

Press Release

(As delivered)

**Remarks by Ambassador Oshima at the GA Informal Consultation on the HRC
(11 October 2005)**

Mr. President,

I join the previous speakers in thanking you for your leadership in initiating informal consultations on this vitally important subject. We also welcome the appointment of the two Co-Chairs, Ambassador Arias of Panama and Ambassador Kumalo of South Africa. Given the excellent job they both have done in facilitating our discussion to conclude the outcome document, this appointment is well deserved. We pledge to work closely with the Co-Chairs under your overall leadership.

As I stated in our meeting a week ago, and as I made it quite clear, we must work out the details of this Council as early as possible, and hopefully by the end of this year. We support your timetable that drives us towards that target. As confirmed at the Summit, there is already a substantial amount of agreement on some of the important principles concerning the establishment of the Human Rights Council. On the other pending issues, we are already well aware of the thinking and positions of the various delegations. Based on these foundations, we trust that you and the Co-Chairs will expeditiously guide us toward the upcoming “intensive negotiations”.

In accordance with your letter dated 7 October, we would like to focus on four unresolved issues. First, on the Council’s status, our initial preferred position was that it should be a principal organ that would ensure that human rights issues be treated with no less primacy than those of development and peace and security, which are the other two major pillars of UN activities. For practical reasons, however, we could abide with the status of a new Human Rights Council which would constitute a subsidiary body of the General Assembly, though, in that case, we should review the status in a well-defined time frame.

With regard to mandate and functions, we have already agreed in the Summit on two important principles: First, the Human Rights Council “will be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all”. Secondly, it “should address situations of violations of human rights” and “make recommendations thereon”.

Based on this common understanding of principles, we should be able to make further progress in defining the Council’s mandate and functions. In our view, the Council should also be mandated to promote international cooperation to enhance the capacity of Member States to implement human rights commitments and international norms and standards. Moreover, the Council should promote effective coordination and the mainstreaming of human rights in the UN system, including by making recommendations to the General Assembly, the Security Council, the ECOSOC and other UN bodies.

We also hope to see the Council periodically examine the fulfillment by all States of their human rights obligations. Finally, the Council should be a standing body that can effectively address human rights situations on the ground.

As for the size, composition and membership, Japan is of the view that the Council should comprise a smaller, rather than larger, number of members that are elected by a two-thirds majority in the General Assembly. In order to ensure Council members’ commitment to human rights standards, the members’ performance in the human rights area should be evaluated under a review mechanism during their term of office.

Finally, with regard to rules of procedure and methods of work of a new Human Rights Council, sufficient attention should be paid to them since they affect the effectiveness of its work. These issues have received relatively little attention so far in our discussion on the outcome document. To do this, a candid, close examination of the experiences gained as well as both the strengths and weaknesses of the Commission on Human Rights would be in order, so as to enhance the effectiveness of the work, especially in improving concrete human rights situations around the world.

In conclusion, Mr. President, there are compelling reasons for Member States to come quickly to an agreement on this critically important issue. In his report in March, our Secretary-General challenged us to make the United Nations “take the cause of

human rights as seriously as those of security and development” and “meet the expectations of men and women everywhere”. World leaders responded to this call by resolving to create a Human Rights Council and requested you to lead negotiations. My delegation spares no effort in working with you and the Co-Chairs and looks forward to beginning “intensive negotiations” in the coming weeks.

Thank you.

