

Check against delivery



**Statement by H.E. Ambassador Laura Dupuy Lasserre
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President of the Human Rights Council

Third Committee

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Mr. Chairman, Excellencies, distinguished delegates, ladies and gentlemen,

It is a great pleasure to come before you today to present the annual report of the Human Rights Council and to hold an interactive dialogue with the Third Committee. As you are aware, 2011 marks the fifth year since the establishment of the Human Rights Council and in accordance with General Assembly resolution 60/251, the Council undertook a review process and its outcome was adopted by the Council last March and by the General Assembly last June. The General Assembly also decided to change the annual cycle of the Council to bring it into line with that of the Assembly. Consequently and as a transitional measure, I will hold the Presidency until the end of 2012 and have the honour to come back to this august Committee and General Assembly next year to report on the Council's activities during its next annual cycle.

As part of the follow-up to the outcome of the review of the Council, I have established a task force composed of Bureau members, UNOG and OHCHR and where some relevant and interested actors –Member States and observers- were invited to contribute to consider the issues of improving secretariat services, accessibility of persons with disabilities and use of information technology. During Extended Bureau meetings and open-ended consultations the progress made on the consideration of possible actions to take was and will be shared. The task force is expected to submit recommendations to the Council at its next session in March.

The Council is also in the process of implementation of the review outcome in relation to the Universal Periodic Review (a resolution on the 2nd cycle will be considered by the General Assembly) and the selection of Special Procedures mandate holders.

Also in accordance with the review outcome, during its March session next year the Council will hold a first yearly high-level panel on human rights mainstreaming within the UN system with some heads of UN agencies, entities or funds as panellists. Under the broad theme or focus of development and cooperation in the field of human rights, this panel will provide a good opportunity to assess the progress, achievements and challenges in mainstreaming human rights in the UN system as well as at the national level as a result of this synergies.

Distinguished delegates,

The HRC review has constituted a very useful reflection process for all the Member States and other stakeholders and apart from the review outcome itself, it has generated awareness on the importance of cross regional work and the use of different tools in a constructive way to engage countries to cooperate and have positive impacts on the ground on thematic or country situations. It also created a certain momentum conducive to a "review by doing" process, based on consensus, when possible, using the toolkit already established by the institutional building package.

During the past year, the Council has demonstrated its ability to be seized with and respond to human rights crises. It has held four special sessions in relation to the situations in Cote d'Ivoire, Libya and the Syrian Arab Republic (twice) and established commissions of inquiry and fact-finding missions in order to ascertain facts and to make recommendations in the face of serious human rights violations.

The Human Rights Council has recently increased its interaction with the **High Commissioner for Human Rights** through interactive dialogues on the basis of her reports

on specific country situations, including in Cote d'Ivoire, Libya, the Syrian Arab Republic, Yemen and Belarus.

The response of the Council to the aspirations of people around the world has generated and is giving rise to measures to address specific and emerging thematic issues globally. A new special procedures mandate, a Special Rapporteur on the rights to freedom of peaceful assembly and of association was created on March and the mandate-holder, Mr. Maina Kiai, already participated in a panel discussion on the promotion and protection of human rights in the context of peaceful protests held at the last September session of the Council.

At its next session in March, the Council will hold a record number of nine panel and thematic discussions on a variety of issues, including i.a. the protection of freedom of expression on the internet, the promotion of the Universal Declaration of Human Rights through sports and Olympic Ideal, discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity, rights of the child and administration of justice and technical cooperation. These panels overload our program of work but at the same time provide for opportunities to debate important hr challenges.

Distinguished delegates,

Now let me turn to the annual report before you. The annual report of the HR Council and its addendum contain the resolutions and decisions adopted by the Council at its sixteenth and seventeenth regular sessions and at its fourteenth, fifteenth and sixteenth special sessions which took place under the presidency of my predecessor, Ambassador Sihasak Phuangketkeow, Permanent Representative of Thailand and those adopted at the seventeenth special session and the eighteenth regular session under my presidency, which I took over last 20th of June.

The Council continued to hold **panel discussions** as a format for addressing specific and emerging human rights issues, drawing from the expertise of UN human rights experts, civil society, academia, governments and representatives from international and regional organizations. The themes discussed included i.a. the rights of victims of terrorism, the human rights aspects of terrorist hostage-taking, children working and/or living on the street, violence against women, the right to adequate health of older persons, the role of international cooperation for the rights of persons with disabilities, languages and culture of indigenous peoples, best practices in the fight against racism, the human rights of people of African descent, the promotion of a culture of tolerance and peace based on respect for human rights and diversity of religions and beliefs, and the realization of the right to development.

Despite calls during the Council review for a more rationalized programme of work and calendar of resolutions, at its last session, the Council adopted a record number of 35 resolutions, decisions and President's statements – bringing the total number of proposals adopted over the last 3 regular sessions this year to 108 compared to 80 adopted during the same period last year. There have been a number of cross-regional initiatives, which I welcome, including those relating to the UN Declaration on Human Rights Education and Training, combatting intolerance, negative stereotyping and stigmatization of, and discrimination and incitement to violence and violence against, persons based on religion or belief, the new Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-repetition, and maternal mortality and morbidity, to name a few.

The Council has established five new **Special Procedures**, bringing the total number of mandates to 44, including the working group on the issue of human rights and transnational corporations and other business enterprises, the special rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence, the independent expert on the promotion of a democratic and equitable international order, as well as the Special Rapporteur on the Islamic Republic of Iran and the Independent Expert on Côte d'Ivoire.

The Council has furthered its **standard-setting** role, by also drawing from the expertise of its subsidiary bodies. The UN Declaration on Human Rights Education and Training and the optional protocol to the Convention on the Rights of the Child providing for a communications procedure have been submitted to the General Assembly for adoption. The Convention on the rights of the Child was the only hr treaty body lacking a communications procedure.

Mr. Chairman, distinguished delegates,

Chapter I of the Council's annual report and its addendum contains Council resolutions which make specific recommendations or suggestions to the General Assembly.

Apart from the two new human rights normative instruments I just mentioned, the Council has adopted resolutions on the situation of human rights in Côte d'Ivoire transmitting the reports of the High Commissioner and the Commission of Inquiry established to investigate alleged human rights abuses and violations following the presidential election of 2 November 2010, as well as recommending that the General Assembly transmit the findings of the commission to all relevant bodies. The newly appointed Independent Expert will continue working with the country. Following the work of the OHCHR FFM, at its seventeenth special session last August, the Council adopted a new resolution on the situation of human rights in the Syrian Arab Republic deciding to dispatch a commission of inquiry to the country, requesting it to submit a report to the Council before the end of November, as well as to the March session, and to transmit the report and update thereto to the General Assembly, and recommending the Assembly transmit the reports to all relevant bodies of the United Nations.

Council resolution 16/32 on the follow-up to the report of the Fact-Finding Mission on the Gaza Conflict recommends, among other actions, that the Assembly promote an urgent discussion on the future legality of the use of certain munitions as referred to in the report, reconsider the report at its current session and urges the Assembly to submit that report to the Security Council.

At its 17th session, the Council adopted a resolution recommending that the General Assembly proclaim 19 August the International Day of Remembrance and Tribute to the Victims of Terrorism. At its 18th session, the Council adopted a resolution (18/9) recommending that the General Assembly lift the suspension of the rights of membership of Libya in the HR Council.

Chapter I also contains the resolution on the composition of staff of OHCHR encouraging the General Assembly to consider further measures to promote geographical balance in the staff of OHCHR.

Mr. Chairman and distinguished delegates,

I am pleased to report that the Working Group on the UPR concluded, on 17 October, the last session of the first cycle. Although the first cycle will formally close with the adoption of the outcome documents of the last seventeen States at the forthcoming March session of the Council, it is important to recognize that all 193 Member States have been considered by the Working Group, including South Sudan which became a new member of the United Nations between the review of the Sudan by the Working Group on May and the adoption of the outcome at the plenary of the Council on September. After these four years, for the first time in the United Nations history, the Council has appraised the human rights situation in every country of the world.

The second cycle of the UPR is a key to the success of this mechanism. It will provide an opportunity for States and stakeholders to take stock of the developments since the previous review and examine the progress in the implementation of recommendations, and have a look in the hr situation in general. By moving from a four-year cycle to a four and a half year cycle, the Working Group will review fourteen countries in each session, instead of sixteen. The time available for each review will be extended to three hours and a half. Some of these adjustments need to be provided with some additional financial and human resources in terms of conference services. But most importantly let me remind you that this valued and successful mechanism has been severely underfunded in the past by the UNGA, therefore calling on you to provide also the previously requested resources or at least for the time being a very minimum of permanent posts to cope with timely translation of documents.

Excellencies, distinguished delegates,

In concluding my remarks, let me underline that this past year has witnessed the conclusion of the review of its work and functioning and the renewed attention of the Council to address urgent and emerging human rights situation and issues. The number of resolutions/decisions has increased considerably. So is the number of new mandates for OHCHR to support and implement, which carries significant resource implications, which remain to be addressed by the General Assembly in terms of actual allocation of resources and timeliness of action. I would like to urge you to work with your counterparts in the Fifth Committee to address this serious challenge confronting the Human Rights Council, and in particular when it comes to the establishment of FFM and CoI.

In concluding, I wish to assure the Third Committee of my commitment to follow-up to the review outcome and in general look at the efficient functioning of the Council during my tenure as President to fully fulfil its mandate.

I thank you for your attention.

