

HRC 20th Session: Cross-regional Statement on Item 8

on behalf of

Austria, Botswana, Chile, Costa Rica, Cote d'Ivoire, Honduras, Maldives,  
Mauritius, Norway, Palestine, Slovenia, Somalia, Switzerland, Ukraine,  
The United Kingdom, Uruguay

Statement delivered by H.E Iruthisham Adam

2nd July 2012

Madam President,

I am pleased to deliver the following statement on behalf of the delegations of Austria,  
Botswana, Chile, Costa Rica, Cote d'Ivoire, Honduras, Maldives, Norway, Palestine,  
Slovenia, Somalia, Switzerland, Ukraine, United Kingdom and Uruguay

Madam President,

General Assembly resolution 60/251 makes clear that the Human Rights Council has a mandate to promote universal respect for the protection of all human rights and fundamental freedoms for all, and that this includes addressing situations of violations of human rights. The resolution also states that in doing so, the Council shall be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation.

The Council is able to respond to situations of violations of human rights in a number of ways. Ideally, the Council can work with the State concerned, in a spirit of constructive dialogue and cooperation, to respond to violations and strengthen the capacity of the country to better promote and protect human rights. Such a scenario clearly requires the State concerned to be willing to engage with the Council in an open, transparent and meaningful way. We take this opportunity to urge all States facing human rights challenges to engage with the Council in such a manner.

However, it is equally clear that where States are not willing to follow this path, the Council cannot and should not remain silent and do nothing. In such instances, it is

beholden on the Council, as per its mandate, to address human rights crises, whether urgent or chronic, and to do so in an impartial, objective and non-selective manner.

Madam President,

This imperative led a number of States, during the Council review process, to propose that the initiation of action in the Council should be inspired by a variety of external, independent and objective factors. While it did not prove possible to introduce this proposal into the Council's formal methods of work, the States supporting this statement voluntarily commit ourselves to be guided by a number of independent considerations when assessing whether a situation or specific issue merits the attention of the Council, and, if so, when formulating how the Council should respond.

These considerations include: whether there has been a call for action by the UN Secretary-General, the High Commissioner for Human Rights, by a group of Special Procedures, or another indication of either a chronic or urgent human rights situation; whether the State concerned has been willing to recognize that it faces particular challenges; whether the State concerned has laid down a set of proposed credible actions to respond to the situation; whether the State has been effectively engaging with Special Procedures – including allowing country visits; whether the State is facilitating or obstructing access on the part of humanitarian actors, human rights defenders and the media; whether it has been effectively cooperating with Treaty Bodies; and whether it has been constructively and transparently engaging with the Human Rights Council on the situation in question.

We hope that all States will support the idea that in assessing situations of human rights violations, the Council should be guided by these considerations, by the early warning mechanisms that already exist throughout the UN human rights machinery, as well as by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation. We also believe that these considerations and principles should be borne in mind when calibrating the manner in which the Council should respond.

Thank you Madam President.