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1999 Commission on Human Rights: a step towards the abolition of the death penalty, two steps backward on Human Rights Defenders and Cambodia

The world has come one step closer to the **abolition of the death penalty**, Amnesty International said today commenting on the adoption of a resolution calling for a moratorium on executions, with a view to completely abolishing the death penalty.

The resolution was adopted by an unequivocal majority of 30 votes in favour -- four more than in 1998 -- and 11 against.

“With this vote, the Commission sent a clear message to all states that maintaining the death penalty is not tenable in the long run, and that no execution should be carried out pending the abolition of this punishment which amounts to the utmost form of torture,” Amnesty International said.

Sponsored by 72 states --7 more than last year -- the resolution was tabled by Germany on behalf of the European Union. It reaffirms the international obligation of all states not to impose death sentences on people younger than 18 when the crime was committed, and on people suffering from any mental disorder -- obligations that are often violated by some states. The resolution also urges states not to extradite persons to countries where they might be sentenced to death.

“Not only has Germany made this resolution stronger than in the past, it has even collected more support for it than in previous years,” Amnesty international said.

Paying lip service to the need to protect **human rights defenders**, the Commission remained deaf to the repeated calls of the human rights NGO community to establish the post of special rapporteur on human rights defenders.

The resolution, tabled by Norway and adopted without a vote, does not provide for any serious follow up mechanism to the Declaration on Human Rights Defenders, adopted last year, but simply calls for a report by the UN Secretary General.

“The Commission has lost a golden opportunity to capitalize without further delay on the Declaration, and Norway’s failure to take bold steps in this field during the session is very disappointing,”Amnesty International said.

“It is a real let down for all human rights defenders that the Commission has failed to adopt real measures to concretely address this crucial issue.”

“The resolution on **Cambodia** was also a missed opportunity,” Amnesty International said, regretting that the resolution did not follow the lead presented by the Special Representative, nor endorses the recommendation made by the Group of Experts that the UN establishes an *ad hoc* international tribunal to bring the Khmer Rouge to justice.

Instead, the resolution merely “takes note with appreciation of the report” by the Group of Experts and appeals to the Cambodian government to ensure that the perpetrators of human rights violations are brought to account “bearing in mind” the Group’s report.

“Encouraging the Cambodian government to work with the international community on this important issue is not enough,” Amnesty International said, adding that UN involvement -- not mentioned in the resolution -- is crucial for the whole process to have any credibility for ordinary Cambodians.

“It is ironic that the Commission -- which had itself requested the appointment of a group of experts to examine this question -- has chosen not to support explicitly the experts’ chief recommendation,” Amnesty International said.

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