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Public Statement

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Human rights for some despite chaotic debate.

(New York) At the close of a human rights debate in increasing procedural disarray, AI challenged governments in the Third Committee of the General Assembly to overhaul its work. "The Third Committee must revamp its work program to create time for serious dialogue with the UN's human rights experts and so ensure that it can effectively tackle the key human rights challenges it faces worldwide", AI said. "In taking up this challenge the Committee must ensure that in future proceedings it will be guided by effective and professional leadership solely devoted to the task and must also answer the UN Secretary-General's call to eliminate repetitive and sterile debates" AI said.

This year's session of the Third Committee - which deals with human rights - was seriously hampered by lack of leadership in part resulting from the prolonged absence of the Chairperson during key debates. The Third Committee deviated into lengthy procedural debates and postponed decision-making on crucial issues until the last moment. As a result, the Committee overran its schedule and rarely engaged in substantive discussion on human rights. Despite notable attempts by some members, the Third Committee failed to address the challenge posed by the Secretary-General in this year's Report on the Implementation of the UN Millennium Declaration, namely that the General Assembly's "Repetitive and sterile debates crowd out the items that really matter" and that its agenda is "crowded with items that either overlap or are of interest to only a few States".

The Third Committee nevertheless took a number of important decisions because of the hard work and commitment by many states' delegations. Amnesty International warmly welcomes two important initiatives by the Netherlands on ending violence against women. The first resolution calls for an in-depth UN study by the Secretary-General, to be completed in two years' time, on all forms of violence against women, identifying best practice and formulating a set of action-oriented recommendations. The second resolution specifically addresses, for the first time in the General Assembly, the elimination of domestic violence against women. It states that neither custom, tradition or religious consideration can be invoked to avoid states' obligations. The resolution calls on all states to make such acts a criminal offence, a provision which some member states clarified they interpret as including marital rape. Both texts were adopted by consensus.

Mexico's most welcome initiative to strengthen the resolution on the protection of human rights while countering terrorism was also successful. The new resolution - regrettably not co-sponsored by Spain which chairs the Security Council's Counter-Terrorism Committee (CTC) - calls for closer cooperation between the CTC and the UN's human rights bodies. It also asks the High Commissioner for Human Rights to produce a study on how the the human rights mechanisms can strengthen their work to address compatibility of national counter-terrorism measures with international human rights obligations. Only India abstained and all other countries including, in a welcome move, the USA, voted for the resolution. Egypt and Sudan were among the many co-sponsors. Amnesty International hopes that the resolution will be a further step towards the creation of a new UN mechanism on human rights and counter-terrorism.

Amnesty International also welcomes the Third Committee's decision to adopt a new country resolution on Iran and, for the first time, Turkmenistan. It also adopted customary country resolutions on Cambodia, the DRC and Myanmar. However, other serious human rights concerns continued to be ignored by the Third Committee, for example, the serious situations in Nepal, Saudi Arabia, and Uzbekistan. Also ignored were the hundreds of detainees in Guantanamo Bay denied all protection of the courts by the US government. Their continued unlawful detention poses a major challenge to the rule of law and respect for fundamental principles of human rights.

Other positive steps were the adoption of substantive resolutions, on human rights defenders as well as particularly timely Brazilian initiatives on the right to the highest attainable standard of physical and mental health and the other on access to medication in relation to HIV/AIDS, tuberculosis and malaria, which only the USA opposed.

Background

The Social, Humanitarian and Cultural Committee is one of the six Main Committees of the General Assembly and deals with human rights issues. It is generally known as the "Third Committee" and the resolutions which it adopts require further adoption by the General Assembly as a whole, which normally sits in December.

Amnesty International wrote to the President of the General Assembly on 6 November 2003 to express the organization's concern at the prolonged absence of the Chair of the Third Committee of the General Assembly whose work is crucial for the promotion and protection of human rights. The organization said that the situation did not reflect the importance which the UN Charter attaches to respect for human rights, one of the purposes and principles of the United Nations.

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