

Statement by H.E. Ambassador CHOI Hyuck  
of the Republic of Korea  
on the Issue of the Universal Periodic Review

2 October, 2006

Mr. President,

I would like to begin by thanking the facilitator of the Working Group for the ~~report on~~ <sup>report we just heard</sup> the progress made in implementing operative paragraph OP-5(e) of UN General Assembly Resolution 60/251.

As Ambassador Abdulwahab Attar, the Coordinator for the Asian Group stated, the Universal Periodic Review (UPR) is one of the most important mechanisms available to the Human Rights Council. The success of the new review system will be crucial in determining the effectiveness of the Council's work in promoting and protecting human rights and fundamental freedoms around the world. In this sense, developing modalities for the new procedure which will ensure it is universal, objective, cooperative and complementary in nature is central to our efforts to build a Council that really works and yields tangible results.

Mr. President,

The guiding principles stipulated in Paragraph 5(e) of UN General Assembly Resolution 60/251, which is currently the only legal basis for the UPR, should serve to guide our discussions on the establishment of the UPR.

With your permission, I would like to make several points on some of the key elements of UPR.  
60/151  
related to the

First, As directed by the Resolution, the universality of coverage and equal treatment ~~for~~ <sup>2</sup> all member states are crucial elements of the UPR. The UPR is mandatory for all States and it should examine in an appropriate way the fulfillment by each state of its human rights obligations and commitments. And it is to be applied universally in the same manner to all States.

in the broadest sense.

Second, The UPR must ~~move beyond a simple review.~~ <sup>not be a mere perfunctory exercise.</sup> Through meaningful interactive dialogue with the States <sup>under</sup> reviewed, it should convey the concerns of the international community over their human rights situation. At the same time, the UPR should focus on assessing the capacity of each Member State, identifying areas in which there is a need for support from the international community, and exploring concrete measures for capacity-building.

Third, The UPR should also be complementary with the existing human rights mechanisms, in particular the treaty bodies and special procedures. In this sense, the scope, functions and results of the UPR, primarily in relation to these existing systems, need to be clearly defined. As the High Commissioner indicated in her recent report, we need to maximize upon the existing resources of the special procedures and treaty bodies. This will be imperative not only to achieve universality of coverage but also to ensure that the UPR is not an overly burdensome procedure.

Fourth, ~~At the same time,~~ The entire UPR process should be open, transparent and efficient with respect to dialogue and documentation, and also be based on reliable information. <sup>Fifth, UPR</sup> Furthermore, it should be carried out at regular and reasonable intervals. This will be important in ensuring its effectiveness and predictability.

Sixth, My delegation also attaches great importance to effective follow-up steps measures that encourage the State to act upon the issues raised in the UPR's interactive dialogue and the suggestions made. As it is only once every few years that each country is subject to the UPR, consistent follow-up measures are <sup>crucial</sup> ~~critical~~. One approach we might consider is a system whereby the state is asked to report back on the progress made on implementing the recommendations as well as any difficulties encountered by the state in the meantime. The participation of NGOs in the follow-up process should be encouraged in various ways, including the submission of information on implementation by states.

Mr. President,

The facilitation <sup>process</sup> ~~mechanisms~~ for the development of the modalities, formal as well as informal meetings, should be open and transparent in their work. To this end, it is the view of my delegation that the fuller and regular participation of all stakeholders, including NGOs as well as other UN bodies, throughout the entire process of consultations is imperative.

Another important point to consider is that of time constraints. In this sense, while welcoming the decision by the Bureau on setting the schedule for the two Working Groups on the review of mandates and on the UPR in 2006, I also feel that a schedule needs to be drawn up from a more long-term perspective, taking into account the interrelation between their works.

I thank you, Mr. Chairman.

~~I would like to bring my remarks to a conclusion, Mr. President, by reaffirming the commitment of the Republic of Korea to doing all it can to ensure the success of this process. The ROK will play an active part in~~