



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

*" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "*

## COMMUNIQUE DE PRESSE – COMUNICADO DE PRENSA

14 September 2005

P  
R  
E  
S  
S  
R  
E  
L  
E  
A  
S  
E

### **ICJ calls on UN member states to salvage wreckage of human rights promise.**

The International Commission of Jurists (ICJ) today called on United Nations member states to salvage the wreckage of their human rights promise by rebuilding a consensus by 31 December, to create a new, standing human rights body with greater authority and effectiveness. Heads of state at the UN 60<sup>th</sup> anniversary High Level Summit meeting in New York are poised to adopt on Friday a Declaration that throws out a detailed negotiated text on a new Human Rights Council to replace the UN Commission on Human Rights.

“Only 10 days ago states had agreed the details of how a new Human Rights Council would function, after months of painstaking negotiations and consensus-building”, said Nicholas Howen, the Secretary-General of the ICJ. “But a small group of states reopened everything at the last minute. Now all we have is an empty shell – an agreement on the name and the prospect of another year of negotiations which risk creating a body even weaker than the discredited Commission on Human Rights”, he added.

The Summit is likely to ask the Swedish President of the General Assembly, Jan Eliasson to open negotiations over the next year on the Council’s “mandate, modalities, functions, size, composition, membership, working methods and procedures”.

“The only hope for states to salvage the wreckage of their commitments is if they insist on reaching agreement in the General Assembly no later than 31 December this year, based on the minimum features needed to guarantee a stronger human rights body”, said the Secretary-General.

As a bare minimum, states need to agree to set up a Human Rights Council that:

- is a principal body of the UN or at least a subsidiary organ of the General Assembly;
- is a standing body that meets throughout the year;
- deals robustly with serious violations of human rights anywhere in the world and is able to meet urgently to respond to human rights crises;
- is composed of member states elected by a 2/3 majority vote and who make public pledges to cooperate with the UN human rights system, to accept the scrutiny of the Council and to respect international standards;
- preserves the very best of the Commission, especially the system of thematic and country experts;
- continues the existing practices developed at the Commission for the active participation of non-governmental organizations.

“A new round of negotiations is likely to water down the previous agreement even further, especially if they are dragged out over the next year”, warned the Secretary-General. “If the new Council turned out to be weaker than even the Commission on Human Rights, we would be better off without any new body”, he added.

“States have an historic chance to fundamentally change the way the UN human rights system works. It must not be squandered”, concluded the Secretary-General.

Commenting on other parts of the Summit Declaration likely to be adopted, the ICJ welcomed agreement to double the regular budget of the Office of the High Commissioner for Human Rights (OHCHR) over the next five years and to create a rule of law assistance unit within the UN Secretariat. The ICJ also welcomed the establishment of a Peacebuilding Commission to bring increased attention to post-conflict countries, though the final document fails to set out what authority it will have. (In contrast to the section on the Human Rights Council, the document elaborates in some detail the functions of the Peacebuilding Commission.)

The agreement on terrorism issues gives little that is new and fails to give meaning to the rhetorical language that counter-terrorism measures should respect human rights and the rule of law.

The ICJ welcomed the recognition of the responsibility not only of member states, but also the UN, to protect people from genocide, war crimes, ethnic cleansing and crimes against humanity.

For further information please contact Claire Callejon at +4122 979 3808