

## To the House of Representatives

The petition of

. (Signature).....

and ..... Others

### Respectfully requests:

The House's intervention against alleged acts which have breached the right to freedom of thought, conscience and religion, the right to freedom of expression, and the right to peaceful assembly, committed against the Falun Gong by the People's Republic of China (PRC), namely:

1. That New Zealand fulfils its obligations under Article 41 of the International Covenant on Civil and Political Rights ("The Covenant") and General Comment 31 "*The Nature of the General Legal Obligation Imposed on States Parties to the Covenant*" by the UN Human Rights Committee:
  - (i) Writing to the PRC and bringing to its attention the breaches of the Covenant.
  - (ii) Stating that the PRC must afford New Zealand an explanation or other statement in writing within 3 months after the receipt of the communication which clarifies the matter and which should include references to domestic procedures and remedies taken, pending or available in the matter under the terms of Article 41 of the Covenant.
  - (iii) If the matter is not adjusted to New Zealand's satisfaction within 6 months after the receipt by the PRC, the New Zealand Government shall refer the matter to the UN Human Rights Committee by notice given to the Committee and the PRC.

Noting that General Comment 31 states in part:

While article 2 is couched in terms of the obligations of State Parties towards individuals as the right-holders under the Covenant, **every State Party has a legal interest in the performance by every other State Party of its obligations.** This follows from the fact that the 'rules concerning the basic rights of the human person' are *erga omnes*...

...the [UN Human Rights] Committee commends to States Parties the view that violations of Covenant rights by any State Party deserve their attention. **To draw attention to possible breaches of Covenant obligations by other**

**States Parties and to call on them to comply with their Covenant obligations should, far from being regarded as an unfriendly act, be considered as a reflection of legitimate community interest.**

**[Bold added]**

2. That the New Zealand Government and the House lobby on a global scale for a formal international inquiry into the allegations made in this petition as per the recommendations at Chapter J of the *Report into Allegations of Organ Harvesting of Falun Gong Practitioners in China*, David Matas and David Kilgour, 6 July 2006, available at [http:// OrganHarvestInvestigation.net](http://OrganHarvestInvestigation.net).

### **Based on the allegations of:**

#### **No right to freedom of thought, conscience and religion**

The PRC have breached the Falun Gong's right to adopt beliefs of their choice and right of freedom either individually or in community with others, to manifest their belief in observance, practice and teaching, in violation of Article 18 of the International Covenant on Civil and Political Rights.

#### **No right to freedom of expression**

The PRC have breached the Falun Gong's right to seek, receive and impart information and ideas, both orally and in writing in violation of Article 19 of the International Covenant on Civil and Political Rights. The severe restrictions placed on this right by the PRC are not provided by law and not necessary to protect national security or public order.

#### **No right of peaceful assembly**

The PRC have breached the Falun Gong's right of peaceful assembly in violation of Article 21 of the International Covenant on Civil and Political Rights. The severe restrictions placed on this right by the PRC are not provided by law and not necessary to protect national security or public order

**We sign this Petition which deals with...** That New Zealand fulfils its obligations under Article 41 of the International Covenant on Civil and Political Rights (“The Covenant”) and General Comment 31 “*The Nature of the General Legal Obligation Imposed on States Parties to the Covenant*” by the UN Human Rights Committee: ...(as per page 1-2 ).

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