

## **EU Statement: Follow-up to the World Summit**

*Statement by the United Kingdom of Great Britain and Northern Ireland on behalf of the European Union, 11 October 2005*

The Acceding Countries Bulgaria and Romania and the Candidate Countries Turkey and Croatia\*, the Countries of the Stabilisation and Association Process and potential candidates Albania; Bosnia and Herzegovina; the former Yugoslav Republic of Macedonia, and Serbia and Montenegro, as well as Ukraine align themselves with this statement.

Mr President

The EU welcomes the process you have initiated to take us forward on the decision made by our Heads of State and Government to establish a Human Rights Council. We acknowledge and support your decision to begin with a period of consultation before moving into negotiation. And we salute your choice of co-Chairs for this process – colleagues whom we know are very knowledgeable on this issue and have been closely involved in the process leading up to the World Summit.

The European Union is committed to equipping the UN with a human rights body with an enhanced status, which restores human rights to the central role originally given by the Charter. We need a human rights body, based in Geneva, which is able to address human rights matters and situations more quickly, more effectively and more efficiently. The Commission on Human Rights has done excellent work in developing human rights norms and standards over the years, but it has not come to terms with the need to address implementation. And it has not found a way to examine human rights situations in an atmosphere which reflects the gravity of the issues concerned or the constructive, cooperative approach in which they deserve to be discussed.

The EU believes that we need a Human Rights Council which concentrates on both the promotion and protection of human rights. Cooperation will be necessary to assist states to improve their human rights situations. But the Council must also be in a position to assess performance in the protection of human rights and to respond effectively.

We also need a Council which underlines the principle of universality: dealing with all human rights of all people. The Council needs to be able to avoid the divisive splits we have seen in the Commission – human rights are an issue that belong to all of us and all of us have a collective responsibility to ensure their promotion and protection.

And we need a Council which recognises the interlinkages between human rights, development and security. The EU supports the view expressed by the Secretary General: we will not enjoy development without security, we will not enjoy security without development and we will not enjoy either without respect for human rights. Those interlinkages must be acknowledged in the Council's interaction with the other UN bodies and with the whole of the UN system.

The creation of a new body is complex. I believe that we must first aim for agreement on the main points which would give us the shape and function of the

new body: status, size, mandate, composition etc. We have been discussing these issues for many months, since the proposal was first made by the Secretary General and fleshed out later in the Explanatory Memorandum. We have been discussing them in numerous debates in the General Assembly leading up to the process led by your predecessor, resulting in the World Summit Outcome document. And I believe with a real effort, we can conclude discussions and reach agreement on these issues relatively quickly, preferably as many have said by the end of the year, allowing us to set a date for elections to the Council and its establishment. Other issues, such as detailed methods of work and the relationship with the Third Committee, we can discuss at a later date.

Mr President,

For the EU, one of the key elements is that the Council should be a standing body that has the ability to address any matters or situations. Recent experiences have shown us that situations can arise almost without notice. An effective human rights body needs to be able to react swiftly to these situations; to assist, where possible, and to make recommendations wherever needed. The emergency procedures currently available to CHR are not enough. We cannot pretend that situations arise and then simply go away again after the CHR has discussed them; they require constant monitoring. We believe that if the Council cannot address continuing or serious and gross violations of human rights as they occur, it will lack the credibility it needs and we will have failed to achieve serious reform.

The Summit Outcome document makes it clear that the Council must contribute to a mainstreaming of human rights. I have already mentioned the need to reflect the interlinkages between human rights, development and security. In order to reflect this, the Council needs to make recommendations not only to concerned countries but also to other bodies of the UN dealing with issues which have a human rights dimension. It also needs to be able to recommend action to the UN system. This is not meddling with mandates, it is simply a practical recognition that the world's problems are interconnected, and to deal with them the UN must also be joined up.

The mandate of the Council must include at the forefront the issue of technical assistance to states where it identifies a need and where states need that assistance to improve their ability to promote and protect all human rights.

Mr President

I mentioned earlier that the CHR has done very good work over the years. Part of the reason for that is the close relationship between the Commission and NGOs. NGOs and national human rights institutions have contributed to enrich debate and have provided expertise for states to make use of in coming to their decisions. That relationship should obviously be continued in the new Council, according to the practices built up in CHR over many years.

Another very valuable system built up in CHR is that of Special Procedures. They provide invaluable input into the debates and provide excellent work in preparing expertise on norm setting and in monitoring the implementation of human rights standards. This system should equally be maintained by the new Council.

Mr President

There are a number of other issues, Mr President, which will need to be discussed in forthcoming negotiations, such as composition and membership of the Council. The size of the Council needs to tread a careful balance between representativity and effectiveness. The EU's preference is for a Council of comparable size or smaller than the CHR.

Similarly we will need to discuss election methods and possible membership criteria for members of the Council, such as commitments to uphold the highest standards of the promotion and protection of human rights. The composition of the Council should reflect the high expectations we have in this new body.

An issue which we believe requires further debate is how to achieve the universality of human rights. How we ensure that all human rights are considered in a fair and equal manner. And how we ensure that these standards are applied to all states. Previous proposals contained the idea of peer review, by which all states would be examined using objective information and identical criteria. We believe that a mechanism such as this would go a long way to address concerns about selectivity and double standards, a debate which has become such a feature of the Commission. The EU is of the view that, if such a mechanism is established, it should first apply to Council members or candidates to the Council.

Mr President

The European Union is ready to engage proactively in these consultations and to play a constructive part in subsequent negotiations. We are prepared to listen to ideas of others and to come to agreement with all delegations on a Council which will be the effective and efficient body this organisation needs. But we are not prepared to enter into fruitless debate on process that is designed to delay rather than progress. The issues before us are clear; the goal is clear, and the action we need to take is clear. We offer our full cooperation to you and your co-Chairs in the process ahead.

\* Croatia remains a member of the Stabilisation and Association Process

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