

**NEW ZEALAND MISSION to the UNITED NATIONS**



**Te Māngai o Aotearoa**

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**UNITED NATIONS GENERAL ASSEMBLY  
SIXTIETH SESSION**

**INFORMAL CONSULTATIONS OF THE PLENARY ON THE HUMAN RIGHTS  
COUNCIL**

**Fourth meeting: Rules of Procedure and Transitional Arrangements**

**STATEMENT BY DR TIM MCIVOR  
DEPUTY PERMANENT REPRESENTATIVE OF NEW ZEALAND  
ON BEHALF OF CANADA, AUSTRALIA AND NEW ZEALAND**

**TUESDAY 1 NOVEMBER 2005**

**CHECK AGAINST DELIVERY**

Mr Chairman,

Canada, Australia and New Zealand would like to make only a brief statement of principle this morning. We would like to restate our view that issues such as the Council's working methods, its agenda, decisions on its subsidiary bodies, and its rules of procedure need to be left to the Council to determine.

We recognise that the interrelated nature of many aspects of the Council means that these issues may come up for discussion during informal debate. It is important that we begin debating and discussing some of those questions, so that our positions, when we formulate them, can be well informed by the views of others. But, for principled and pragmatic reasons, we should not seek to take final decisions on these issues at this stage.

On a point of principle, one United Nations body should not dictate decisions on rules of procedure, agenda, working methods and subsidiary bodies to another. It is the proper role of the General Assembly to establish the Council, and set its mandate, and the proper role of the Council to sort out its own procedural decisions.

We must also be pragmatic and realistic about the size of the task ahead of us. We are seeking to fundamentally reform the Organisation's human rights architecture by the end of the year, and to do so by taking into account the views of 191 Member States. That is an ambitious undertaking, even if we stick only to the basics and negotiate the resolution establishing the Council. If we were to add on to that additional issues that do not need to be decided now, we will find ourselves overwhelmed with points of details that will needlessly prolong the negotiations.

For these reasons, our delegations have not yet formulated positions on the Council's rules of procedure.

Mr Chairman, we take a similar view of the transitional arrangements between the Commission on Human Rights and the Council, as well as on issues such as budgetary questions.

These are slightly more pressing than the Council's rules of procedure, and we recognise that they must be sorted out before it meets for the first time. But like the working methods, they do not need to be negotiated at this stage. We should concentrate our efforts now on agreeing what the Council will look like and what it should do. Once it has been established, we can then turn our attention – in January or February – to working out how to move from the Commission to the Council.

Mr Chairman, our delegations said at the first meeting that we would like to see the Council established as soon as possible in 2006. That means that the resolution establishing it must be passed by the end of this year, and the transitional arrangements must be completed by the end of February at the latest. It is important that we stick to this timetable, so that the Commission on Human Rights either not meet again, or meet for a short wrap up session only.

Thank you Mr Chairman.

