

States must not weaken the UN's human rights bodies

08.08.2013

(New York, 7 August 2013) – The UN General Assembly must not undermine the work of the UN's human rights treaty bodies, the [International Service for Human Rights \(ISHR\)](#) and [Amnesty International](#) said today.



(New York, 7 August 2013) – The UN General Assembly must not undermine the work of the UN's human rights treaty bodies, the [International Service for Human Rights \(ISHR\)](#) and [Amnesty International](#) said today.

Since April 2012, States in New York have been participating in an intergovernmental process established under the guise of strengthening the UN's human rights treaty bodies. The UN treaty bodies are independent, expert committees mandated to review and promote States' compliance with international human rights treaties. The discussions in the General Assembly are now reaching a critical juncture as states must decide whether to extend the process, potentially into 2014, or accept a package of proposals now.

However, as ISHR's Madeleine Sinclair points out, the process is far from achieving its stated goal. 'Despite the fact that the treaty body system is facing very real and grave challenges, the process has been marked by the efforts of some States to attack and weaken these bodies.'

Those challenges include a failure by some States to prepare reports on how they are implementing their treaty obligations – in some cases these reports have been outstanding for decades; a failure to implement the recommendations of the treaty bodies; the election of treaty body members who are neither independent nor expert; and a chronic lack of funding.

In April 2012 NGOs identified seven issues for the General Assembly to address, including how to ensure good expert membership and adequate resources for the system, and how to implement more effectively the recommendations made by the treaty bodies.

Amnesty International's Jose-Luis Diaz expressed his disappointment with how these issues have been handled. 'On each of these issues, without exception, States have missed the opportunity to make improvements. Their lack of ambition and in some cases deliberate obstruction has resulted in a process that threatens to achieve very little if indeed it does not seriously undermine the treaty bodies.'

Amongst some of the damaging proposals made during the process, one has been a 'Code of Conduct' for treaty body members, which would seriously damage the ability of the experts to carry out their work in an objective and impartial way.

Mr Diaz stated, 'We strongly reject these initiatives. Not only do they threaten the independence of the treaty bodies but they also distract from the real issue at hand; namely improving the human rights situation on the ground.'

ISHR's Ms Sinclair also expressed disappointment that the process has not been the open, inclusive and transparent one that was promised at its creation. 'Far from being meaningful and effective, opportunities for NGO participation have been characterised throughout this process by unpredictability, disregard for our expertise, views and potential contributions, and above all a fundamental lack of commitment and initiative to include NGO stakeholders outside of New York and Geneva.'

'States must refocus their efforts on the core goals of this process', urged Mr Diaz, 'That is, how can they, through this process, increase the protection and promotion of human rights on the ground.'

Background

Nearly four years have passed since a group of current and former Treaty Body experts adopted the 'Dublin Statement', catalysing the most recent attempt to strengthen the UN human rights treaty body system that would eventually become known as the [Dublin Process](#). But before that process—which involved some 20

consultations with different stakeholders—could run its course, a group of States led by Russia decided 18 months ago that the issues were properly left to States to address and initiated the [‘Intergovernmental process of the General Assembly on strengthening and enhancing the effective functioning of the human rights treaty body system’](#) (the Intergovernmental process).

Armed with the wealth of ideas, views, suggestions and emerging consensus of the Dublin Process, a divided General Assembly initially spent much time debating its role in treaty body strengthening, given its lack of legal competence to decide matters properly left to States parties to the treaties and the treaty bodies themselves. The result was an agreement by States, implicit in some cases, that while the GA may not be able to *decide* certain matters, it could *recommend* that certain actions beyond its competence be taken by relevant stakeholders.

Download the full statement [here](#).

Contacts

Heather Collister, Treaty Body Advocacy Coordinator, ISHR Geneva, h.collister@ishr.ch, +41 79 920 38 05.
Jose-Luis Diaz, Representative and Head of Amnesty International’s Representative office to the United Nations in New York, JoseLuis.Diaz@amnesty.org , +1-212-867-8878

ISHR