

AMNESTY INTERNATIONAL PUBLIC STATEMENT

15 November 2011
AI Index: IOR 41/017/2011

Amnesty International urges members of the General Assembly's Third Committee to consider country situations on merit and vote against any 'No Action Motions'

The Third Committee of the United Nations General Assembly is preparing to consider draft resolutions on human rights in the Islamic Republic of Iran, the Democratic People's Republic of Korea and Myanmar. Amnesty International appeals to Member States to consider these country situations on their merits and reject attempts to deprive the General Assembly of its key role in denouncing human rights violations.

Concerning the Islamic Republic of Iran, the draft resolution before the Third Committee lists the continuing high incidence and dramatic increase in the carrying out of the death penalty in the absence of internationally recognized safeguards, a concern Amnesty International shares. Third Committee action would come at a time when the Iranian authorities are not only discussing several pieces of new legislation which will further restrict basic freedoms, but are also continuing to arrest, imprison and flog lawyers, human and women's rights activists, students, journalists, bloggers, political activists, members of ethnic and religious minorities, trade unionists and film industry workers for the peaceful exercise of their human rights. The Third Committee draft recalls that none of the thematic UN human rights mechanisms has been permitted to visit the country since 2005, despite the standing invitation the Iranian government has issued to them. The Iranian authorities have also publicly stated that the Special Rapporteur on Iran – appointed in February 2011 -- will not be granted access to the country.

Regarding the Democratic People's Republic of Korea, the draft resolution expresses concern over continuing reports of systematic, widespread and grave violations of civil, cultural, economic, political and social rights. The text lists the incidence of, among other violations, torture and other cruel, inhuman or degrading treatment or punishment, including inhuman conditions of detention, public executions, extrajudicial and arbitrary detention; the absence of due process and the rule of law, including fair trial guarantees and an independent judiciary; the imposition of the death penalty for political and religious reasons; collective punishments; and the existence of a large number of prison camps and the extensive use of forced labour. As Amnesty International has highlighted, an estimated 50,000 men, women and children are reportedly held in just one of those camps, the Yodok political prison camp. Yodok is one of six known camps in the country, in which an estimated 200,000 political prisoners and their families are imprisoned without trial or following grossly unfair trials. Inmates, including children, are tortured and forced to work in dangerous conditions.

The draft resolution on Myanmar welcomes the release more prisoners of conscience, and strongly urges the Government to release all others without delay or conditions, including U Hkun Htun Oo, U Min Ko Naing, Ko Ko Gyi, U Myint Aye, and U Gambira -- a call Amnesty International strongly supports. The draft also expresses deep concern at the resumption of conflict, and reiterates calls on the Government to end the practice of arbitrary detention, torture and other ill-treatment, enforced disappearance, sexual violence, and the systematic forced displacement of large numbers of persons. These concerns are consistent with recent reports received by Amnesty International and recall research the organization has published about human rights violations in eastern Myanmar amounting to war crimes and crimes against humanity. Amnesty International therefore regrets that the draft fails to call for an independent, international investigation into grave crimes in Myanmar, toward determining the facts and holding perpetrators accountable. The formation in September of a National Human Rights Commission, acknowledged in the draft resolution, is unlikely to fill this role, given its lack of independence from the government. Furthermore, the country's Constitution codifies immunity from prosecution for officials for past human rights violations.

While the Third Committee is set to consider these three specific situations, no country has a perfect human rights record, and no country should be shielded from public scrutiny of its human rights record. Amnesty International strongly opposes in principle any procedural device, such as "No-Action Motions", that prevent human rights situations from being considered on their merits.

Adopting a motion to adjourn debate on a country under Rule 116 of the General Assembly's Rules of Procedure, a "No-Action Motion" halts discussion on the human rights situation in that country. It prevents the Third Committee from taking specific action to promote and encourage respect for human rights, one of the 'Purposes and Principles' of the UN Charter. Procedural maneuvering designed to prevent serious human rights situations from being considered on their merits should have no place in a Committee charged with promoting and protecting human rights. Should such initiatives be brought in the Third Committee this year, Amnesty International urges all UN Member States to vote against them, as a majority did last year in defeating a "No-Action Motion" on the situation in Iran.

Public Document

For more information please call Amnesty International's Head of Office at the United Nations, José Luis Díaz on +1 212 867 8878 or Amnesty International's press office in London, UK, on +44 20 7413 5566 or email: press@amnesty.org
International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK