

Check against delivery

Philippine Delegation – Review of Mandates and Mechanisms  
HRC 2, 3 October 2006

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Thank you, Mr. President.

The Philippine delegation associates itself with the statement delivered by the Ambassador of Saudi Arabia on behalf of the Asian Group. My delegation also takes this opportunity to thank the Ambassadors of the Czech Republic, Jordan and Switzerland for their progress reports and their work as Facilitators. We wish to extend to them our full support and cooperation during the review process.

Mr. President, the working group on review of all mandates and mechanisms is tasked with an important objective – to review, and where necessary, rationalize and improve the UN human rights machinery. In essence, the work and outcome of the review, will be crucial in establishing a more effective and cooperative Human Rights Council.

My delegation therefore believes the review should be conducted in an open, constructive and cooperative manner. Throughout the review, all stakeholders should be aware of the weaknesses of both the structures and processes of the former Commission of Human Rights and seek to identify and effectively address them. Also, a holistic perspective of the entire human rights machinery should be borne in mind while conducting the review, so as to determine the full impact of reforms on all component parts of the human rights system.

While we have expressed our preliminary views on the review of mandates during informal consultations, we wish to take this opportunity to underscore some main points.

#### On the special procedures

1. More trust must be built between the system of special procedures and governments. The work of special procedures should help concerned countries fulfil their human rights obligations. Country visits and reports of special procedures should aim to improve national human rights protection systems in a professional and helpful manner; giving states objective, practical and credible expert advice. In this regard, the highest professional standards and objectivity of mandate holders must be ensured. A system for the periodic review of mandate-holders could be established by the Council. The working group should also review the draft manual of special procedures with a view to finalizing a comprehensive code of conduct for special procedures, including uniform guidelines for country visits, reporting, media interaction and strict admissibility criteria for complaints.
2. Mandates should reflect a reasonable balance between civil and political rights, and economic, social and cultural rights. Nomenclature of special procedures can be harmonized and mandates organized in thematic clusters. Related mandates, if they cannot be merged, should develop effective coordination and shared approaches.

3. Areas of overlap and duplication in the work of special procedures, expert advice and the complaints mechanisms under 1503 and treaty bodies should be identified and avoided in the future.

On expert advice

1. We appreciate the valuable contributions made by the Sub-Commission in elaborating human rights norms and emerging issues. We also appreciate their visions and recommendations on future expert advice. However, we feel that most of the draft decisions of the Sub-Commission in their final report prejudge the outcome of the review process since the nature and form of expert advice under the Council has yet to be defined.
2. We believe that future expert advice should only undertake studies or initiatives that are directly requested from it by the Council. We think that future expert advice should focus on thematic issues and its work should be of practical benefit to all UN member states.

On 1503

1. We see merits in maintaining the confidentiality of the 1503 procedure. We believe that such a complaint procedure should address only allegations of gross and systemic human rights violations. And that means to encourage the cooperation of countries concerned through constructive dialogue should be put in place.

We look forward to participating in the working group.

Thank you, Mr. President.