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UN Commission on Human Rights: Where is the reform agenda?

The UN's main human rights body has demonstrated an incapacity and unwillingness to address serious human rights violations, said Amnesty International today as the 60th session of the UN Commission on Human Rights drew to a close. Despite some positive developments, the working methods of the Commission are in urgent need of reform.

"The UN Commission on Human Rights has demonstrated that it must reform itself if it is to fulfil its responsibility to protect human rights and denounce violations wherever they occur," Amnesty International said.

While noting with some satisfaction the resolutions on Belarus and the People's Democratic Republic of Korea and the Chair's statements on Haiti and Nepal, Amnesty International regrets the Commission's failure to address many other serious human rights situations.

The Commission failed to adopt the draft resolutions on China, the Chechen Republic, Zimbabwe and the detainees in Guantanamo Bay.

The Commission turned a blind eye to many countries plagued by systematic violations of human rights.

Countries with serious human rights violations were addressed in Chair's statements or under the agenda for advisory services and technical cooperation, giving the erroneous impression that these problems can be resolved principally by capacity building.

Repeated misuse of the "no-action" procedure prevented discussion of resolutions on China and Zimbabwe.

Discussion of the human rights situation in Israel and the Occupied Territories continued to be dominated by political considerations.

The Commission's complete lack of engagement with the human rights situation in Iraq was a powerful example of its inability to address one of the starkest human rights situations of the day.

"One year after the war, Iraq remains in a difficult transition from a brutal dictatorship that engaged in massive violations of human rights to a government which we hope will respect human rights. Now is the time for the Commission to step in - human rights protection supported by monitoring, assistance and cooperation is of crucial importance to a successful transition," Amnesty International said.

The outcome of the Commission's deliberations on Sudan remains uncertain on this second-to-last day of the session. Amnesty International hopes that the Commission will redeem itself by taking substantial measures in connection with the tragic situation in Darfur

Amnesty International welcomes the decision of the Commission to designate an independent expert to assist the UN High Commissioner for Human Rights in addressing the relationship of human rights and counter-terrorism measures.

"This is a welcome initiative, but the Commission on Human Rights must establish a more proactive mechanism to monitor the global impact of counter-terrorism measures on human rights. It must undertake in-country investigations and interact directly with relevant states," the organization said.

Amnesty International was deeply disappointed at the tone of the discussion on sexual orientation. Harsh and demeaning language was used frequently.

"The Commission once more shied away from defending people who suffer serious human rights violations purely because of their sexual orientation and gender identity. The Commission's own experts have long established that sexual rights are human rights, yet the Commission itself continues to be unable or unwilling to act on these conclusions," said the organization.

Amnesty International was deeply disturbed by the sharp, exaggerated and occasionally personalized criticism with which some governments addressed the Commission's own human rights experts. This suggests a hollow commitment on the part of certain governments to support and cooperate with the Commission's own human rights mechanisms.

On a more positive note, Amnesty International welcomes the importance that the Commission attached to the elimination of violence against women. A substantial number of speakers addressed this issue during the high-level segment. Its resolution strongly condemns violence against women in all its forms, calls on states to eliminate such violence, and mandates the UN Special Rapporteur on Violence Against Women to develop indicators for violence against women and for efforts by states to eliminate it. This is an important concrete step towards achieving greater implementation at the national and local levels of women's right to freedom from violence.

Another positive development is that the Commission addressed corporate responsibility for human rights for the first time and placed it firmly on the Commission's agenda. The Commission acknowledged the need to strengthen standards on the responsibilities of transnational corporations and other business enterprises with regard to human rights.

Amnesty International also welcomes the adoption of the Death Penalty Resolution by a strong majority. This demonstrates the continuing steady progression of international support for the abolition of the death penalty.

At the start of the session, Amnesty International challenged the Commission to reform itself by establishing transparent and objective criteria for selecting the countries it scrutinizes, and by establishing a more effective system for monitoring and evaluating the implementation by States of the Commission's recommendations.

The 60th session of the Commission is nearly over. Yet governments, the UN High Commissioner for Human Rights and her Office and NGOs must now prioritize the implementation of crucial reforms which will allow the Commission to fulfil its mission to promote and protect human rights.

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