

**Comments by Tehmina Janjua, Acting Permanent Representative of
Pakistan, on Behalf of the OIC on Progress in Institution Building
Working Groups, 15 March 2007**

Mr. President,

I have the honour to make this statement on behalf of the Members of the OIC. The OIC would like to thank all the Facilitators, the Permanent Representatives of Morocco, Jordan, Switzerland, Czech Republic, the Philippines and Guatemala for the work they have done over the past few months in trying to get areas of convergence agreed upon and to reduce the gaps in areas of divergence.

The OIC thanks the Facilitators for their oral reports made to the Council today. Since the written reports were received only last night, we will make only preliminary comments on the drafts prepared after the last round of discussions held in the Working Groups.

Expert Advice

On the paper circulated on "Expert Advice" for which we thank Ambassador Burayzat, the OIC would like to make the following points:

- The Expert Advice/body should be standing in nature.
- The OIC has repeatedly reiterated its preference to retain the number of experts of the Sub-Commission ~~for its successor body~~.
- Equitable geographical representation in accordance with the formula agreed for membership by the Human Rights Council should be strictly adhered to in the composition of the ~~future~~ expert body.
- We do not understand the concept of "implementation oriented think tank".
- As a think tank the expert body can only provide advice on standard setting if requested by the Human Rights Council.
- Since the Expert advisory body would be a subsidiary of the Human Rights Council, the latter should elect its members.
- We seek clarification about the comment that informal links with NGOs are encouraged.

Universal Periodic Review

On Universal Periodic Review, we thank Ambassador Loulicki for his paper and for his efforts to narrow down differences and get consensus on the UPR mechanism. The OIC would like to make the following preliminary comments on his latest paper:

- We appreciate the specific reference to take into account the levels of development and specificities. It would be useful to further qualify the term specificities with the words religious and cultural.
- The basic document for consideration should be the report prepared by the concerned State.

- A compilation made on the basis of extraneous information cannot be considered credible and reliable.
- We agree that the modalities of selection of the Rapporteur/ Rapporteurs needs to be considered further.

Agenda, Working Methods, Rules of Procedure

We would like to thank the Ambassador Manalo and Ambassador Martinez ~~Alvarez~~ *Alvarez* for their work on the agenda, working methods and rules of procedure.

On the Agenda the OIC has requested that a specific item be included entitled "Question of human rights violations in ~~the~~ Occupied Arab Territory, ~~including~~ *Palentine + other* ~~Palestine~~".

The OIC would like agreement on a detailed and structured agenda with a clear annual programme of work.

Working Methods

- We agree that the working methods of the Council should be impartial, equitable, fair, pragmatic that would lead to transparency, clarity, predictability and inclusiveness.
- The question of participation of non members and civil society should be in accordance with the rules of procedure of the ECOSOC, UN General Assembly and practices of the Human Rights Commission.
- While an effort should be made about early notification and submission of proposals for consideration by the Council , there has to be some flexibility to allow member states to present the proposals closer to consideration as well.

Rules of Procedure

- The Human Rights Council should meet for three sessions per year for a total of ten weeks.
- The Bureau should be elected on the basis of equitable geographic representation.

Special Sessions

The proposal in paragraph 4 of the paper on Special Sessions to hold consultations before Special Sessions in a manner that provides for equitable regional representation, including with the key concern states on the conduct of the special session cannot be written into the rules. Rules should provide for equal representation and possibilities for all delegations instead of encouraging meetings of limited groups.

Complaint Procedure

We would like to thank Ambassador Godet for his work on this issue. The OIC would like to make the following points on this question:

- There should be no overlap between the Confidential Procedure and the work of special procedures and treaty bodies.
- Confidentiality must remain the fundamental principle of the complaint procedure. Confidentiality helps effectively redress complaints.
- The two working groups should be composed on the principle of equitable geographical representation.
- Composition of the first working group -on communications -should be drawn from the expert successor body for the sub-commission.
- Members of the second working group -on situations -should be nominated by each regional group of the Council.

Review of Mandates

We would like to thank Ambassador Husak for his ^{presentation} paper on special procedures.

The paper requires detailed discussions.

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The OIC has consistently demanded that all special procedure should focus on the situation of human rights in Palestine and other occupied Arab Territories.

The Commission on Human Rights adopted resolution 1993/2 stipulating that the duration of the mandate of the Special Rapporteur on human rights situation in Palestine, Occupied since 1967, was established until the end of Occupation. *The OIC strongly reiterates this principle. agreed*

The OIC has always held that special procedure system of the UN Human Rights is an extremely useful mechanism for the promotion and protection of Human Rights.

- Special Procedures should continue to use mechanisms such as urgent appeals, letters of allegations, requests for information, recommendations and visits.
- Criteria of elections of mandate holders should include balanced representation from all legal and cultural systems, geographical regions as well as gender.
- Election of mandate holders should be similar to election of members of treaty bodies.
- Accountability of mandate holders is required.
- No manual of operations can be a substitute for a code of conduct for mandate holders.
- The Special Mandate holders have to be accountable to the Council.
- UPR is a distinct mechanism and should not be linked to special procedures.

The OIC looks forward to comprehensive negotiations on all aspects of the institution building. It is only through such interaction that agreement can be arrived at on these complex issues by 18 March 2007.

Thank You, Mr. President.