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**Statement**

**by**

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**Ambassador and Permanent Representative**

**of Thailand to the United Nations**

**at the Informal Plenary Meeting**

**of the General Assembly on the Human Rights Council**

**New York, 1 November 2005**

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## **Co-Chairmen,**

Thank you for giving me the floor. My delegation would like to thank you for the fruitful discussion we have had so far and to congratulate you for the high interest expressed by Member States in the discussion on the Human Rights Council. I wish to share a few comments on the rules of procedures, working methods and transitional arrangements.

On the **rules of procedures**, rule 161 of the General Assembly is clear. It indicates that the rules relating to the procedure of committees of the General Assembly shall apply to subsidiary organs of the General Assembly unless the Assembly or the subsidiary organ decides otherwise.

On the **working methods**, while much should be left to the decision of the HRC members once the Council is established, my delegation wishes to stress that the HRC should adopt working methods which are result-oriented and practical. The HRC should focus on the results to people on the ground and should work closely with the OHCHR and other UN human rights machinery in order to mainstream human rights into the work of the UN more efficiently. We should also think in a non-traditional way and try to see to it that the HRC and the General Assembly do not duplicate their work. Time should also not be spent mainly on drafting exercises or lobbying for resolutions, but on dialogues as well as evaluation and monitoring of implementation of resolutions. Technical assistance and advisory services should be given the highest priority. Country engagement and regional consultations which fully involve countries concerned should be promoted in order to address human rights situation in a preventive and timely manner.

On **involvement of non-governmental organizations**, as many delegations including my own have welcomed the involvement of NGOs in the HRC's work, I wish to stress, though, that such involvement should also come with responsibility. While we welcome views and participation of NGOs, we should reflect seriously on how their contribution could be taken into account more substantively in the work of the HRC, not merely a venue to air our their frustrations or for political pressure on States, but for real dialogues and practical measures to be put forward..

As for **the work of the subsidiary bodies of the CHR**, we may wish to leave it up to the HRC to decide, basing on the past experiences as well as the strength and weaknesses of the subsidiary bodies. The HRC should nevertheless streamline and strengthen the work of the special procedures and independent experts which have grown in number over years to more than 40 to work more effectively. The OHCHR as the Secretariat should institute a system that harmonizes the work of the secretaries/assistants attached to the mandate holders. The mandate holders should also be encouraged to adopt harmonized working methods to ensure their effectiveness in communication with Member States. Criteria of admissibility of allegations should be set. Country visits and reports should be conducted in a professional and transparent manner and take fully into account the views of the government concerned. As for the sub-commission, while I am fully aware of the

different views surrounding the work of the sub-commission, I feel that the expert nature of the sub-commission should be retained, as the sub-commission has served to provide critical studies on emerging norms and issues concerning human rights. The 1503 procedure with its confidential and non-confrontational nature under the Working Group on Communications of the sub-commission should also be kept as one of the HRC's tools in addressing human rights violations as an early stage.

On the **peer review** which many delegations have touched upon during these past few weeks, my delegation feels that while this mechanism may be useful in reviewing human rights situation in all countries, and as a result may help to lessen politicization and selectivity, we may still need to carefully consider this mechanism in greater detail at a later stage. We may have to also ensure that the peer review's working methods are not duplicating the work of treaty bodies. The country report to be compiled by the OHCHR to be used during this review will be drawn mainly from national reports to the treaty bodies and may add substantial logistical workload to the OHCHR. Meanwhile we should see to it that the quality of the information in addition to the one provided by the treaty bodies is also credible and reliable.

On the **transitional arrangements**, as I have stated before, my delegation wishes to see that a transition from the Commission on Human Rights to the Human Rights Council is a smooth one, taking fully into account the works that may still need to be completed. We feel that in case that the HRC is not set up by the time that the next session of the Commission on Human Rights would meet, it is preferable that the CHR meets and finalize its work as well as formally adopt decisions to transfer work to the HRC and/or the General Assembly. The election of the HRC members should be done not in a rush, but given ample time for States to present their candidature and to campaign for support. The issue of the Member States whose term in the Commission remains to be completed should also be taken into consideration.

**Co-Chairmen,**

Finally, let me assure to you, as I have done before, that my delegation is working on a practical and flexible basis, and we stand ever ready to cooperate with you and other Member States. I thank you, Mr. Chairman.