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The 1999 Commission on Human Rights: a parody of human rights concerns

The gap is widening between the actual human rights situation in any given country and the action taken by the Commission on Human Rights, Amnesty International said today.

“Striking deals and negotiating over human rights have become a standard practice of the Commission proceedings,” the organisation said. “In some cases this year the Commission’s action has been completely unrealistic and irrelevant.”

Despite the widely-acknowledged recent worsening of the human rights situation in **China** -- with the detention of possibly thousands of suspected government opponents during the last year, the continued repression of ethnic and religious minorities, and the imposition of heavy prison sentences to high-profile dissidents -- members of the Commission, and in particular the EU, were passively looking the other way until the third week of the session. In a last minute, face-saving and half-hearted gesture, the United States announced then that it would table a resolution. The lateness of the decision eroded the probability of a strong unified approach, while reducing possibilities to reject the foreseeable no action motion.

In a tried and tested misuse of the Commission’s procedural rules, China again invoked a no action motion, thus denying the competence of the Commission to consider the substance of the resolution.

“It is appalling to note that members of the Commission gave in to Chinese pressure to create double standards. It is paradoxical that China -- which has repeatedly criticized the Commission for its “selectivity and double standards” -- was the only member of the Commission for years blatantly to misuse procedural motions to avoid any discussion of its human rights record,” Amnesty International said.

Again this year, the Commission by its silence effectively sanctioned the continuing human rights violations in **Algeria**, and completely ignored the deliberate and arbitrary killing of more than 200 civilians each month, and the fate of the thousands of people who have “disappeared”.

More than a year after the Algerian authorities’ promise to invite the Special Rapporteurs on torture and on extrajudicial, summary or arbitrary executions, they authorities are still denying them access to the country. Neither UN experts nor international human rights organizations have been able to carry out an investigation into the massive human rights violations since the outbreak of the violence.

“The Commission had a moral obligation to take action on Algeria, in particular those members who do not want to remember their commitment last year to take action in 1999 if government promises of cooperation with the rapporteurs did not materialize,” Amnesty international said.

“Instead of objectively reflecting the human rights situation in the countries under scrutiny, Commission resolutions are increasingly tailored to suit the countries’ wishes -- to such an extent that they are often directly involved in the drafting and approval process,” Amnesty International said.

This seems to have been the case with the resolution on **Nigeria**. Yielding to the political logic of regional group solidarity, the Commission adopted a resolution -- tabled by the African group after close consultation with the country’s delegation -- which praises the Nigerian Government. The text, adopted today by consensus, completely overlooks ongoing serious human rights concerns documented in the report of the Special Rapporteur on Nigeria. These include the lack of judicial independence, special tribunals that fail to guarantee a fair trial, the situation of women’s human rights, detention without trial, and prison conditions leading to deaths in detention.

In its attempts to praise the Nigerian government, the Commission went so far as to commend the “release of all political prisoners and detainees”. However, to Amnesty International’s knowledge, some political prisoners still remain in prison. The Commission decided to stop considering the human rights situation in Nigeria at its future sessions, after the government’s previous rejection of any future role for the Commission and the Special Rapporteur on Nigeria.

“The mandate of the Special Rapporteur on Nigeria was thus concluded and sacrificed on the altar of political entente, in a dangerously premature and irresponsible move,” Amnesty International said, deploring once more the Commission’s inability to have a mid-term strategy.

Since last July, when the government expelled the UN human rights officers, there has been no UN international human rights monitoring presence in **Rwanda**. However, Amnesty International’s information shows that thousands of vulnerable civilians are being deliberately killed by both government forces and armed opposition groups. In addition, deaths in custody resulting from extreme prison overcrowding continue, and impunity for gross human rights abuses prevails, with massacres carried out by the Rwandese Patriotic Army going almost unnoticed. In spite of this evidence of gross human rights violations and of the absence of a monitoring field mission, the Commission failed to strengthen the mandate of the Special Rapporteur to include an explicit monitoring element.

“The Commission prefers to rest comfortably on the assurances of the Rwandese Government that the newly-created National Human Rights Commission will fill the gap left by the departure of the High Commissioner’s Human Rights Field Operation, but the conditions simply do not exist for a national institution to function effectively,” Amnesty International said.

Finally, the Commission failed to address the dramatic human rights situation in **East Timor**, where paramilitaries have killed tens of people in the last two weeks. As talks on autonomy -- with human rights conspicuously absent from the agenda -- are taking place in New York, Commission members have proved unable to face up to the situation and to remind the Indonesian government of its responsibilities.

“At a time when hopes for peace in East Timor are growing, it is particularly disappointing that the Commission has failed to ensure that human rights are given a central place in any peace agreement for the territory,” Amnesty International said.

The report of the Special Rapporteur on **Sudan** on his recent visit to the country documents arbitrary detentions, the targeting of human rights advocates and political, religious and student leaders, torture that in some cases leads to death, total disregard for human rights and humanitarian law by both sides to the armed conflict, the continued recruitment of child soldiers, and the revival and exacerbation of the problem of slavery. The Rapporteur reiterated calls for a permanent United Nations human rights presence in Sudan to, among other things, observe the human rights situation in the country.

“The Commission on Human Rights cannot continue to ignore the realities of human rights violations and abuses,” Amnesty International said.

“During its six-week session, the Commission is provided with ample information from a variety of sources about what is actually happening. Unless action is taken on the basis of that information, the whole process of adopting country resolutions is a waste of time and money.”ENDS.../