



European Union

**OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP
ON THE REVIEW OF THE WORK AND FUNCTIONING OF THE
HUMAN RIGHTS COUNCIL**

2nd Session

Statement by

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to the United Nations Office in Geneva**

on behalf of the European Union

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EU Statement

M President,

I would like to thank you and the Facilitators for preparing a compilation which – despite some shortcomings – can serve as a basis for further discussion. We have a collective responsibility to ensure the success of this process. The EU is therefore prepared to be engaged constructively in the process, in order to reach a meaningful outcome.

We take note of your statement, Mr President, that you are open to proposals regarding the format of the outcome and the report to the GA. We have already indicated that we want a report that reflects not only the points of convergence, but also the points of divergence.

We share your view, Mr. President, that we should first focus on the substance and we agree that the WG should revert to the procedural aspects at a later stage.

Situations of concern

Main aim of the Review should be to increase the Council's capacity to have an impact on the ground and to deal in a timely manner with situations of concern. The EU cannot and will not accept an outcome that reduces this capacity. The text before us provides for TWO sessions instead of THREE without any new opportunity to address human rights situations in an efficient way. Such an outcome would send a wrong message to the world.

The convening of informal meetings by the HRC President, upon information coming from stakeholders, would give the Council the opportunity to discuss human rights emergencies in a more constructive and cooperative manner. Not using the HRC Review for creating new tools and methods for dealing with situations of concern would be a missed opportunity. We would therefore welcome a continued discussion on the ideas in the appendix, aiming at strengthening the relevance and legitimacy of the Council.

Another opportunity to address situations of concern should be the proposed separate UPR report adoption sessions. These sessions could play an essential role in maintaining the HRC's capacity to address emergency situations in a set up with only two regular sessions. They should be an occasion for dealing with emergency situations, for allowing the High Commissioner to regularly update the Council and for States to inform the Council about their efforts to implement UPR recommendations.

Working Methods

We support the idea to expand the use of other work formats, such as briefings, seminars, panels and stand alone events. Such an approach could contribute to allow tailor made reactions to situations of concern. As already mentioned, informal briefings should also be included among the range of possibilities. The rules governing these work formats should be clarified, as has been done for the special sitting.

Special Procedures

Making the selection process more professional and strengthening the measures of orientation and induction as well as the self regulation mechanisms through the Coordination Committee would be the best way to ensure the integrity and independence of the Special Procedures.

The EU believes the outcome document should put more emphasis on the need for enhanced cooperation of States with special procedures. We support the notion that information on the States' cooperation with the special procedures, highlighting inter alia replies to country visits and communications, should be disclosed publicly and regularly. But we are disappointed that none of the different concrete incentives to increase States' cooperation with Special Procedures has been taken up. We also support the need for more emphasis on follow-up. Yet the current text does not include some good proposals made during the process.

We support the idea of more transparency regarding the funding of special procedures, as well as the concept of equitable and adequate funding, taking into account that the needs of the different mandates are not identical.

UPR

UPR has the potential to make a difference on the ground, if recommendations are implemented. We are prepared to support any proposal that strengthens the UPR. However some proposals currently on the table, such as expanding the length of the cycle would weaken the process.

The focus of the second cycle should be on implementation. We see the implementation plan and the mid-term reporting as necessary elements to ensure the effectiveness of future UPR cycles. While we recognize the importance of providing technical assistance in order to help states implement UPR recommendations, we do not agree that the focus of the second cycle should include technical and financial assistance.

We support the notion that the State under Review should provide its clear views on all recommendations, pledges and commitments in written format prior to the adoption of the outcome of its review, as this is an essential prerequisite for a meaningful discussion and follow-up.

The problem of the speakers list should be resolved during the Review and we support the proposal that was recently circulated by the Bureau.

We would like to ask the Secretariat to provide more information on the financial implications of proposed changes.

Mr. President,

Finally, we believe time has come for engaging in real negotiations on the outcome of this process. We have a common responsibility towards the victims of human rights violations to achieve a meaningful outcome. The credibility of the Council is at stake now.