

# الجمهورية الجزائرية الديمقراطية الشعبية

RÉPUBLIQUE ALGÉRIENNE DÉMOCRATIQUE ET POPULAIRE

MISSION PERMANENTE  
AUPRÈS DE L'OFFICE DES NATIONS UNIES  
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EN SUISSE



البعثة الدائمة  
لدى مكتب الأمم المتحدة  
والمنظمات الدولية بسويسرا

## Human Rights Council

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**Fifth Session (11-18 June 2007)**

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**Comments by H.E Idriss Jazairy,  
Ambassador, Permanent representative of Algeria**

**in the name of the African Group**

**on the President's Text of 13 June 2007**

**Geneva, 15 June 2007**

Mr. President

We welcome your endeavours to help move the HRC to a consensus outcome through presenting your revised text. We still have some way to go in order to get there.

We provided to your Excellency on 6 June 2007 a clear and very concise statement of our key concerns as well as more detailed comments. Few of our key concerns have been successfully addressed and therefore we would appeal to you to have another look at our letter of 6 June 2007.

Let me however focus on the changes in your revised text as you have suggested:

### **1- UPR**

- On p. 2 IV, bullet point 1: We are not talking about "information" supplied by States but about a national report to be drawn up on the basis of a standard uniform questionnaire.
- On p. 2 IV, bullet point 2: the compilation should include outcomes of deliberations of regional human rights bodies as well;
- On p.2 IV, last bullet point: The contribution of "relevant stakeholders" should be in accordance with ECOSOC Resolution 1996/31.
- On p.4 VI: No country can be held to account by the Council except for the implementation of agreed recommendations, commitments and pledge;
- On the footnotes 2 and 3 in p. 3 and p.4: The Trust Fund should not cover travel costs only but also costs relating to technical assistance and capacity-building required by developing countries and in particular by LDC's.

### **2- Review of mandates**

- On p. 6, 3<sup>rd</sup> para.: The outcome of the selection process should be an appointment decision of the Council. It should not be the approval by the Council of the appointment made by another authority, as suggested by a delegation yesterday morning.
- On p.7, 5<sup>th</sup> and last line before Human Rights Council Advisory Committee: We do not accept the introduction of the new concept of "geographic mandates" and want to maintain the agreed concept of "country mandates".

### 3- Complaint mechanism

- On p.9 II: We join others in considering that conformity with admissibility criteria should be ascertained before a communication is transmitted to the State concerned.
- On p.11 (b): The right to drop cases that you have included in the Working Group on Communications may also be included for the Working Group on Situations.

### 4. Agenda:

- Palestine : We wish to maintain this in the Agenda as a separate item in the wording reflected in the Annex to your text.
- Item 3: Duplicative elements included in the sub-items "cross-cutting thematic human rights issues", "Human rights situations that require the Council's attention" and "Other issues" are not warranted. Having a separate point on situation requiring the Council's attention imply that the sub-items enumerated before this one would not require the Council's attention.

And the rights enumerated in the proceeding bullet-points cannot be examined separately from their cross-cutting aspects.

The confusion results from the fact that we have not separated in the Agenda two distinct categories of activities by the Council:

- Norm setting activities in the HCR field on the one hand and
- Implementation follow-up on Human Right on the other.

Were this distinction to be established in the Agenda, sub-items would easily be agreed;

- Item 4: It should be formulated as: "The realization of the right to development".
- We have insisted, to no avail so far, on having a stand-alone item on the "The elimination of racism, racial discrimination, xenophobia and related intolerance" and on the "Follow-up to the Durban Conference";
- Of course the recognition of the legitimate role of the Human Right Council to appoint mandate-holders should also find expression in the Agenda.

Finally, Mr. President, your text does not mention that the Code of Conduct is part and parcel of this package that we have been mandated by General Assembly resolution 60/251 to deliver before 18 June 2007.

Any other course of action would violate the provisions of the said General Assembly resolution.

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