

Intervention by the Malaysian Delegation

“The President’s Revised Text on Institutional Building” Fifth Session of the Human Rights Council 15 June 2007

Mr. President,

My delegation once again expresses its deep appreciation to you for all your efforts to facilitate consensus outcome on institutional building of the Council.

2. We thank you for the revised text of 13 June, which we consider as a good basis for further work to achieve a consensus outcome. We welcome the improvements you have made to the text. At the same time, we believe there certain elements in this revised text that require further refinement, while we seek to resolve the other pending issues which currently are not reflected in it.

3. We associate ourselves with the interventions by Pakistan on behalf of the OIC and by China on behalf of the Like-Minded Group yesterday. And we wish therefore to just highlight a couple of points on the revised text:

4. First on UPR. We recall that many in this room had preferred the inclusion of “the level of development and specificities of the countries” under the Basis of the Review, instead of under the Principles. However, as a compromise we have since accepted the proposal by the Facilitator during the work in the Working Group for this to be where it is now, under the Principles. We strongly feel that there should be no further erosion to this position. This issue is one of the important principles highlighted in Resolution 60/251.

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5. In line with the fact that the UPR is a cooperative mechanism to promote dialogue and cooperation as well as sharing of best practices, we would like to see clarification that cases of *persistent non-cooperation* in the last bullet under the Outcome of the Review only refer to any prolonged failure of States to follow-up to their agreed recommendations and commitments or pledges adopted during the review.

6. Second on Special Procedures. We underscore the need to maintain that the mandate for the Occupied Palestinian Territory is valid until the end of the foreign occupation, and that it is a thematic mandate.

7. Third on Agenda. We also underscore the imperative of having a specific and stand alone item on human rights situation in Palestine and other occupied Arab territories, as currently reflected in the Agenda in your revised text.

8. Mr. President, we will continue to engage constructively with you and others as we move to adopt an outcome of our work on institutional building of the Council.

Thank you.