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UNITED NATIONS HUMAN RIGHTS COUNCIL

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Statement by

H.E. Ambassador Francisco Xavier Esteves

Permanent Representative of Portugal

on behalf of the European Union

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Item 5

Human Rights Bodies and Mechanisms

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Geneva, 19 September 2007

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EU Statement

Item 5 – Human Rights Bodies and Mechanisms

Mr. President,

I have the honour to speak on behalf of the European Union.

The Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, Serbia, and the EFTA country Liechtenstein, member of the European Economic Area, as well as Ukraine, the Republic of Moldova, Armenia, and Georgia align themselves with this statement.

As already pointed out in previous meetings, the European Union has, during the first year of the Council, worked hard together with all delegations and groups of delegations in a spirit of cooperation, dialogue and constructiveness to achieve consensual outcomes for the institutional building process. We accomplished together, through mutual concessions and in a spirit of cross-regional cooperation and dialogue, the challenging task the General Assembly had entrusted us to carry out.

Nevertheless, some challenges remain. A crucial part of this session is being dedicated to take consensual decisions on the institutional building pending issues and thus to ensure the effectiveness of the Council's mechanisms and instruments. The European Union expresses its readiness to continue to work in the same spirit with all delegations and groups of delegations and other stakeholders in order to ensure that the human rights protection mechanisms that we will review, improve or establish will contribute to an effective Human Rights Council, capable of fulfilling its ambitious mandate in its entirety.

We would also like to thank you, Mr. President, as well as Ambassador Alicia Martin Gallegos and Ambassador Mohammed Loulichki for having accepted to guide us through the last steps of the Institutional Building endeavour.

* *Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.*

The EU reiterates its belief that it is crucial not to reopen the Institution Building Document and that we must now focus on its implementation. The EU is pleased with the progress made towards completing the outstanding aspects of institution building and looks forward to resolving the remaining issues.

Regarding the Technical and Objective Requirements for the Submission of Candidatures to the Human Rights Council Advisory Committee, it is the view of the European Union that the definition of the criteria must ensure that the candidates are truly independent. According to the IB document, the candidates must show "recognized competence and experience in the field of Human Rights; high moral standing; independence and impartiality". Independence and impartiality can be ensured by the application of the exclusion criteria already foreseen in the IB text. In what respects the recognized competence of candidates, the EU supports that the criteria be further refined by requirements related to academic qualifications and/or professional experience, personal availability and a general knowledge of the UN system and HR issues. We are looking forward to seeing the final revised non-paper.

As far as the criteria for Special Procedures' mandate-holders is concerned, the EU believes that criteria would only serve a purpose if they produce a Public List composed of independent, human-rights oriented and highly qualified experts. In this regard, we consider of the utmost importance to have a decision taken in this first part of the HRC sixth session, so that the Public List may be elaborated until the end of 2007. The IB text provides us with direct guidance in this matter. We must ensure that when refining the criteria of "recognized competence and experience in the field of human rights", we have objective requirements that genuinely guarantee that eligible candidates are highly qualified experts.

In what concerns the Working Group on Communications, the EU stresses the importance of avoiding any gap and to thus ensure that victims can raise their voices and have their pledges timely and effectively addressed by a victim oriented complaint mechanism.

We are therefore committed, Mr President, to continue to work with all delegations to complete this further step of strengthening the UN Human Rights system and better ensure the promotion and protection of all human rights for all.

Thank you, Mr. President.
