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1999 UN Commission on Human Rights Politics versus human rights

Geneva -- The UN Commission on Human Rights should have the courage once and for all to make human rights and not politics the yardstick of its work, Amnesty International said at a press conference today.

“By putting powerful political and economic interests above their obligation to protect and promote human rights, Commission members have seriously hampered the effectiveness and credibility of the Commission throughout its history,” said Pierre Sané, Amnesty International’s Secretary General.

This has been the case for many years, even when it comes to countries where violations are grave and persistent.

“Victims in places like Algeria, Cambodia, Turkey and the Great Lakes Region of Africa have been let down by governments’ failure to match human rights rhetoric with adequate support for action,” Mr Sané stressed. “The Commission has a duty to ensure such action is taken.”

During this year’s session, Amnesty International will highlight these four examples together with the USA -- where a persistent and widespread pattern of human rights violations appears to disproportionately affect people of racial or ethnic minority backgrounds.

At the 1998 session, the Commission requested its Bureau to undertake a review of its human rights mechanisms and report to this year’s session. Amnesty International welcomes the report’s stated purpose of enhancing the UN’s capacity to promote and protect rights, and its recognition that to do this, the Commission’s mechanisms must be established and operate “free of influence from extraneous political and other considerations”.

Whilst not agreeing with all of the report’s recommendations, Amnesty International fully supports the underlying thrust of strengthening the mechanisms and establishing a follow up procedure to review compliance and implementation of their recommendations. However, this procedure should be transparent and effective.

“Governments should be reminded by the Commission of their responsibility to cooperate fully, and countries refusing to do so should not be allowed to get away with it,” Mr Sané said.

This review of the human rights mechanisms -- while in many aspects a positive step -- may overshadow discussion of actual human rights situations at this session of the Commission, and indeed, be used as an excuse for non-action pending final decisions on the recommendations contained in the report.

“The Commission must act in the spirit of the report, and not allow itself to be paralysed by giving too much time to the details of its recommendations,” Mr Sané stressed. “We should not lose focus of the fact that lives are at stake in many countries.”

In **Algeria**, the government has repeatedly broken its promises to cooperate with the mechanisms of the Commission and has continued to refuse access to the country to the UN Special Rapporteurs on torture and extrajudicial, summary or arbitrary executions. The (UN) Human Rights Committee has expressed concern at the human rights crisis in the country and regretted the government’s unwillingness to provide concrete information about the human rights situation.

“The international community -- and particularly the Commission on Human Rights -- has failed to take concrete action to address the situation in Algeria,” Mr Sané said. “The Commission should appoint a Special Rapporteur, and urge the Algerian government to cooperate with its mechanisms, grant unrestricted access to the International Committee of the Red Cross and international human rights organizations, and implement the recommendations of the Human Rights Committee.”

The authorities in **Cambodia** have ignored the recommendations made by different UN bodies and mechanisms over the last six years. None of the cases reported by the UN Secretary-General’s Special Representative for Human Rights in Cambodia has led to prosecutions. Human rights defenders -- including those working for the Cambodia Office of the High Commissioner for Human Rights (COHCHR) -- have been subjected to death threats, arbitrary arrest and physical attacks by uniformed police.

“The Commission should urge the Cambodian government to tackle impunity -- both past and present,” Mr Sané stressed. “The Commission must also give full political and financial support to the Special Representative and the COHCHR, and insist on full government cooperation to ensure they can go about their tasks without fear or obstruction.”

The Great Lakes Region of Africa (Burundi, Democratic Republic of Congo and Rwanda) is treated by the Commission as three separate situations. However, the cycle of conflict and gross human rights abuses -- and the resulting mass displacements -- have become so internationalized that only a regional approach could have any impact.

“The Commission should request the High Commissioner for Human Rights to convene another extraordinary coordination meeting -- as in 1996 -- to involve the participation of experts of the Commission on the Great Lakes region, and to draw up recommendations to prevent a further deterioration of the human rights situation in the region,” Mr Sané urged.

“The mandates of the Special Rapporteurs on Burundi and the Democratic Republic of Congo must be renewed and their importance reaffirmed, while the mandate of the Special Representative on Rwanda needs to be strengthened by including monitoring of and publicly reporting on the human rights situation. UN human rights field presences should be strengthened in Burundi and Democratic Republic of Congo, and re-established in Rwanda.”

Six years after the (UN) Committee against Torture took the unprecedented step of issuing a public statement on the incidence of torture in **Turkey**, its recommendations have still not been

implemented. In 1995, the Working Group on Arbitrary Detention recommended that Selahattin Simsek be retried in accordance with international standards or released. This has not been done.

At this session of the Commission, the Special Rapporteur on torture and the Working Group on Enforced or Involuntary Disappearances will present their reports on their recent missions to Turkey. Amnesty International calls on the Commission to urge the government to implement all the recommendations of the mechanisms, and those of the Committee against Torture, and end impunity for human rights violations.

Despite its claims to international leadership in the field of human rights and its many institutions to protect individual civil liberties, the **USA** is failing to deliver the fundamental promise of rights for all.

Human rights violations in the USA are persistent, widespread, and appear to disproportionately affect people of racial or ethnic minority backgrounds. Application of the death penalty fails to meet minimum international standards, ill-treatment in detention and police brutality are common across the country, while asylum seekers are increasingly detained without judicial review and are often held in jails with criminals.

“The USA should declare an immediate moratorium on executions with a view to totally abolishing the death penalty,” Mr Sané stressed. “The Commission must also urge the US authorities to fully incorporate into US laws and policies relevant international human rights standards, and then make sure they are enforced.”

Amnesty International will also call on the Commission to:

- Form an intersessional working group to finalize, within a time frame set by the Commission, the text of a strong draft **Convention on Disappearances**.
- Appoint a **Special Rapporteur on Human Rights Defenders** to oversee the implementation of the Declaration adopted by the General Assembly last year, including monitoring the situation of human rights defenders and intervening on their behalf.
- Urge the **Working Group on child soldiers** to adopt 18 years as the minimum age for recruitment into armed forces and participation in hostilities.
- Adopt a resolution calling for the finalization of the **Optional Protocol to the Convention against Torture**.
- Adopt a resolution welcoming the international consensus which prohibits **the death penalty** for persons under eighteen years of age at the time of the crime, and reiterating its call for a moratorium on executions with a view to complete abolition.

ENDS.../
