



## Human Rights Council struggles to challenge governments on rights violations

### *Prevailing cross-regional blocs work to censor body*

The Fourteenth Session of the UN Human Rights Council (HRC) concluded last Friday with limited action on human rights situations requiring its attention. While the Council took positive steps toward addressing the urgent human rights crisis in Kyrgyzstan, it failed to adequately address the situations in Iran, Sudan, Somalia, Burundi, and Afghanistan.

The start of the session coincided with an Israeli raid in international waters, resulting in the deaths of nine activists aboard a humanitarian flotilla on its way to Gaza. In response, the HRC swiftly passed a resolution condemning the attack and calling for an independent international fact-finding mission.

"If the Council responded to urgent crises around the world the way it does to every new incident relating to the Israeli-Palestinian conflict, we may actually have an effective body," said Dokhi Fassihian, executive director of the Democracy Coalition Project. "It is clear the tools are there and states know how to use them. What's missing is principled leadership."

Disappointingly, the Independent Experts on Sudan and Burundi did not attend the Council, thus leading the HRC to defer discussion of these countries' human rights situations until the September session.

"It is very dangerous for the UN Human Rights Council to neglect Sudan now," [said Faisal Elbagir](#), former Secretary General of the Khartoum Centre for Human Rights and Environmental Development, which was closed down in March 2009 by Sudanese authorities. "The government of Sudan wants us all to believe that the recent elections have resulted in human rights progress. In fact, the opposite is true - the rights situation since April has only gotten worse."

Shortly following the end of the session, the HRC elected Ambassador Sihasak Phuangkitkeow, the Permanent Representative of Thailand, as the President of the Council for a period of one year. In response, 55 Asian NGOs [called](#) on Ambassador Phuangkitkeow to utilize his role as President to ensure greater fulfillment of the Council's mandate and to enhance meaningful participation of NGOs.

The groups also urged the Government of Thailand to demonstrate a renewed commitment to the highest standards in human rights. In particular, they called upon the government to lift the emergency decree, cooperate with UN mechanisms,



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and provide accountability for the human rights violations committed during the recent unrest.

### Council fails to extend protection to human rights victims in Iran

One year after the post-election crackdown began in Iran, UN member states failed to heed a call by the international human rights community to establish a monitoring mechanism to extend protection to Iranian citizens. However, a [statement](#) signed by more than 50 states expressing concerns over mounting violations in Iran was delivered at the Council by Norway. The HRC President rejected a coordinated effort to block the statement from being read by Iran and several other states including Pakistan, Nigeria, Egypt, Sudan, Cuba, Nicaragua, and Malaysia.

"We appreciate the Council President's decision, which turned away a political attack on its work, and affirms that the Human Rights Council can and should address actual human rights violations," [said Aaron Rhodes](#), a spokesperson for the International Campaign for Human Rights in Iran, an organization assisting Iranian human rights defenders.

Pakistan, which sponsored the resolution on the flotilla attack on behalf of the Organization of the Islamic Conference, [accused members](#) of the Council of 'double standards' and 'selectivity' when concerns were raised over its own human rights record. It also threatened to call a vote as a challenge to the President to block the reading of the statement expressing concerns about the situation in Iran.

"Pakistan's leadership of the OIC has been aimed to shield itself, its friends, and any violating country with the exception of one," said Dokhi Fassihian, executive director of Democracy Coalition Project. "Its abysmal performance on the Council is the epitome of the 'selectivity' and 'double-standards' it bemoans to the detriment of human rights victims everywhere."

### Resolutions adopted on Kyrgyzstan, Afghanistan and Somalia

In more positive developments at the 14th Session, the United States and Kyrgyzstan co-sponsored a resolution on the human rights situation in Kyrgyzstan, condemning the ethnic violence in the country and calling on the government to conduct a transparent and full investigation into the events that led to the expulsion of the previous government and the ongoing violence.

The Council also adopted a new resolution on Afghanistan that focused on attacks on schoolchildren; however, it failed to address the full range of rights violations in Afghanistan or to call for accountability for the attacks on children.

The HRC also passed a resolution on Somalia, which decides to hold an interactive dialogue at the Council's 15th session in September in an effort to improve the human rights situation in the country. Unfortunately, the resolution failed to provide any substantive recommendations in this regard.



## Council gives consensus to divisive thematic resolutions

Two traditionally contentious resolutions on 'freedom of religion' and 'respect for cultural rights and diversity' were adopted by consensus after intense negotiations this session.

The 'Freedom of Religion' resolution, submitted by the European Union, expresses concern over 'derogatory stereotyping' that incites religious hatred and condemns advocacy, whether via the media or any other means, which leads to discrimination, hostility, or violence. The resolution also extends the mandate of the independent expert on the issue for a further three years.

The Cuba-sponsored resolution on 'Respect for Cultural Diversity' reaffirms the duty of states to promote and protect cultural rights. Human rights advocates warn that the concept should not be misused by governments to legitimize human rights abuses such as discrimination against women and minorities, or restrictions on freedom of expression, religion, or other fundamental rights.

## UN experts call for the release of Burmese democracy leader

In its sixth 'Opinion' on the matter, the UN Working Group on Arbitrary Detention [declared](#) the ongoing detention of Burmese democracy leader, Daw Aung San Suu Kyi, as a violation of international law. In support of the judgment, UN Special Rapporteur on the Human Rights Situation in Myanmar (Burma), Mr. Tomás Ojea Quintana, [urged](#) the Government of Myanmar to heed the Working Group's call and immediately release Suu Kyi. The Rapporteur had previously called on the UN to consider establishing a Commission of Inquiry to address the question of international crimes by the government.

"We urge the release of Suu Kyi at once," said Dokhi Fassihian, executive director of the Democracy Coalition Project. "We call on UN member states to support a Commission of Inquiry as called for by the Rapporteur," she added.

In response to the upcoming military led elections in Myanmar (Burma), DCP joined the [Global Campaign Against Burma's 2010 Military Elections](#) which calls upon the junta to take measures that would ensure free and fair elections and alter its course towards further instability and conflict.

## Assassination of prominent human rights activist prompts outrage

The June 2, 2010 killing of prominent human rights activist in the Democratic Republic of Congo (DRC), Mr. Floribert Chebeya Bahizire, drew widespread [condemnation](#) and [concern](#) from the international human rights community. At the 14th Session of the HRC, a large number of states including Spain, France, Japan, the UK, Slovenia, Slovakia, USA, Belgium, Austria, Sweden, Ireland, and Luxembourg also called for an independent and transparent investigation surrounding his death. The Government of the DRC responded noting that the director of the police has been suspended, and that four forensic experts from the



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Netherlands would be joining the chief prosecutor in conducting an autopsy.

Mr. Chebeya Bahizire was found dead soon after he had been summoned to attend a meeting with the Inspector General of the Police. Chebeya Bahizire's body was found in his car by the police just outside the city of Kinshasa. The body of his driver was also found.