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Public Statement

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Amnesty International deplores 'No Action Motion' by Third Committee: urges governments to consider country situations on merit

Amnesty International deplores the decision of 74 UN Member States today to take procedural action to stop the UN General Assembly's Third Committee from carrying out its responsibility to address country specific human rights situations. 69 members voted against the motion and 24 abstained. Amnesty International opposes all 'No Action Motions' as a matter of principle because they prohibit the Committee from considering country specific actions to improve human rights - one of the most important tools at the Committee's disposal.

Amnesty International deeply regrets that a 'No Action Motion' on the draft resolution on Uzbekistan was adopted today, thereby preventing the Third Committee from acting to improve the serious human rights situation in Uzbekistan, where independent critical voices have increasingly been stifled by the government. Azerbaijan and China spoke in support of the 'No Action Motion', while Finland and Canada argued against it.

Amnesty International reiterates its call on all UN Member States to consider all proposals dealing with country situations on their merits, regardless of political considerations. In deciding on the country issues before it, the organization urges Member States to take account of the seriousness of the human rights situation in the country concerned, the governments' responsiveness to recommendations by UN human rights mechanisms, and the structures the country has put in place to protect human rights and provide accountability for abuses.

The General Assembly's approach to country situations has in the past been selective and serious human rights violations in powerful countries have escaped public scrutiny. However, 'No Action Motions' are not a proper or effective response to such a selective approach. Moreover, the General Assembly now has the chance to address charges of selectivity by acting upon a new proposal to address a major human rights problem that has been neglected for far too long: a specific proposal to address the practice of secret detentions and unlawful transfers while countering terrorism. This practice involves countries in at least four continents, including the United States of America. The strongest possible text should be adopted.

Background information

No country has a perfect human rights record and no country should be shielded from public scrutiny of its human rights record. Adopting a motion to adjourn debate on a country under Rule 116 of the General Assembly's Rules of Procedure, a 'No Action Motion', halts discussion on the human rights situation in that country and prevents the Third Committee of the General Assembly, which deals with human rights

issues, from taking specific action to promote and encourage respect for human rights, one of the Purposes and Principles of the UN Charter. Amnesty International therefore opposes all 'No Action Motions' on country situations in principle.

This year, the Third Committee of the General Assembly adopted a resolution on the human rights situation in the Democratic People's Republic of North Korea (DPRK) with 91 in favour, 21 against and 60 abstentions.

The Third Committee of the General Assembly is yet to consider draft resolutions dealing with human rights situations in Belarus (brought by the United States of America), Canada (brought by Iran), Iran (brought by Canada), Myanmar (brought by the European Union), and the United States of America (brought by Belarus).

Last year, the General Assembly heard calls for 'No Action Motions' on five out of seven country situations before it. The five situations were: Iran (No Action Motion called for by Iran, rejected by 70 - 77 - 23 and the resolution on Iran then adopted by 77 - 51 - 46); Myanmar (No Action Motion called for by Myanmar, rejected by 54 - 77 - 35 and the resolution on Myanmar then adopted by consensus); Sudan (No Action Motion called for by Nigeria, adopted by 84 - 79 - 12 [the voting majority of five being a substantive reduction from the 25 majority last year when the Motion was adopted by 92 - 67 - 12] and the draft resolution consequently not considered); Turkmenistan (No Action Motion called for by Turkmenistan, rejected by 64 - 70 - 26 and the resolution on Turkmenistan then adopted by 70 - 38 - 58); and Uzbekistan (No Action Motion called for by Uzbekistan, rejected by 65 - 75 - 28 and the resolution on Uzbekistan then adopted by 73 - 38 - 58). There was no 'No Action Motion' on North Korea and the resolution on that country was adopted 84 - 22 - 62. The resolution on the Democratic Republic of Congo was also adopted. The Third Committee resorted for the first time to the procedural device of 'No Action Motions' at its 59th Regular Session in 2004.