

2005 UN Commission on Human Rights: Recommendations to the government of Ecuador on the occasion of its election to the Bureau of the Commission on Human Rights

On the occasion of its election to the Bureau of the 61st session of the United Nations (UN) Commission on Human Rights (the Commission), Amnesty International calls on the government of Ecuador to seize this opportunity to demonstrate leadership in the promotion and protection of human rights.

Amnesty International believes that by taking concrete steps to advance the promotion and protection of human rights during its term on the Bureau of the Commission, the government of Ecuador will send a strong signal to the international community about the responsibilities that come with membership of the Commission and will encourage other states to take similar steps and contribute to the promotion and protection of human rights worldwide.

Amnesty International welcomes the fact that Ecuador has ratified all of the international human rights treaties, recognised the competence of treaty monitoring bodies to consider individual communications and undertake inquiries into grave or systematic violations of human rights, and regularly cooperated with the Special Procedures of the Commission, including by extending a standing invitation.

Amnesty International encourages the government of Ecuador to take some or all of the following additional measures:

- Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Ensure full implementation of the human rights treaties to which Ecuador is party;
- Cooperate with the human rights treaty monitoring bodies, including by:
 - Submitting comprehensive and timely reports and presenting any overdue reports, in particular to the Human Rights Committee, the Committee against Torture and the Committee on the Elimination of Discrimination against Women;
 - Implementing their concluding observations, including those of the Committee on Economic, Social and Cultural Rights¹ and the Committee on the Elimination of Racial Discrimination;²

¹ *Concluding Observations of the Committee on Economic, Social and Cultural Rights: Ecuador* (E/C.12/1/Add.100), May 2004.

- Cooperate with the Special Procedures of the Commission, including by providing full and timely response to their communications, in particular urgent appeals, by implementing their recommendations or providing a prompt and detailed explanation of any obstacles to their implementation, and by facilitating the request of the Special Rapporteur on the independence of judges and lawyers to undertake an on-site mission before the 62nd session of the Commission.

Since its creation, the Commission has fulfilled a key role in promoting and protecting human rights worldwide. However, as the UN High-level Panel on Threats, Challenges and Change observed in its report, “[i]n recent years, the Commission’s capacity to perform [its] tasks has been undermined by eroding credibility and professionalism” and “[t]he Commission cannot be credible if it is seen to be maintaining double standards in addressing human rights concerns”.³ Amnesty International considers that it is essential to re-establish the authority of the Commission as the UN’s chief human rights body and to enable it to address human rights issues in all countries at all times and respond effectively to crisis situations. Our organization believes that it is incumbent on each member of the Commission to take responsibility for this and looks to the members of the Bureau to lead by example.

Amnesty International encourages the government of Ecuador to take a leading role in efforts to:

- Ensure that effective promotion and protection of human rights in individual countries from all regions is a central function of the Commission;
- Establish objective and transparent criteria and procedures for the examination by the Commission of the human rights situation in individual countries; such criteria should draw on the experience of the UN High Commissioner for Human Rights and take into account the recommendations by the Special Procedures and the human rights treaty monitoring bodies, and reflect any country’s failure to cooperate with the UN human rights mechanisms;
- Create effective procedures for monitoring and evaluating governments’ implementation of the resolutions and decisions of the Commission and the recommendations of its Special Procedures in order to enhance governments’ accountability for respect for human rights;
- Support adequate funding from the UN regular budget for the human rights programme.

² *Concluding Observations of the Committee on the Elimination of Racial Discrimination: Ecuador* (CERD/C/62/CO.2), March 2003.

³ “*A more secure world: Our shared responsibility*”, Report of the High-level Panel on Threats, Challenges and Change (A/59/565), para. 283.