

**Draft African Statement on the mandate
of the independent expert on the human rights situation in Haiti**

Thank you Mr. President,

I have the honor to make this brief intervention on behalf of the African Group.

The African Group would like to thank professor Louis Joinet for his presentation, as well as the distinguished delegation of Haiti, for making its views known on the mandate of the independent expert pertaining to its country.

As we embark on discussing the future of a number of "technical cooperation" mandates at the present session, starting with that on Haiti, we must bear in mind the very principles established in the Institution Building Text of 18 June on this matter, chief among which is the provision stating that decisions to create, review or discontinue country mandates, should take into account the principles of cooperation and genuine dialogue, aimed at strengthening the capacity of Member States to comply with their human rights obligations.

In its intervention, the delegation of Haiti outlined a number of vital parameters for assessing the effectiveness of technical cooperation country mandates, namely:

- 1- The express will of the country concerned to cooperate with the mandate, and the mandate holder, free from political pressures or maneuvers.**
- 2- The obligation of the mandate-holder to respect the authorities of the country concerned, building a climate of confidence which is conducive to the fulfillment of the mandate in question.**
- 3- The relevance of the work of the mandate-holder and the recommendations issued within the context of the mandate.**
- 4- Clear and measurable positive results, which can be attributed to the work of the concerned mandate-holder.**

Mr. President,

It is clear from the assessment provided to us by the delegation of Haiti, and professor Louis Joinet, that the mandate of the independent expert on the human rights situation in that country is one most probable to continue and for good reason, namely its fulfillment of clear and

objective criteria as indicated a moment ago. We doubt if the same holds true of all other similar mandates.

A clear and in-depth evaluation must be made each time we consider the future of a technical cooperation country-mandate, and in fact, all other existing mandates.

Whatever the outcome of the review of one mandate or another may be, the Council must always keep in mind that the objective of the whole exercise is to improve the human rights situation on the ground. The sheer political label of a country special procedure, is not the best avenue to achieve our human rights objectives, especially when more effective means to do so are available.

Let's hope that we can remember this lesson at every juncture of the review process, so that we find ourselves in the future celebrating human rights achievements in a given country, instead of getting bogged down in political maneuvering as if the existence or non-existence of a mandate, in itself, is the cardinal goal, when we know full well, that such an approach has never, and will never, yield any benefits in the promotion and protection of human rights in any country.

I thank you.
