

The last nail in the coffin?

The UN Human Rights Council heads for elections prior to the crucial Fifth Session

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Maja Darawula, Director of the Commonwealth Human Rights Initiative (CHRI), said earlier today that “the performance of the current members of the United Nations (UN) Human Rights Council raise great concerns over the state of human rights in the UN and the future of the Council. We can only hope that today’s Council elections will bring in members committed to upholding the pledges they made as part of that election today and more inclined to keep their human rights promises.”

The UN Human Rights Council was established with great expectations in 2006. The new body marked the start of a new era for human rights, away from the politicisation that marred the UN Human Rights Commission that the Council replaced. In May 2006, 47 countries, including 18 from the Commonwealth, were elected as members of the Council and entrusted to build it as an effective, fair and credible body. Each country made solemn human rights promises that they said they would keep as members of the Council.

On 17 May 2007 the UN Human Rights Council will go again to elections for the first time since the Council’s original members were elected. According to a rotation system, two current members of the Commonwealth are standing for re-election. Voting countries have a particular responsibility in ensuring that the new members act with sincerity and must assess the performance of the current members before supporting their cause. A close scrutiny of the 13 Commonwealth countries members of the Council reveals a gap between their promises and performances. All 13 Commonwealth states have failed to fully comply with their voluntary pre-election pledges.

Most Commonwealth members failed to meet the promises made for the enhancement of human rights within their own borders. For example, Bangladesh and Pakistan both failed to set up promised national human rights institutions. Nigeria and Sri Lanka not only failed to strengthen their national human rights institutions but actually undermined their credibility and efficiency.

Similarly, Commonwealth members failed to meet their promises for the enhancement of human rights internationally. Canada voted in the General Assembly for the deferring of the Declaration on the Rights of Indigenous Peoples despite its promises to implement human rights norms in that area. Cameroon, Mauritius, South Africa, Zambia, India, Malaysia, Pakistan and Sri Lanka supported this deferring.

Even countries that have taken a strong position on human rights have been disappointing. For example the new anti-terror laws adopted by UK and CANADA challenge freedoms and principles previously well established in their legal system and international human rights standards.

Finally, some of the Commonwealth countries, such as Pakistan, Malaysia and Nigeria, have consistently used their privileged positions in the Council to try to undermine the efficiency and reliability of the Council’s mechanisms. Bangladesh and Pakistan also actively campaigned to keep civil society out of the important deliberations on the Council’s mechanisms. Other Commonwealth countries have privileged regional politics over honouring their commitment to human rights. South Africa and Ghana for example shielded Zimbabwe from criticism for its human rights record.

As the Council moves to the second year of its mandate, the next session scheduled for June 2007 will be critical for the Council’s credibility and future. Members will take crucial decisions that will shape the Council and its mechanisms. CHRI urges Commonwealth states in the Council to keep their pre-election promises and to meet their international human rights commitments. It is up to them to ensure that the Council does not fall into the same pattern as the former Commission.

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The Commonwealth Human Rights Initiative (CHRI) is an independent, non-partisan, international NGO working for the practical realisation of human rights in the countries of the Commonwealth.