

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **2005 UN Commission on Human Rights: Positive developments at the 61st Session fall far short of correcting the Commission's "credibility deficit"**

Geneva) As the 61st Session of the UN Commission Human Rights drew to a close, member states demonstrated that they *can* rise above national and regional interests to address constructively some serious human rights situations, Amnesty International said today.

"The positive developments at the 61st session, however, fall far short of correcting the Commission's 'credibility deficit' identified by the UN Secretary-General," Peter Splinter Amnesty International's representative at the UN in Geneva said.

Amnesty International welcomes constructive resolutions adopted by the Commission on the human rights situations in Nepal and Sudan and on human rights and counter-terrorism.

"When it looked as though the victims of human rights violations in the Sudanese region of Darfur would be betrayed by political wrangling in the Commission for a second year running, the Commission reached agreement on a consensus resolution that responds to the gravity of the situation."

Following intensive negotiations between the African Group, the European Union and others, the Commission adopted a resolution on Sudan that condemns the widespread and systematic human rights violations in Darfur, establishes a Special Rapporteur to monitor and report on the situation, and calls on the government to investigate the violations, disarm the militias and cooperate with the UN Security Council resolutions, including resolution 1593, which refers the violations in Darfur to the International Criminal Court.

"At the start of the 61st Session, Amnesty International set Nepal as a test case to measure the Commission's willingness and ability to tackle human rights crises."

"The organization welcomes the Commission's resolution adopted by consensus of all 53 Commission members calling on the government of Nepal to reinstate immediately all civil and political rights and to cease all state of emergency-related and arbitrary arrests."

The decision to establish a Special Rapporteur on protecting human rights while countering

terrorism, the widely co-sponsored resolution calling for a worldwide moratorium on executions, the adoption of the Basic Principles and Guidelines on the Right to a Remedy and Reparation, and the request to the UN Secretary-General to appoint a Special Representative to contribute to the strengthening of standards on the human rights responsibilities of companies also figure among the positive outcomes of the 61st Session that Amnesty International welcomes.

"The selectivity and double standards that characterize the Commission's approach to addressing country situations, however, have once again shielded from scrutiny and condemnation serious widespread human rights violations in many other countries such as China, Iraq, the Russian Federation (Chechnya), Turkmenistan and Zimbabwe." Peter Splinter said.

"The Commission made no progress at this session on some important issues, such as sexual rights and human rights violations targeted at persons due to their sexual orientation or identity."

"The highly politicized relationship between Cuba and the USA continued to have a negative influence on the Commission."

Amnesty International considers the approaches taken to addressing human rights in Cuba and the situation of the detainees in the US naval base in Guantánamo Bay, as politically driven -- the bilateral relationship appears to have been the primary consideration for both resolutions.

"The negative consequences of these widely-shared perceptions are symptomatic of an underlying malaise that must be addressed if the United Nations is to be able to effectively address human rights violations in specific countries. They constitute another example highlighting the urgent need for reform of the UN human rights machinery," Peter Splinter said.

Concern about the need to reform the UN human rights machinery formed the backdrop for the 61st session of the Commission, although participants expressed widely diverging views about the nature of reform required. Many statements during the High Level Segment, the Secretary-General's address to the Commission on 7 April and the informal discussion of reform on 12 April were testimony to the importance attached to reform notwithstanding the Commission's over-charged agenda.

"It is of paramount importance that the initiative to reform the UN human rights machinery succeed. A profound reform of the principal UN human rights body and its working methods is necessary to equip the United Nations with a standing body that will oversee effectively the implementation of international human rights standards. Governments must respond positively to the UN Secretary-General's call for bold measures to give human rights their rightful central place in the United Nations."

The 61st Session of the Commission is over. Work on the reform of the UN human rights machinery must start in earnest.

**See:** *UN Commission on Human Rights: Overview of developments at the 61st session, 14 March -- 22 April 2005* <http://web.amnesty.org/library/index/engior410462005>

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