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Human rights situations that require the Council's attention

Written statement* submitted by the Organization for Defending Victims of Violence (ODVV), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 August 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Human rights situations that require the Council's attention

Unfortunately the bitter truth is that just as much as international human rights principles (regardless of place, gender, race and religion, and based on human dignity that require respect and observation) have been accepted by a significant part of all states of the world and thus become universal, human rights are violated to the same extent in all corners of the world, regardless of development levels, political systems and human rights commitments.

As a nongovernmental organization active in various human rights fields the ODVV wishes to draw the attention of public opinion towards a number of instances of human rights violations around the world, particularly countries that lay claim to custodianship and promoters of human rights.

The United States of America and human rights

Although over the recent months, America's human rights violations outside of its borders have been more evident (particularly in regions with US military presence), nonetheless still, within the United States, nongovernmental human rights advocate organizations concerns are growing on social trends and even the legalisation of discrimination. As Human Rights Watch has stated, one of these is the immigrants' debate and how they are treated.

On this basis The US Supreme Court's decision to uphold part of Arizona's immigrant law puts immigrant families in Arizona and other states at greater risk of abuse from local authorities. The June 25, 2012 ruling in *Arizona v. United States* overturned several sections of the Arizona law, commonly known as SB 1070, stating that they are pre-empted by federal law. But it left intact a section requiring police to attempt to verify a person's immigration status if they have "reasonable suspicion" that the individual is in the country without authorization.

According to HRW, the court's ruling on the law's "reasonable suspicion" provision focuses on a narrow legal issue and does not foreclose other challenges to this provision. But this ruling could have immediate serious implications for immigrant communities and may encourage other states to adopt similar legislation. In a positive move, the court struck three other sections that would have criminalized unlawful presence and unauthorized work.

The International Convention on the Elimination of All Forms of Racial Discrimination, which the United States ratified in 1994, requires federal, state, and local governments to ensure that their immigration policies do not have the effect of discriminating against people on the basis of race, colour, descent, or national or ethnic origin. Even in cases in which specific police officers show no intent to discriminate, if their actions have discriminatory effects, the government is in violation of the treaty.

Furthermore according to another report from an American NGO:

The Department of Homeland Security Immigration and Customs Enforcement detained nearly 400,000 people last year; more than double how many people were in its custody four years ago. The growth is largely due to increased collaboration between federal immigration agents and state and local law enforcement officials, including programs such as Secure Communities. People in immigration detention face numerous obstacles to defending their due process and human rights, including inadequate access to lawyers and medical care.

As stated earlier, human rights violations by the United States in conflict regions have always existed in the past years and with the indifference of the country's high officials

these trends have grown. It seems as if they think for the protection of America's national security, as they define, any measure taken outside of the country is legitimate. The rise in the number of US drone attacks and as a result a rise in the number of civilian deaths and injuries in these blind attacks is one of the subjects that is a concern for the ODVV. The intensity of the cases of human rights violations is so serious that even former US President, Jimmy Carter has said: "United States is abandoning its role as the global champion of human rights..." "Instead of making the world safer, America's violation of international human rights abets our enemies and alienates our friends." The number of these attacks as the New America Foundation estimates that in Pakistan alone 265 drone strikes have been executed since January 2009. These strikes have killed at least 1,488 people and unfortunately in all these attacks civilians or those that have been thought to be militants but weren't have been killed, and the only thing the US government has done is said that it will look into them.

Human Rights situation in the Palestinian Occupied Territories

We associate ourselves with The United Nations Special Committee on Israeli Practices in the Occupied Territories which has expressed serious concern about the treatment of Palestinian children in detention by Israeli security forces, and warned that a pattern of detaining and mistreating children "links to broader, longstanding concerns regarding Israel detention of Palestinians generally".

According to the Committee's report, "Witnesses informed the Committee that mistreatment of Palestinian children starts from the moment of detention," said Ambassador Palitha T.B. Kohona, Permanent Representative of Sri Lanka to the United Nations in New York, and Chairperson of the Committee, at the end of a fact-finding visit to Amman, Cairo and the Gaza Strip.

Ambassador Kohona explained that parents are not allowed to accompany the detainees, and that family members are insulted, intimidated and at times physically assaulted. According to witnesses, the detention and transfer of children can last for hours, and can often include stops in Israeli settlements, Israeli checkpoints and police or military bases.¹

This situation also has been considered by United Nations Special Rapporteur on the situation of human rights in the occupied Palestinian territories, Richard Falk, who has brought the issue under consideration and has declared: "Israel's use of solitary confinement against children flagrantly violates international human rights standards,"

While expressing his outrage that Israel even imposes solitary confinement punitively on child hunger strikers, he has reaffirmed that "Using solitary confinement as a punishment for Palestinian children who wish to peacefully protest their situation, including by commencing a hunger strike against conditions of detention, is an appalling abuse of child prisoners."

"This pattern of abuse by Israel is grave," the Special Rapporteur stressed. "It is inhumane, cruel, degrading, and unlawful, and, most worryingly, it is likely to adversely affect the mental and physical health of underage detainees."²

¹ [http://www.unog.ch/unog/website/news_media.nsf/\(httpNewsByYear_en\)/B950EF51E193EFDCC1257A410037742E?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/B950EF51E193EFDCC1257A410037742E?OpenDocument).

² [http://www.unog.ch/unog/website/news_media.nsf/\(httpNewsByYear_en\)/B956DE74EF2940E0C1257A41004AA7D9?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/B956DE74EF2940E0C1257A41004AA7D9?OpenDocument).

Two final important points

1. Canada's unexpected reaction towards the UN Commissioner on Human Rights report on the handling of the protesters in Quebec and the violation of their rights to association also show a reduction in the nation's take it easy levels, and as stated in the NGOs reports (www.upr-info.org) there were a record 908 recommendations given for the improvement were given to Canada in its first round of the UPR. Canada must realise that the subject of human rights is universal, and there is the possibility of their violations, and more importantly the diversity of views on how to make correct approaches towards a human rights issue.

2. The tragic earthquake in our country Iran showed that the meaning of targeted sanctions imposed by the United States who repeatedly claims that the sanctions solely target nuclear and military sectors, are anything but targeted. In view of America going further than the Security Council sanctions and threatening other countries to follow in suit and impose further sanctions against Iran, which do nothing but affect food, medicine and even infants powdered milk, the result of all of which is what took place after the earthquake, when American and Iranian charity institutions lobbied for days to get Congress to temporarily lift the sanctions against Iran, and only on the condition that the sent aid would be received by Iranian aid NGOs and or the victims themselves.

We hope that the Council will set up a panel on the subject of "sanctions and human rights violations" so that the different aspects of sanctions and the real separating lines between sanctions and their negative effects on all three human rights generations are determined, and also determine how free a hand can countries have in imposing sanctions and applying pressure on others to get their cooperation.
