

**STATEMENT BY SINGAPORE
AT THE INFORMAL CONSULTATIONS
ON THE HUMAN RIGHTS COUNCIL,
24 OCTOBER 2005**

- Mr Co-Chairpersons, you have suggested that we use this informal meeting to address the issues of status, size, composition and membership of the new Human Rights Council (HRC).

Status

- As my delegation had indicated during our intervention on 11 October, we are of the view that there is merit in the new HRC being a standing body, but one that is a subsidiary organ of the General Assembly. We see no reason why important issues relating to human rights should only be discussed once a year during a six-week session in Geneva. Human rights issues should concern all of us and we see merit in discussing it at any time. But, we will of course need to have a number of fixed sessions, say three or four a year, each lasting two weeks. Additional sessions could be called at short notice to deal with emergency situations. In this regard, we would have to deal with a number of related issues and constraints. First, as each of the fixed sessions is very likely to be only about two weeks long, they should have a clear agenda and not try to bite off more than we can chew. They will have to handle inter alia peer reviews as well as serve as a forum for developing human rights norms. As my delegation had explained during the informals last week, norms should not be imposed by one group of countries on others, but should be allowed to develop so that there is universal support. Pushing through divisive resolutions dealing with new human rights norms should not be the business of the HRC. In fact, it only does a disservice to the cause of human rights. The more important objective of the HRC should be to focus on narrowing the differences in human rights perspectives between nations and peoples through dialogue and discussion. Secondly, a practical problem, which my delegation has raised before, with respect to a standing body, is that it might disadvantage some countries, especially the smaller and poorer developing countries, which are not resident in Geneva. Currently, countries without representation in Geneva can send delegations to cover a CHR session for the fixed six-week period. But, it might be difficult for the smaller and poorer delegations to participate actively in the work of a standing HRC, particularly if meetings are called at short notice. It might become a disincentive for some developing countries to seek a seat in the HRC. If it is our intention for all Member States to have real opportunities to serve as members of the HRC, we will need to find practical means to tackle this potential problem.

- My delegation is of the view that it is premature to take any decision on whether the HRC should be made a principal organ of the UN. It is an issue that we can re-visit at a later stage, after we have accumulated sufficient experience with the new body. There is no point creating a new body and making it a principal organ of the UN when it has yet to be tried and tested. If the HRC turns out to be an effective human rights body, I am sure most of us would be prepared to enhance its status from that of a subsidiary body of the GA to being a principal organ of the UN. We should review this matter five years down the road.

Size, Composition and Membership

- In terms of size, my delegation has previously stated that any new body created should be representative. It should reflect the diversity of views and cultures that make up the UN membership. If all countries and regions are to have a sense of ownership of the HRC, there should *a priori* be equal opportunity for all to vie for membership of the HRC. After all, much of human rights is and should be about non-discrimination. If we have too small a body, then it is only appropriate that there be term limits for members of the HRC. Otherwise, it would make it practically impossible for the vast majority of the UN membership to serve even once in the HRC. In this regard, the limited size of the Security Council should serve as a reminder to all of us. As far as we know, more than one-third of UN Member States have never served in the UNSC as non-permanent members. We should not allow a similar situation to develop vis-à-vis the HRC, at least not knowingly.
- The High-level Panel's report, issued in December last year, talked of universalising the CHR. However, the Secretary-General, in his report entitled "*In Larger Freedom*", recommended that Member States replace the 53-member CHR with a smaller HRC. And, as discussions proceeded, the President of the 59th UNGA had recommended that the new body be comparable in size to the current CHR. My delegation had supported this proposal. But, we are prepared to look at other options, even a slightly smaller HRC if that is the preference of the wider membership. What is important is that the new body should accurately reflect the geographical distribution of regions, which is lacking in the current CHR, especially in terms of the number of seats for members of the Asian Group. Right now, 54 Member States of the UN are members of the Asian Group. Going by a simple mathematical calculation, Asia should have had 15 seats in the CHR. But, the reality is that the Asian Group only has 12 seats, three less than what it should be entitled to. If we were to reduce the size of the HRC to say 44 members, Asia would still be entitled to 13 seats, one more than what it now has in the 53 member CHR. Such a reduction in size would not (and should not) affect Asia negatively. I have attached to my statement a table showing the possible distribution of seats for the

different geographical regions based on different possible membership sizes for the HRC. I hope that it will give us some food for thought on the question of the appropriate size for the HRC.

- Finally, my delegation is of the view that all members of the HRC should be elected by the entire General Assembly membership by a two-third majority and on the basis of equitable geographical representation. There should be no permanent members in this new standing body. By setting the bar at a two-thirds majority, we can try to ensure, even if we cannot be absolutely certain, that those who are elected would indeed be worthy members of the new body and answerable and accountable to the General Assembly.

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Allocation of Seats to Regional Groups

	(Asia)	(Africa)	(GRULAC)	(WEOG)	(Eastern Europe)
All Member States	54	53	33	28	22
	28.42%	27.89%	17.36%	14.74%	11.58%
Current CHR (53 seats)	12	15	11	10	5
HRC (53)	15	15	9	8	6
HRC (44)	13	12	8	6	5
HRC (40)	11	11	7	6	5
HRC (35)	10	10	6	5	4
HRC (31)	9	9	5	4	4

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