

Statement by Sri Lanka on behalf of Asian Group on the Progress Reports of the Working Groups on the institution building of the Human Rights Council at the 4th Session

Mr. President,

I have the honour to deliver this statement on behalf of the Asian Group.

The Asian Group takes note with appreciation of the non - papers that have been submitted by all six Facilitators on the institution building process. The Asian Group is of the view that the facilitators shall now endeavour to narrow down differences and to find a consensual outcome.

The Asian Group is of the view that the adoption of the decision by the Council yesterday, which decided that it would convene its fifth session from 11th – 18th June this year will be mainly devoted to the completion and the adoption of our important *institutional building process as mandated by the founding UNGA Resolution*. We all agree that the early establishment of the Council's mechanisms will greatly facilitate its smooth functioning.

As to the Agenda and Method of Work of the Council, the Asian Group wishes to emphasize the importance of a well- structured agenda in a balanced and equal manner as guided by the OP4 of the UNGA founding resolution. The Group also emphasizes the importance of establishing a transparent, fair and impartial method of work, in order to promote genuine dialogue. The future rules of procedures of the Council could be drawn up on the basis of the provisions of the rules of procedure established for the Committees of the General Assembly.

The Asian Group reiterates its position supporting the Palestinian People to achieve their national rights particularly their right to self-determination, to establish their independent Palestinian State, to live free of foreign occupation and at peace with all neighboring countries. We urge the Council to address the human rights violations and implications of the Israeli Occupation of Palestine and other occupied Arab Territories guided by, particularly, the provisions of International Humanitarian Law and International Human Rights Law.

Asian Group wishes to reiterate its position that the UPR should be a cooperative mechanism through an interactive dialogue process. The UPR should also seek incremental improvement in the human rights situation of all sovereign States by enhancing their capacities to promote and protect human rights. The social and cultural specificities, the universality of human rights as well as the level of development should be taken into consideration throughout the deliberations.

The Asian Group wishes to reiterate that the review of mandates should establish a clearly defined relationship between the Special Procedures and the Human Rights Council, which should lead to enhanced coordination between the two. We should also avoid overlap and duplication between these mandates and the Treaty Bodies, bearing in mind that individual mandates should be established only through a decision by the Council.

The Group is also of the view that the Special Procedure System should be comprehensively reviewed in such a way as to avoid politicization and enhance the credibility and the effectiveness of the Council in the promotion and protection of Human Rights. The Working Group should also focus on rationalization and streamlining of mandates without creating gaps to enhance the effectiveness of the Special Procedure System.

As to the 1503 Procedure, the Asian Group reiterates its position that the confidential nature of the complaint procedure should be retained and the existing criteria for admissibility of complaints or allegations of human rights violations under 1503 Procedure should be strictly observed. The Group is also of the view that attention should be paid to the capacity- building and technical assistance needs of developing countries whose cases are being considered under complaint procedures upon their request.

The Asian Group also emphasizes the importance of an Expert Advisory Body to the Council and which should be composed of impartial, independent, specialized and highly qualified experts. Its nature should be single, well- defined and structured. The Body should function as a subsidiary body of the Council and provide advice to the Council on the whole range of human rights issues upon the request of the Council. Its work should focus only on thematic issues. It should reflect the principle of equitable geographical representation in identical proportion observed in the composition of the Human Rights Council.

Asian Group assures you Mr. President and the four Facilitators, of our fullest support and cooperation and will show maximum flexibility in order to achieve consensual outcome in the process of institution-building, which is a critical task ahead of us with a limited time available.

Therefore, Mr. President, let us allocate more time to finalize this process and concentrate on the key areas we need to have further discussions in order to bring about a successful outcome.

Thank you