealing with the various aspects of human rights.

In the discussion on Iraq, a delegation noted that Iraq had experienced a bitter period fraught with violence. Speakers commended Iraq for having accepted the majority of recommendations and welcomed the development of national strategies and policies, including plans for the promotion and advancement of human rights. They also expressed concerns about continued violence against women and religious and ethnic minorities, as well as summary executions and the conditions of Iraqi refugees, among other issues. The Government could do a lot to improve the human rights situation by ratifying conventions and establishing a national human rights institution in line with the Paris Principles.

Speaking in the general debate on the Universal Periodic Review of Iraq were Algeria, Saudi Arabia, Bahrain, the United States, Belgium, Kuwait, Morocco, the United Arab Emirates, and Egypt. Also taking the floor were the following non-governmental organizations (NGOs): the Cairo Institute for Human Rights Studies, Mouvement contre le racisme et pour l'amitié entre les peuples, Human Rights Watch, Canadian HIV/AIDS Legal Network, Charitable Institute for Protecting Social Victims, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale, Al-Hakim Foundation, France-Libertés: Fondation Danielle Mitterand, Institute for Women's Studies and Research, Verein Sudwind Entwicklungspolitik, and Arab Lawyers Union.

Marie Saine-Firdaus, Permanent Representative of the Gambia to the United Nations Office at Geneva, said during the Working Group session, the Gambia was presented with 141 recommendations, 61 of which were accepted, 30 were rejected, and 50 had been deferred for a response during this session and had been considered at the national level. With regard to recommendations on ratifying international instruments, the Gambia was seriously considering the list of outstanding human rights instruments, and would endeavour to ratify/accede to them. Nevertheless, while there was already a moratorium on the death penalty since 1995, the Government did not intend to abolish the penalty now or any time soon. The 1997 Constitution of the Gambia clearly guaranteed the right not to be tortured, and protection against unlawful arrests and detentions, as it guaranteed the independence of the judiciary and the rights of human rights defenders.

In the discussion on the Gambia, speakers recognised the challenges faced by the Gambia in meeting its human rights obligations and encouraged it not to relent in its efforts. Delegations welcomed the support of 61 recommendations and took note of the progress made in following-up most of the accepted recommendations. Nevertheless, the criminalisation of consensual same-sex conduct in the Criminal Code was of serious concern, as were arbitrary arrests. The Government should domesticate international treaties that had been ratified, establish a national human rights institution, issue an open invitation to the Special Procedures, establish a moratorium on executions and abolish the death penalty, and ensure safety of journalists.

Speaking in the general debate on the Universal Periodic Review of Gambia were Senegal, Algeria, the United States and Nigeria. Also taking the floor were the following NGOs: Canadian HIV/AIDS Legal Network, Amnesty International, Verein Suedwind Entwicklungspolitik, and Rencontre Africaine pour la Défense des Droits de l’Homme.

Mufid Shihab, Minister of State for Legal and Parliamentary Councils of Egypt, said over the last months there had been a societal dialogue on numerous human rights issues, including the Egyptian media. The Government had also decided to extend the state of emergency, the Bill on Anti-Terrorism should be adopted soon, and all necessary measures had been taken to ensure the appropriate functioning of the legislative elections for the Parliament Councils. Egypt had accepted 190 recommendations. The national committee had studied the 25 recommendations still under review, and held a consultation in their regard. Egypt accepted 21 out of the 25 recommendations, ranging from total to partial acceptance - this latter was attributed to the fact that sometimes Egypt agreed with the objective of the recommendation, but not with the form of implementation suggested. Some had also not been rejected in principle, but the draft imposed was not acceptable. Some recommendations also went counter to national laws.

In the discussion on Egypt, delegations commended the constructive manner in which Egypt had dealt with human rights issues and observed that progress had particularly been achieved in fighting illiteracy, improving the situation of women and children, fighting trafficking in persons, and improving situation of persons with disabilities. Nevertheless, speakers called on Egypt to end the state of emergency, ensure that replacement legislation complied with international human rights standards, ensure freedom of expression, and invite independent national and experienced international observers to all upcoming elections.

Speaking in the general debate on the Universal Periodic Review of Egypt were United Kingdom, Qatar, United Arab Emirates, Bahrain, Saudi Arabia, Algeria, Indonesia, Oman, Venezuela and the United States. Also taking the floor were the following NGOs: Egyptian National Council for Human Rights, Cairo Institute for Human Rights, Human Rights Watch, HIV/AIDS Legal Network, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale, Al-Hakim Foundation, Democracy Coalition Project, Amnesty International, Human Rights Information and Training Center, and Verein Sudwind Entwicklungspolitik.

The next meeting of the Council will be today at 3 p.m. when it is scheduled to consider the Universal Periodic Review outcome of Bosnia Herzegovina. It will then hold a general debate on the Universal Periodic Review.

Universal Periodic Review of Iraq

WIDJAN SALIM, Minister for Human Rights of Iraq, said the report was submitted under the Universal Periodic Review mechanism in February, and many recommendations and questions were raised in various fields regarding the human rights situation in Iraq. This expressed growing awareness of the universality and interaction of human rights. A national committee had been established for the follow-up and implementation of the recommendations. A national conference would be held in September to discuss a draft road map for the implementation of the recommendations approved by Iraq. The Human Rights Action Plan would be made to coincide with the National Development Plan. New projects in the Action Plan would give new perspectives on human rights in all Governmental institutions. Despite the complexity of the situation and the challenges Iraq was facing, especially in countering terrorism, the Government approach was moving towards rooting the rule of law and respect and protection of human rights through a number of measures based on human rights principles and included in the national Constitution. There were some voices trying to politicise human rights and use them as political conflict tools.

The Iraqi Governmental system, concerned with monitoring human rights, had now become strong and capable enough to protect people from torture and involuntary disappearance. This was supported by analytical will and a judicial system ready to take stringent actions against wrongdoers and to bring them to justice. The Government had improved a number of procedural reforms in order to unify data on various freedom-depriving institutions, and there would be a comprehensive system to improve transparency in dealing with these issues. The Iraqi delegation had, during the review, immediately approved 135 recommendations of the total 176, confirming the positive Iraqi approach in dealing with the various aspects of human rights. Some of the recommendations had been rejected or only taken note of because they were inconsistent with the current political and legal phases of Iraq. They would remain on hold as Iraq tried to prepare the ground for their acceptance as early as possible.

BOUALEM CHEBIHI (Algeria) said Algeria welcomed the importance Iraq had given to the Universal Periodic Review process. Algeria commended Iraq for having accepted the majority of recommendations made to it and said the Government’s commitment to human rights had become clear.

ABDULWAHAB ABDULSALAM ATTAR (Saudi Arabia) thanked Iraq for its statement, which highlighted the Government’s position on the recommendations and clearly reflected that Iraq accepted most of the recommendations. Iraq’s cooperation with all human rights mechanisms and procedures, and its readiness to continue international cooperation and dialogue, clearly demonstrated the Government’s attention to human rights, as well as its keenness to implement all human rights despite the difficulties encountered. Saudi Arabia called upon the Iraqi Government to continue its efforts and wished it well for continuing these.

MUNA ABBAS RADHI (Bahrain) expressed Bahrain’s appreciation for the positive steps Iraq had been taking to implement the recommendations from its Universal Periodic Review process and report. Bahrain also welcomed the commitment of the Government of Iraq to the promotion and protection of human rights, and the ensuring of cultural rights, despite the difficulties facing the country. Bahrain welcomed the progress and commitment to protecting the rights of women, including their greater participation in public life. Finally Bahrain recommended that the Council adopt the report on Iraq.

JOHN C. MARIZ (United States) said the United States commended Iraq’s efforts to strengthen national human rights institutions and promote a culture of human rights. The United States welcomed the development of national strategies and policies, including plans for the promotion and advancement of human rights and the plan on human rights education. The United States strongly supported the recommendations with respect to the protection of journalists and the promotion of freedom of expression. The United States shared the concerns about continued violence against women and religious and ethnic minorities. The United States noted Iraq’s efforts to improve conditions in prisons and detention centres and to address impunity, and welcomed the efforts to empower judicial and other authorities to monitor conditions and investigate allegations of torture and abuse.

XAVIER BAERT (Belgium) said the Universal Periodic Review process allowed all interested delegations to hold a direct dialogue with the Iraqi authorities, examine the challenges faced by the country in the field of human rights, and formulate concrete recommendations aiming to overcome these as rapidly as possible. Belgium had been profoundly shocked to hear of the assassination of two of the members of the Iraqi delegation who came to Geneva last February, as well as the attempted assassination of a third, and hoped an investigation had been launched. Belgium was pleased that Iraq had accepted 135 of the 176 recommendations. However, it was disappointing that the recommendation on a moratorium on the death penalty with a view towards future abolition of the penalty had not been accepted. The voluntary commitments taken were appreciated, and Belgium encouraged the authorities to move forward rapidly in the implementation of all the recommendations.

DHARAR ABDUL-RAZZAK RAZZOOQI (Kuwait) said the statement represented the continuing efforts by Iraq to consolidate human rights, despite the recently-faced challenges. Iraq had experienced a bitter period fraught with violence and contradiction. The Iraqi Government and people had been subjected to a dictatorial regime for years on end, violence had been perpetrated without any trials or verdicts, and there had been summary executions. It was now a matter of disseminating the human rights culture and of opposing Saddam Hussein's dictatorship and the sequels thereof. Kuwait could help Iraq disseminate the culture of human rights, and pick up on old challenges threatening Iraq's unity. Iraq had given full consideration to the recommendations on the respect for human rights and international law, and Kuwait agreed fully with the recommendations.

MOHAMED ACHGALOU (Morocco) said Morocco fully supported Iraq’s efforts aimed at achieving the consolidation of human rights achievements. The Government’s full recognition of the need for national unity, as well as the fact that Iraq had accepted the majority of recommendations, showed that the country was taking the necessary efforts under the Universal Periodic Review. Morocco praised the support that Iraq had shown to implement the recommendations, including those of Morocco, and was ready to assist Iraq in this endeavour as required.

OBAID SALEM SAEED AL ZAABI (United Arab Emirates) fully supported Iraq’s endorsement of the recommendations which showed the Government’s commitment to human rights. Iraq was currently undergoing changes which showed that the Government wished to lay down human rights principles in the country. It was noted that Iraq continued to cooperate with the United Nations missions in the country and that the achievements made were a step forward in terms of realizing and consolidating human rights.

HISHAM BADR (Egypt) said Egypt congratulated the delegation of Iraq on the submission of the outcome report on the Universal Periodic Review, and the replies provided by the Government on comments addressed to it last February. Egypt noted the spirit of cooperation and openness in Iraq’s communication with the Council, and this was the evidence of the political will of Iraq to address the human rights situation in the country. As the Council prepared to adopt the report, Egypt said it should support the efforts of Iraq. Egypt put on record its appreciation for Iraq accepting the majority of recommendations and for the constructive dialogue it had with many stakeholders, including civil society actors. Egypt welcomed the development of the five year national plan for the promotion and advancement of human rights. Egypt was confident of Iraq’s commitment to the improvement of the situation of its citizens and called on the international community to support Iraq’s efforts to that effect.

JEREMIE SMITH, of Cairo Institute for Human Rights Studies, said that there was a severe lack of progress on the improvement of the condition of Iraqi refugees, especially in neighbouring countries. In Syria, they lived under harsh conditions and struggled to obtain adequate food, housing and health care. The Iraqi and United States Governments shared responsibility for ensuring the basic humanitarian needs of those refugees and their reintegration into Iraq. Iraq remained one of the most dangerous countries in the world for journalists. Access to clean drinking water required urgent attention, since 60 per cent of the population still did not have sufficient access.

GIANFRANCO FATTORINI, of Movement against Racism and for Friendship among Peoples, said the first Universal Periodic Review of Iraq had not been fully objective, as established rules did not allow to take into consideration the violations of fundamental freedoms, rights and responsibilities of the occupying power that was carried out under a false pretext, a fundamental violation of human rights. It was surrealistic to participate in the debate that focused on obligations, duties and policies by a Government in a country that suffered from chronic instability. Evil had been chased away, but for what purpose? The Government could do a lot to improve the situation of human rights in the country, by ratifying conventions, cooperating with the Office of the High Commissioner for Human Rights, and establishing a national human rights institution in line with the Paris Principles. The results in four years should be positive, and the Government should take the necessary steps to fulfil its obligations in line with the Fourth Geneva Convention.

PHILIPPE DAM, of Human Rights Watch, said the Government of Iraq had stated that it supported most of the recommendations on various issues including arbitrary detention, torture and inhuman treatment of detainees, violence against vulnerable groups, the plight of internally displaced persons and abridged freedom of expression. The real test would be how and when the authorities implemented them. The Government should complete the procedures for ratifying the Convention against Torture, and should move quickly in this regard. It should also commit to fully implementing the Convention on the Elimination of Discrimination against Women as well as repeal articles from the penal code that identified the commission of an offence with "honourable motives" as a mitigating excuse. Violence against women and girls across Iraq remained a serious problem. Honour killings remained a serious threat. Human Rights Watch regretted that the Government did not support recommendations that it fully investigate allegations of persecution based on sexual orientation and that it prosecute perpetrators.

JIDE MACAULAY, of Canadian HIV/AIDS Legal Network, commended that Iraq had accepted the recommendations on extrajudicial killings of persons based on their sexual orientation. What specific steps did the Government plan to take to fulfil those commitments and end those killings? Canadian HIV/AIDS Legal Network recommended that legislative steps be taken to protect persons from hate crimes on grounds including sexual orientation and gender identity, and that such crimes be vigorously investigated and prosecuted and appropriate support be given to victims and their families.

MARYAM SAFARI, of Charitable Institute for Protecting Social Victims, said broad and systematic human rights violations, affecting all segments and ethnic groups of Iraq’s society, religions and sects, had been witnessed, and the impacts of such crimes were still visible today through the victims. Nowadays, the Iraqi population still suffered from internal wars, the negative effects of international sanctions, as well as problems resulting from occupation, chaos, and unsuitable economic and social conditions. The Government was asked to pay greater attention to the most vulnerable segments of society and to activate plans aimed at improving the economic situation in order to reduce poverty and inequality.

MICHELINE MAKOU DJOUMA Organisation pour la communication en Afrique et de promotion de la coopération économique internationale (Ocaproce International), said the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale was pleased by commitments Iraq made to implement the recommendations from its Universal Periodic Review process and outcome report. The Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale noted the relevant concerns expressed by a number of States with regard to school drop out rates and illiteracy. It was very pleased that this country that had suffered wars and conflicts, made such important commitments to improve the situation of its people, particularly women and children. The Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale welcomed the progress made in gender equality and participation of women and encouraged Iraq to implement their economic, social and cultural rights.

ABDUL AMIER HASHOM, of Al-Hakim Foundation, in a joint statement, welcomed the delegation of Iraq and said that the human rights situation in Iraq was clearly showing progress, particularly since 2003, when systematic human rights violations had been committed. The results of those crimes were still evident today, such as mass graves. Al-Hakim Foundation reminded the Council of the catastrophic wars waged by the previous regime, both international and nationally. Al-Hakim Foundation hoped Iraq would reconsider the recommendations on which it had made some reservations and asked the Government to pay more attention to women, particularly widows.

ORETTA BONDITTINI DI POGGIO, of France Libertés – Fondation Danielle Mitterrand, said it was widely recognized that Iraq had been and unfortunately still was suffering from extensive violations of human rights. The Council should pay attention to the humanitarian urgency of Camp Ashraf. The report included a recommendation to ensure that all abuses against ethnic, linguistic or religious minorities were duly investigated and prosecuted, including in the context of the examination of the situation of the residents of Camp Ashraf. Last July there was an unprovoked deadly attack on the camp that left eleven residents killed and several hundred wounded, and a virtual blockade had been imposed on the camp. The Government and the delegation today should address the concerns of the United Nations and assure the Human Rights Council that the restrictions on the camp would be lifted and that the residents would be treated consistently with Iraq's international law obligations and commitments.

SALIMEH DAREMI, of Institute for Women's Studies and Research, said since the 2003 invasion, between one to two million Iraqis had abandoned their country, and approximately another two million and eight hundred thousand of them had become homeless. In these conditions, the refugees' efforts for enjoyment of a dignified life in conditions where they needed to find money for food, clothing, training and education and health care were increasing and reaching critical conditions. A large number of refugees did not have proper jobs and did not enjoy legal residency rights. As the formerly occupying nation that still had a formidable military presence in the country, the United States was directly accountable for the crisis, and therefore Washington had the responsibility to make extra efforts to resolve this human rights crisis. The Obama administration should play a key role in implementing a comprehensive plan to provide answers to the homelessness crisis in Iraq.

HASSAN NAYEB HASHEM, of Verein Sudwind Entwicklungspolitik, said the protection of minorities and refugees should be strengthened with a comprehensive mechanism aimed at providing assistance to returning populations. Further, all Iraqi citizens should be able to participate in the next elections in a more safe, fair and transparent manner, and legislative and practical protections for human rights defenders, as well as human rights and basic economic assistance needed to be improved. An effective and inclusive process to follow-up the Universal Periodic Review process would contribute to these goals.

HASSAN ALKHAZRAJI, of Arab Lawyers Union, said five months had elapsed since the Universal Periodic Review on Iraq. However, the situation on the ground continued to deteriorate and was marked by the absence of an independent judiciary due to Government interference, long delays in charging detainees, and the fact that almost all detainees continued to be denied their rights to a fair trial. Also, despite requests for country visits under the Special Procedures, no invitations had been made. Iraq had accepted to ratify treaties but rejected the most substantive demands, including stopping torture, thus making a mockery of the Universal Periodic Review.

WIDJAN SALIM, Minister for Human Rights of Iraq, in closing remarks, said that Iraq was not able to take a position on some of the recommendations, because the new Parliament was being constituted at the moment, and said that those recommendations were noted. Iraq expressed thanks and gratitude to all delegations and non-governmental organizations for their statements. There was a strong commitment of the Government of Iraq to make a leap in the promotion and respect of human rights in the next five years, especially after the national human rights institution would be formed. Iraq promised that the recommendations would be taken seriously and that effective policies would be drawn up to implement all those accepted by the Government. Iraq thanked the President and Members of the Council for holding this dialogue and wished them all success.

The Council then adopted the outcome of the Universal Periodic Review of Iraq.

Universal Periodic Review of the Gambia

MARIE SAINE-FRIDAUS, Permanent Representative of the Gambia to the United Nations Office at Geneva, said during the Working Group session, the Gambia had the unique opportunity to share with the whole world the giant strides it had made in protecting and promoting human rights in the Gambia, as well as the problems and challenges encountered in this process. The Gambia was presented with 141 recommendations, 61 of which were accepted, 30 were rejected, and 50 deferred for a response during this session. The 50 recommendations deferred had been considered at the national level. With regard to recommendations on ratifying international instruments, the Gambia was seriously considering the list of outstanding human rights instruments, and would endeavour to ratify/accede to them, and therefore hoped to engage the international community and the United Nations Treaty Bodies for technical assistance in this area. On recommendations on the need to enact legislation and put in place mechanisms and structures to protect and promote women's rights in line with international legal instruments, particularly the protection against all forms of violence, the Gambia had to demonstrate its commitment to the protection and promotion of women's rights, enacted into law the Women's Bill 2009. This latter incorporated the provisions of, among other instruments, the Convention on the Elimination of Discrimination against Women. The new legislation was highly welcomed by the Gambian people as a key step towards protecting and promoting women's rights.

The recommendations on female genital mutilation were discussed with key stakeholders, and the outcome revealed that legislation was not the answer now, but there was an urgent need for continued public education on the dangers of the practice, and a national study. There were also laws already in place to protect children against violence and abuse in all forms. On the issue of juvenile justice, the Children's Act 2005 clearly provided for the adequate protection of children in conflict with the law. There were recommendations for the establishment of a national human rights institution - this had been considered, and the Gambia was happy to report that the possibility of having a separate body or of expanding the mandate of the Office of the Ombudsman was being examined. Regarding timelines for submitting overdue reports, in view of the serious capacity and financial constraints faced by the Gambia, it would endeavour to submit all pending reports within two years, subject to the technical and financial assistance of the United Nations human rights bodies and the international community. There was already a moratorium on the death penalty since 1995, but the Government did not intend to abolish the penalty now or any time soon. The 1997 Constitution of the Gambia clearly guaranteed the right not to be tortured, and protection against unlawful arrests and detentions, as it guaranteed the independence of the judiciary and the rights and activities of human rights defenders. Providing access to free education to all at all levels of education was a long-term process and a challenge, and could only be realised progressively based on the availability of resources, and with the intervention and assistance of the international community.

MAYMOUNA DIOP SY (Senegal) said Senegal had already expressed its appreciation for the will of the Gambian authorities and their commitment towards the promotion and protection of human rights during the interactive dialogue of 10 February 2010. Senegal was quite pleased that the Gambia had received quite favourably a number of recommendations and encouraged the Gambian authorities in their efforts for implementing those. In that work the Gambian Government should be ensured of the full support of Senegal. Senegal reiterated its commitment to the promotion and protection of human rights.

IDRISS JAZAIRY (Algeria) said during the interactive dialogue Algeria had subbmited some recommendations to the Gambia. Algeria appreciated very much that the Gambia had already at that time accepted three of the four recommendations and that it now favourably considered the fourth recommendation. More generally, Algeria recognized the progress made by the Gambia in following-up most of the recommendations already accepted at the Working Group meeting. It had made progress despite the lack of adequate human and financial resources, which was a clear indication of its commitment to human rights. Nevertheless, the Gambia faced significant challenges and the assistance of the international community was crucial. Algeria wished the Gambia success in the implementation of the recommendations it had accepted.

JOHN C. MARIZ (United States) congratulated the delegation of the Gambia on the adoption of its Working Group report and welcomed the Gambian Government’s support of 61 recommendations made at its Universal Periodic Review, including the recommendation made by the United States to intensify law enforcement efforts against traffickers, incorporate anti-trafficking into standard police curriculum, increase efforts to rescue trafficking victims and provide appropriate support to those individuals. The United States strongly urged the Government to reconsider its decision to not support other recommendations, particularly the one related to taking action to combat violence based on sexual orientation and gender identity and repeal all provisions criminalising sexual activity between consenting adults.

MOHAMMED HAIDARA (Nigeria) congratulated the Government of the Gambia for its active participation in the Universal Periodic Review process which was an indication of its readiness to continue to engage the Human Rights Council. Nigeria recognised the challenges faced by the Gambia in meeting its human rights obligations and encouraged it not to relent in its efforts but to see to the implementation of the recommendations accepted as a means of improving the enjoyment of human rights by its people. Nigeria wished the Gambia success in their future endeavours and recommended that the Council adopt the report of the Gambia.

JIDE MACAULAY, of Canadian HIV/AIDS Legal Network, said an issue of serious concern related to the criminalisation of consensual same-sex conduct in the Criminal Code, which was punishable by up to 14 years imprisonment. Arbitrary arrests had taken place, and homosexuals were threatened with beheading. This violated the right to privacy and non-discrimination. It also undermined HIV/AIDS prevention efforts by driving homosexuals underground. The provisions criminalising consensual sexual activity between adults should be repealed, and violence committed against any person, including for the reason of their gender or sexual identity, should be prosecuted and vigorously condemned.

CATHERINE BEVILLACQUA, of Amnesty International, said the Government of the Gambia should urgently implement recommendation 24, which highlighted the need to investigate reports of human rights violations committed by the police, the army, and the National Intelligence Agency, and bring perpetrators to justice. The Government should also domesticate international treaties that had been ratified, establish a national human rights institution, issue an open invitation to the Special Procedures, establish a moratorium on executions and abolish the death penalty, investigate and punish cases of unlawful arrest and detention, torture and other ill-treatment and enforced disappearances, strengthen the independence of the judiciary, and protect human rights defenders.

HELMUT PRANTNER, of Verein Sudwind Entwicklungspolitik, said any harassment and intimidation of media institutions had to cease by Gambian law itself, irrespective of the acceptance of recommendations. The safety of journalists was particularly critical as they provided a necessary and self-organising corrective to improve internal communication. Therefore, strong legal and practical action needed to be taken to keep the freedom of expression robust. Furthermore, merely “discouraging” female genital mutilation was not enough as innocent beings were harmed in irredeemable ways - the Government should outlaw that practice and educate women and men to make the best decisions for a healthy society.

BIRO DIAWARA, of Rencontre africaine pour la défense des droits de l'homme, in a joint statement with Interfaith International, said the rejection of half of all relevant recommendations by the Gambia showed how timid that country was in cooperating with the Council. It was inconceivable that the Gambia so behaved and that its President issued death threats against human rights defenders and journalists. It was high time for the African Human Rights Commission to seek another country to host that institution and ensure its integrity. Rencontre Africaine pour la Défense des Droits de l’Homme invited the Gambia to review its legislation, combat early enforced marriage, and ensure the safety of human rights defenders, journalists and the independent political parties.

MARIE SAINE-FRIDAUS, Permanent Representative of the Gambia to the United Nations Office at Geneva, in concluding remarks, thanked the plenary, the Working Group and everybody that had participated in the process. The Gambia heard the contributions and the support that were made by speakers today, and thanked countries such as Senegal, Algeria and Nigeria. The Gambia noted the concerns raised by some, particularly by non-governmental organizations, and referred them to the report and the additional information submitted this morning, since those contained adequate explanations. The Gambia reiterated the commitment of the Government to the promotion and protection of human rights of its own and all African people. The Gambia was committed to the process and looked forward to working with the international community, Member States and friends of the Gambia to improve the human rights situation in the country.

The Council then adopted the outcome of the Universal Periodic Review of the Gambia.

Universal Periodic Review of Egypt

MUFID SHIHAB, Minister of State for Legal and Parliamentary Councils of Egypt, said the interaction in February had allowed Egypt to present the situation with regard to human rights, and to listen attentively and with an open mind to all recommendations made, some of which were already being implemented, and this implementation would continue over the next four years. Egypt valued the Universal Periodic Review experience, which had been reinforced by the sustained national process to sustain human rights, and had opened up new avenues of dialogue with partners such as civil society. Over the last months, there had been a societal dialogue on numerous human rights issues. Egyptian media had dealt extensively with the review, and the dialogue had been robust, including Governmental authorities, civil society, and intellectuals in society, and a number of meetings had been held to discuss the review. Egypt had accepted 190 recommendations. The national committee had studied the 25 recommendations still under review, and held a consultation in their regard. There had been some important developments at the internal level in Egypt - the Government had decided to extend the state of emergency, and the decision had included a frank and clear text limiting the state of emergency to facing the threats of terrorism, its funding, or trafficking in drugs. Otherwise, the state of emergency was lifted in other areas. The Bill on Anti-Terrorism should be adopted soon.

In order to set the stage for the legislative elections for the Parliament Councils that would take place this year, all necessary measures had been taken to ensure the appropriate functioning of the elections. Measures were also taken to facilitate the monitoring of civil society in its monitoring of the election procedure. Recently numerous legislative measures had been taken which aimed to improve the protection and promotion of human rights - there was a law on anti-trafficking in persons which had been enacted, for example. Egypt gave the recommendations utmost priority, as it did its national commitments such as submitting reports to the Special Procedures. Egypt accepted 21 recommendations out of the 25 recommendations, ranging from total to partial acceptance - this latter was attributed to the fact that sometimes Egypt agreed with the objective of the recommendation, but not with the form of implementation suggested. Some had also not been rejected in principle, but the draft imposed was not acceptable. Some recommendations also went counter to national laws. At any event, Egypt had always been keen to include a detailed explanation of why it had not accepted some recommendations. Those it had accepted dealt with all the crucial issues, such as freedom of religion and enhancing international cooperation. The process of examining postponed recommendations had been a useful and fruitful experience, and had given some ideas on how to enhance the effectiveness of the Universal Periodic Review.

PETER GOODERHAM (United Kingdom) said the United Kingdom welcomed Egypt’s commitment to improving human rights, as well as its acceptance of 119 recommendations in February, and looked forward to the implementation of those. The United Kingdom called on Egypt to end the state of emergency that allowed for unwarranted derogation of some human rights obligations and contributed towards an environment in which torture continued. The United Kingdom called on Egypt to ensure that replacement legislation complied with international human rights standards and continued to call for an amendment to the Penal Code so as to ensure freedom of expression for journalists, publishers and bloggers.

ABDULLA FALAH ABDULLA AL-DOSARI (Qatar) said the fact that more than 80 per cent of all recommendations had been accepted highlighted Egypt’s will to cooperate with the international community in order to promote and protect human rights in Egypt. Qatar was once again very satisfied with the achievements made by Egypt in the areas of human rights and fundamental freedoms, as well as with everything the delegation had been doing for various countries, including the non-aligned countries in Geneva.

OBAID SALEM SAEED AL ZAABI (United Arab Emirates) said the United Arab Emirates expressed its appreciation and satisfaction that Egypt had accepted most of recommendations. This, more than anything, indicated that Egypt was fully ready to work with the Human Rights Council to achieve its objectives of the promotion and protection of human rights. The achievements made by Egypt deserved the appreciation of this Council. Progress was achieved in many areas of human rights, such as fighting illiteracy, improving the situation of women and children, fighting trafficking in persons and improving the situation of persons with disabilities. Egypt always shared its experiences with other countries and benefited from good practices of others.

MUNA ABBAS RADHI (Bahrain) said Bahrain was satisfied by the effort made by Egypt to implement recommendations from its Universal Periodic Review process this last February. Bahrain commended the efforts of Egypt in the area of human rights and said that Egypt played very important role in the Human Rights Council, and with great degree of transparency. Bahrain fully agreed with the importance of the right to health and health care in all regions of the country and would like to see the dissemination of a human rights culture throughout the country.

ABDULWAHAB ABDULSALAM ATTAR (Saudi Arabia) said the comprehensive statement made by Egypt was welcome. Egypt had accepted the vast majority of the recommendations made, clearly indicating its intention to continue to protect and promote human rights. Egypt had adopted a positive and constructive approach with regard to the Universal Periodic Review, and should be commended at the constructive manner in which it had dealt with human rights issues. The comprehensive policies on the situation of women had led to a number of social initiatives, including drawing up a strategy to eliminate violence against women. Access to basic social services, particularly education and health, were priorities, and Egypt had taken considerable efforts in this regard. Egypt was commended for its efforts to protect and promote human rights in all fields.

IDRISS JAZAIRY (Algeria) said Algeria welcomed the delegation of Egypt, and thanked the delegation for the recent information on the national report since its presentation during the Universal Periodic Review. The excellent role played by Egypt was applauded - major efforts had been made in human rights, in conformity with the report submitted, especially regarding urgently focusing on specific issues. Algeria fully agreed with the process. Egypt had adopted 119 recommendations. This was totally effective, and came within Egypt's active role within the Human Rights Council. Algeria agreed with the attitude with regard to certain recommendations that had not yet been adopted/accepted, and encouraged Egypt to redouble its efforts to commit to human rights in order to meet the specific needs of its society.

DESRA PERCAYA (Indonesia) said Indonesia welcomed the progress Egypt had achieved in the empowerment of women and the protection of their rights, as well as those of children, through the establishment and efforts of the National Council for Women, the National Council for Human Rights, and the National Council for Childhood and Motherhood. The Government’s efforts to initiate new legislation aimed at combating human rights and hold perpetrators accountable were highly commendable. Indonesia also welcomed that Egypt had withdrawn its reservation on article 9(2) of the Convention on the Elimination of All Forms of Discrimination against Women and hoped that Egypt would continue to take a similar path to other instruments on an ongoing basis.

YAHYA SALIM AL-WAHAIBI (Oman) said Oman greatly appreciated the high level of cooperation of Egypt with the Universal Periodic Review mechanism. The cooperation of Egypt with the Council had clearly been embodied during the seventh session of the Universal Periodic Review Working Group last February. Oman expressed appreciation for the Government’s determination to follow-up the recommendations which clearly showed the importance Egypt attached to the development of human rights concepts in Egypt. Oman expressed support for continuous efforts made by Egypt and wished it every success.

GERMAN MUNDARAIN HERNANDEZ (Venezuela) said that in its Universal Periodic Review process Egypt had demonstrated its firm will to promote and protect human rights. The review was preceded by ample national consultations and preparation of the national report. Venezuela stressed the success of social policies undertaken by Egypt and welcomed the progress it had made in the empowerment of parts of the population traditionally excluded. Venezuela commended the efforts of Egypt for backing most of the recommendations and encouraged Egypt to continue implementing social policies and finding ways to fight exclusion and poverty.

JOHN C. MARIZ (United States) congratulated Egypt for passing anti-trafficking legislation and appreciated the support for the recommendation to implement programmes to combat child labour. The United States was pleased that Egypt supported the recommendation to review its legislation to complete the abolition of imprisonment penalties for publication offences. The United States was deeply concerned about the killing of migrants on the border with Israel. The United States welcomed the support for the recommendation to revise the definition of torture in Egyptian law and ensure its consistency with the Convention against Torture, and to lift the state of emergency and replace it with counterterrorism law guaranteeing civil liberties. The United States called on Egypt to redress laws and practices discriminating against religious minorities, and to amend the law promoting and protecting the independence of non-governmental organizations.

HOSSAM BARDAWI, of Egyptian National Council for Human Rights, said despite the commitment by the Government in 2005 to end, within two years, the state of emergency, it had been extended again in 2010 for two years. The Council appreciated the limitations placed by law on the scope of implementation of the emergency law, but strongly called for ending the state of emergency and all exceptional procedures associated therewith. The Council expected the Government to announce names and release all detainees, political activists, bloggers and any other citizen detained under the emergency law outside the scope of the new limitations. The Government should expedite the implementation of the principle of citizenship. The Council had also proposed necessary amendments to procedural laws to enhance the rights for the freedom of opinion, expression, and scientific research. The Government should extend an open and standing invitation to all Special Rapporteurs. It was of utmost importance that accepting recommendations by the Government should be followed by proper and prompt implementation.

RAWDA AHMED, of Cairo Institute for Human Rights, said there was concern for the lack of seriousness of the Egyptian Government in its commitment to recommendations, particularly with regard to freedom of expression and opinion. The Government said it did not impede Internet users, however these assertions were inaccurate. Bloggers and Internet activists had been arrested and were in detention still. The Government said this had nothing to do with freedom of expression, but it kept them in jail without charges or trial. The President had promised to remove freedom-depriving sentences in press cases more than five years ago, but this was not the case, showing the Government was not serious in implementing recommendations.

HOSSAM BAHGAT, of Human Rights Watch, in a joint statement with International Federation of Human Rights Leagues, deplored the recent renewal of the state of emergency for two more years and stressed that all administrative detainees, estimated between 5,000 and 10,000 persons, should be immediately charged or released. As a first step, the Government should immediately release individuals detained for peaceful activism and members of the Muslim Brotherhood. Human Rights Watch also remained concerned by the policy of shooting migrants attempting to cross the Sinai border into Israel: since the February session, Egyptian border guards had shot dead at least 12 migrants, bringing the total number of those killed since 2007 to 74.

RAHMA REFAAT, of Canadian HIV/AIDS Legal Network, fully agreed with Egypt’s statement with regards to economic, social and cultural rights. However, Canadian HIV/AIDS Legal Network regretted the non-implementation of some recommendations, which did not live up to the hopes of the Egyptian population. Canadian HIV/AIDS Legal Network was also disappointed by the request made by the United States who had asked for trade union reforms without insisting on the mandatory nature of the Egyptian Federation of Trade Unions, which ran counter to the declarations of other States.

MICHELINE MAKOU DJOUMA, of Organisation pour la communication en Afrique et de promotion de la coopération économique internationale (Ocaproce International), said the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale was pleased that Egypt accepted more than 80 per cent of recommendations. Egypt was an important African country rich in history and civilisation, and the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale was proud about the progress it made in the area of women’s rights and in constructive engagement with the Human Rights Council. The Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale welcomed Egypt’s acceptance of the recommendation to remove its reservation from several articles of the Convention against discrimination of women and requested Egypt to step up its efforts in this area. The Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale believed it was important to ensure that national legislation was in line with international obligations after this Convention would be ratified. The Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale welcomed the fact that Egypt accepted the recommendation to eliminate all forms of violence against women and requested Egypt to develop a comprehensive approach to deal with the increasing number of violations.

ABDUL AMIER HASHOM, of Al-Hakim Foundation, said the report showed Egypt’s positive engagement and transparent cooperation with the Human Rights Council’s mechanisms, as well as its commitment to comply with its human rights obligations at the national level. Al-Hakim Foundation commended Egypt’s decision to break the blockade of Gaza by opening a border crossing with Israel and in this way improve the humanitarian situation of the population of Gaza. Further work was needed in combating female genital mutilation, in terms of educating parents, particularly in rural areas. Also, religious authorities must reaffirm that this practice was not rooted in Islam.

AHMED SAMIH, of Democracy Coalition Project, said in March of this year the Independent Human Rights NGO Forum launched the 100 Days Campaign to monitor the Government's commitment to fulfil its recommendations. During this time, the Government had taken no serious steps to seriously implement these recommendations. Despite accepting the right of non-governmental organizations (NGOs) to observe and monitor elections and to allow for freedom of assembly and association, 300 supporters of various candidates had been arrested during the recent Shura Council elections, and NGOs were not allowed to perform a monitoring function. Egypt accepted several recommendations regarding freedom of religion and belief, but there had been no serious effort by the Government to stop the violent and discriminatory incidents on Coptic Christians, and the Government should engage with the Universal Periodic Review process on a national level with the same type of seriousness as it did in Geneva.

MARIANNE LILLIEBJERG, of Amnesty International, said during the Universal Periodic Review, Egypt claimed to have implemented a recommendation to guarantee the exercise of freedom of expression, association and peaceful assembly, and the right to participate in public life and politics. These rights were, in reality, limited under the state of emergency. Amnesty International frequently documented the use of emergency powers to arrest and detain political activists. Egypt also claimed to have implemented a recommendation to provide for a free and independent media, and another to ensure laws and practice comply with the International Covenant on Civil and Political Rights, including for bloggers. In practice, peaceful exercise of freedom of expression in Egypt remained subject to severe sanctions. The Egyptian authorities should truly uphold their international human rights obligations.

MOHAMED ZAREN, of Human Rights Information and Training Centre, thanked Egypt for having accepted recommendations that would allow improving the human rights situation in the country. However, torture should be well-defined in Egypt and must be considered as a crime. As far as the state of emergency and ordinary laws were concerned, several States had stipulated vast laws regarding public assembly and torture. More information should also be given on fair trials with regards to death sentences. Human Rights information and Training Centre also encouraged Egypt to adopt a law on places of worship and to promulgate a law on blogs, which should be implemented in cooperation between the Government and human rights organizations.

SHOLEH ZAMINI, of Verein Sudwind Entwicklungspolitik, urged the Government of Egypt to invite independent national and experienced international observers in all upcoming elections. Egypt should also consider further training of law enforcement officials, judges and policy officers in the area of human rights. Verein Sudwind Entwicklungspolitik further urged Egypt to remove all reservations to the Convention on the Elimination of all Forms of Discrimination against Women; the social and economic development of a country was highly dependant on the empowerment of women.

MUFID SHIHAB, Minister of State for Legal and Parliamentary Councils of Egypt, in concluding remarks expressed thanks and appreciation for the statements and comments made by States and human rights organizations. Egypt welcomed criticism and recognised that mistakes had been made and said it was working on making improvements and moving ahead with the improvement of the human rights situation in Egypt.

While accepting the criticism, Egypt did hold it against those who made inaccurate statements. The United Kingdom asked what partial acceptance of recommendations meant and Egypt said this meant they were accepted and that this information was included in the clarifications it had already provided. A number of comments were made on the emergency law and Egypt indeed had made promises in February to put an end to the state of emergency. Egypt was deeply committed to ending the state of emergency, and it would be done as soon as the anti-terrorist law was enacted. There was a delay with the passing of the law because it was complicated and extensive. The state of emergency would only be applied to drug trafficking and terrorism, which already represented an important reduction to the state of emergency. Special powers given to governors had been removed as well. Egypt appreciated and recognised that the state of emergency was temporary and that normal laws were needed to combat terrorism. The Ministry of the Interior had recently released over 400 detainees who were not within the new scope of emergency. Some speakers said there were detainees because of their practicing their right to freedom of expression. They were detained because they committed crimes under the penal code. There were over 30,000 human rights-related bloggers in Egypt and they could write anything they wanted.

Turning to comments related to the lack of progress in the promotion of human rights since February, Egypt said that a number of consultative meetings were held with civil society organizations in April and May, and a legal committee had been set up to work out the definition of torture which would be in line with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Egypt had also established a committee that was reconsidering a number of texts governing establishment of associations and civil society organizations in order to give them greater independence. There was also a law to combat trafficking in persons and Egypt had received several visits by Special Procedures over the past several months. Egypt was not perfect, but had a huge commitment to improving the human rights situation and had already started preparing groundwork to establish a national mechanism to deal with recommendations that were accepted. This mechanism would be composed of different sections of the government and civil society and there would be more consultations with national and international organizations and more campaigns by the mass media to give momentum to the culture of human rights in Egypt.