

AMNESTY INTERNATIONAL

Public Statement

AI Index: IOR 40/010/2007 (Public)
News Service No: 092
9 May 2007

Citizens of 147 countries appeal to the United Nations to maintain an independent and effective system of human rights experts

A petition signed by more than 12,000 individuals was delivered to the President of the United Nations (UN) Human Rights Council (the Council), Luis Alfonso de Alba, in Geneva today. The signatories include victims of human rights violations, human rights defenders, human rights experts, parliamentarians, national human rights commissioners, and non-governmental organizations (NGOs) from every region in the world. The petition (see text below) calls on the Council to maintain and strengthen its system of independent human rights experts known as the "Special Procedures."

The global petition, sponsored by 17 international and regional NGOs, was formally delivered by the Secretary General of Amnesty International's Canadian Section, Alex Neve. Speaking at the event were: Roberto Garretón, former Special Rapporteur on the Democratic Republic of Congo, Golden Misabiko, human rights activist from the Democratic Republic of Congo, and the Deputy High Commissioner for Human Rights, Ms Kyung-wha Kang. A video message was delivered by Sunila Abeysekera, Executive Director, INFORM, Sri Lanka.

Among the supporters of the initiative are Nobel Laureate Shirin Ebadi; Senator Dick Marty (member of the Parliamentary Assembly of the Council of Europe); Thomas Hammarberg (Commissioner for Human Rights, Council of Europe), Anders Johnsson (Secretary General of the Inter-Parliamentary Union), Sonia Picado (President, Inter-American Institute of Human Rights) and several former Special Procedure mandate-holders, including Diego Garcia Sayan, Sir Nigel Rodley, Peter Leuprecht and Theo van Boven.

The petition has been delivered while negotiations are still underway in the Human Rights Council to review--and potentially reduce the effectiveness of--the system of "Special Procedures", the term used to refer to the UN's independent human rights experts that monitor human rights situations around the world. The review is due to be completed by 18 June 2007.

The review of the Special Procedures has the potential to strengthen the system so that it is better equipped to support the Council in protecting human rights. However, some member states are supporting proposals that would weaken the Special Procedures by

undermining their ability to work effectively, independently and without interference from states.

Such proposals include a draft code of conduct that contains provisions to regulate the Special Procedures' activities and render them less effective. There are also proposals for the election of mandate-holders by governments which could politicize the process. Currently UN Special Procedure mandate-holders are independent from governments both operationally and through their selection process.

The future of those mandates established to consider situations in particular countries/territories, such as the Democratic Peoples' Republic of Korea and Myanmar, is particularly uncertain.

There are 41 Special Procedure mandates. The Special Procedures have long been considered one of the most effective and critical components of the UN human rights machinery. They issue hundreds of urgent appeals and communications each year on behalf of thousands of victims, as well as undertaking on-site visits and reporting publicly on their findings. Through their country missions and studies, they have made recommendations for the improvement of human rights at the national and international levels; they have facilitated a better understanding and encouraged the development of human rights law. They have offered practical guidance and advice to governments that want to better promote and protect human rights.

Their coverage includes: freedom from torture, arbitrary or extrajudicial executions, racism, sale of children, violence against women, right to health, to food and to adequate housing, and protection of groups such as human rights defenders and migrants.

Signatories to the petition are concerned that the current review of the Special Procedures could severely reduce the ability of the UN--in particular the Council--to protect human rights. It is essential to have an effective system of independent experts able to monitor and respond rapidly, and without interference, to allegations of violations occurring anywhere in the world.

To coincide with the presentation of the petition, a collection of testimonies has been published from victims, their family members and human rights defenders detailing the enormous impact that the Special Procedures have had on their lives. The testimonies are a reminder to governments that the negotiations taking place in Geneva have a very direct bearing on the enjoyment of human rights by individuals across the world.

Background information

The Special Procedures were created by the former UN Commission on Human Rights over a period of 40 years. The first country mandate was the Ad Hoc Working Group of Experts on Human Rights in southern Africa, established in 1967 in response to the atrocities of apartheid. The first thematic mandate was the Working Group on enforced or involuntary disappearances, set up in 1980 in response to widespread "disappearances" in Argentina.

Due to their independence, the Special Procedures have been able to develop their own working methods which include undertaking country missions, issuing urgent appeals and communications concerning allegations of violations, studying aspects of their mandates, and issuing public statements and reports. The Special Procedures have been

undermined by the failure of many states to cooperate adequately with them, and by the failure of the former Commission to act upon their recommendations.

THE PETITION

The petition is available at <http://www.actforspecialprocedures.org> and will remain open until 18 June. It reads as follows:

"We, the undersigned, believe that the Special Procedures of the United Nations Human Rights Council are fundamental to the UN's efforts to promote and protect all human rights of all people everywhere. We call on UN member states to build on the achievements of the past in maintaining a strengthened system of Special Procedures that comprises independent experts who are able to monitor and respond rapidly to allegations of human rights violations throughout the world as effectively as possible, without interference."

Sponsoring NGOs

Action Canada for Population and Development, African Centre for Democracy and Human Rights Studies, Amnesty International, the Association for the Prevention of Torture, the Centre on Housing Rights and Evictions (COHRE), the Democracy Coalition Project, Forum Asia, Franciscans International, Global Justice, Human Rights First, Human Rights Watch, the International Commission of Jurists, the International Federation of Action by Christians for the Abolition of Torture, the International Federation for Human Rights (FIDH), the International Service for Human Rights, Penal Reform International, and the World Organization against Torture (OMCT).