

# AMNESTY INTERNATIONAL

## External Document

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### **Human Rights Council: Secretary General Irene Khan speaks in Geneva on the future of the Council**

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The UN Human Rights Council is one of the key achievements of the UN reform process of 2005.

The Council was created to promote respect for human rights.

But for the last nine months this has been put in cold storage while it focuses on its architecture.

Architecture is important -- it is important that the Council gets it right.

The Special Procedures form an important part of such architecture, which is why NGOs have launched a petition calling for their preservation.

The Special Procedures are at the core of the UN's human rights machinery.

The previous UN Secretary-General described the Special Procedures as the crown jewels of the UN human rights system.

Now, here, we are faced with some governments trying to sell the crown jewels. Which could lead to undermining the independence and effectiveness of the Special Procedures and their ability to respond with flexibility to critical human rights situations and issues.

Governments have taken an approach of working through a " bloc" system. There has been a rigidity to the negotiations based on regional positions.

It has been a politicised process. With the EU on one side, and the OIC and Africans on the other, the risk is that what was good and strong in the UN Human Rights Commission could now be weakened.

The Council's architecture has to be completed by June. The Council needs to ensure it does so.

There is a huge opportunity cost to this process.

Mandate and working methods are not an end in themselves, but the means to bring about effective change. The Council has to stop navel-gazing and look at the world around it.

There are critical human rights situations that are not getting the attention they deserve. For example: Iraq, Guantanamo and Somalia.

But these are only some examples.

There is a real opportunity for the Council to set a new approach towards dealing with critical human rights situations.

The Council must take a truly protection-oriented approach rather than a politics approach.

Let's look at the way the Council began:

- it dithered on Sri Lanka and took no action - with killings and abductions continuing with impunity;
- it was weak on Darfur;
- it was not creative or strategic on Israel and the Occupied Territories.

The Council lacked vision: the same old approaches led to the same old reactions and same old responses.

The lack of a report on Beit Hanoun is no excuse for no action on Darfur.

There is a risk of a downward spiral of tit-for-tat that would leave people exposed with no remedy.

What kind of message is the Council sending to the people of Beit Hanoun? That their suffering is being used to barter away the rights of those in Darfur. And what is the message to the people of Darfur?

The UN Human Rights Council needs to rise above the usual approach of the past.

People are waiting and watching. Public opinion shows that trust in the UN and its member states is at an all time low.

The way in which the Council approaches human rights situations will determine the way in which people will view them.

In my discussion with UN Human Rights Council members they tell me they want a new approach based on cooperation rather than confrontation. AI's response is that cooperation must produce positive human rights outcomes - it is not an excuse to settle on the lowest common denominator.

The credibility of the UN Human Rights Council and indeed of the entire UN is at stake.

We have to remember that the UN Human Rights Council was born out of an incomplete process of the reform of the United Nations.

One Council was created and another one was not fully reformed. The failures and frustrations of one aspect of reform should not be allowed to cast a shadow over the rest. Governments need to take a principled and constructive approach based on human rights in this Council - or they will undermine confidence in the entire UN and that is a dangerous, zero-sum game for all sides.

It is very important for the UN system to restore confidence in itself. Today's discussion may be a technical one on Special Procedures, but it has very important implications not just for the Council but for human rights and the UN.

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