

Check against delivery



Statement by H.E. Martin Ihoeghian UHOMOIBHI (Nigeria)

President of the Human Rights Council

The Third Committee
Sixty-third session of the General Assembly

Item (58): Report of the Human Rights Council

31st October 2008
New York



Mr. Chairperson
Excellencies,
Distinguished delegates,
Ladies and gentlemen,



I have the honour to present the annual report of the Human Rights Council (as contained in document A/63/53 and in its addendum). The report covers the activities carried out from June 2007 to September 2008, in accordance with resolution 60/251 of the General Assembly.

I would like to take this opportunity to express gratitude to my two predecessors; firstly H.E. Luis Alfonso de Alba, whose sterling leadership was crucial in the institution-building process of the Council, culminating in the adoption of resolution 5/1 and secondly, to H.E Doru-Romulus Costea, who continued to engage the Council in completing the process of institution-building by reviewing and establishing the mechanisms and subsidiary bodies, thus enabling the Council to enter the implementation phase of its programmes and mandate as spelled out in resolution 60/251.

During the sixty-first and sixty-second sessions of the General Assembly, Ambassador Luis Alfonso de Alba and Ambassador Doru-Romulus Costea respectively, presented, an overview of activities of the first cycle of the Human Rights Council covering its activities from the first session in June 2006 to June 2007. My presentation shall therefore focus mainly on the work of the Council during the second cycle, during which period, the Council held three regular sessions (sixth, seventh and eighth) and three special sessions (fifth, sixth and seventh). In addition, the report contains an addendum which includes the resolutions and decisions adopted by the Council in its ninth session. I would therefore like to draw your attention to those resolutions and

decisions adopted by the Council included in the report, which require the urgent action of the Committee.

I will take opportunity of my presentation to make a few remarks about the work ahead of the Council during the current third cycle.

Pursuant to its resolution 5/1, the Council established new mechanisms and subsidiary bodies, undertook the process of Review, Rationalization and Improvement of mandates of Special Procedures, agreed upon the modalities of the Universal Periodic Review and reviewed thirty-two countries. A number of new special procedures mandate-holders were appointed, in line with the provisions of resolution 5/1. The Council also established new mandates focusing on economic, social and cultural rights and held focused panel discussions and continued its activities of human rights standard-setting.

Within the same period, two special sessions of the Council were held: the first special session addressed country-specific human rights situations while the second was dedicated to thematic issue. The Council has also devoted some time to interact with the former High Commissioner, Mme. Louise Arbour. At the beginning of the third cycle, we were pleased to hear the first statement of the new High Commissioner, Mme. Navi Pillay, to whom the Council and myself have extended a warm welcome and pledged our commitment to work, in a constructive manner as was the case with her predecessors.

Mr. Chairperson,
Excellencies,
Distinguished delegates,
Ladies and gentlemen,

Let turn first to the most recent developments at the Council with regard to its institution-building process. In this regard, I am pleased to inform you that the Human Rights Council Advisory Committee, which is the expert advice body of the Council, held its inaugural session in August 2008. This body, as you may recall, functions as a 'think-tank' for the Council and is composed of eighteen experts. It has already commenced work on a number of thematic issues, at the request of the Council, with a view to carrying out appropriate studies and providing research-orientated advice.

In the same vein, during the institution-building process, the Council decided to give leverage to three important subsidiary bodies of the former Sub-Commission on the Promotion and Protection of Human Rights, namely: the Social Forum, the Expert Mechanism on the Rights of Indigenous Peoples and the Forum on Minority Issues. Consequently, these bodies now report directly to the Council. The mandate of the Social Forum has been preserved and enhanced as a unique platform for interactive dialogue between the United Nations human rights machinery and various stakeholders, including grass-roots organizations.

The revitalized Social Forum successfully held its first session in September 2008; the Expert Mechanism on the Rights of Indigenous Peoples met in October, while the Forum on Minority Issues is expected to convene in December 2008. I wish to underline that with these renewed or newly-created mechanisms and subsidiary bodies in place, the Council now seems better

equipped to actively address a variety of human rights issues in fulfillment of its mandate.

Returning to the work of the Council itself, it is pertinent to state that, all together, the report contains one hundred and six resolutions, thirty0five decisions and five President's statements adopted by the Council during the regular and special sessions held during the reporting period. Naturally, it would be difficult for me to present on each one of them. However, allow me to note the following points:

- Firstly, reflecting the importance attached to economic, social and cultural rights including right to development, the Optional Protocol to the International Convent on Economic, Social and Cultural Rights, which was painstakingly negotiated in Geneva, was adopted at the eighth session. In a related development, a new special procedure mandate on the issue of human rights obligations related to access to safe drinking water and sanitation was established. The Optional Protocol, which is undoubtedly an important document, is now before the General Assembly for consideration and adoption this session.
- Secondly, the Council recorded another significant achievement by holding a special session on the right to food. This was indeed the first time that the Council would dedicate a special session on a thematic issue. By so doing, the Council was able to substantively link the economic, social and cultural rights dimension to what was happening in real life, as it affects millions of people around the world.
- Thirdly, the Council introduced the modalities for holding thematic panel discussions. This new method of work enables the Council to focus on a discussion with prominent experts and representatives of

National Human Rights Institutions and civil society from different regions of the world. The wide range of human rights themes debated substantively and in great depth contributes significantly to the deliberations of the Council.

- Fourthly, the Council commenced the implementation of the Universal Periodic Review or UPR. Based on the timeline for the UPR, all Member States of the United Nations are scheduled to be reviewed by 2011. The first group of States was reviewed by the UPR Working Group of the Council in April 2008 and the second one in May. The outcomes of the reviews were debated and adopted by the Council at its eighth session. So far, the Council has reviewed thirty-two countries. The next session of the UPR Working Group is due to take place in December this year.

Mr. Chairperson,

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During the same period, the Council continued with the review, rationalization and improvement process of the special procedures, as stipulated in the institution-building text. At its seventh, eighth and ninth sessions, some twenty-four mandates (country and thematic) were reviewed. Since the seventh session in March 2008, we have appointed or, in some cases, renewed the appointment of a number of special procedure mandate-holders. Due consideration was given to regional and gender balance in making these appointments. This was also the case with regard to the appointment of experts of other subsidiary bodies.

In accordance with its mandate, the Council has been seized with events constituting serious human rights violations, which have occurred in some parts of the world. In this respect, the Council dedicated its fifth special session on the “Human rights situation in Myanmar”, in the sixth special session to the “Human rights violations emanating from Israeli military attacks and incursion in the Occupied Palestinian Territory, in particular in the occupied Gaza Strip” and in the seventh special session to “The negative impact of the worsening of the world food crisis on the realization of the right to food for all”. The reports of these special sessions are contained in the report before this Committee.

During the period under review, the Council interacted with a range of actors and stakeholders in this course of its work – individuals, as well as institutions, including the special procedures, human rights treaty bodies, United Nations bodies and organizations, other international organizations, non-governmental organizations and national human rights institutions. In this regard, and by so doing, the Council has clearly recognized that the views and contributions of all stakeholders are important and crucial for enriching its work.

Mr. Chairperson,

Excellencies,

Ladies and gentlemen,

Permit me now to say a few words about the ninth session, which concluded in September 2008. While the main developments of the session will be reflected in the third annual report which will be brought

to the attention of the General Assembly in June 2009, I wish to highlight three texts which require urgent consideration by the General Assembly, as does the Optional Protocol to the International Covenant to Economic, Social and Cultural Rights.

Firstly, resolution 9/18 entitled 'Follow-up to resolution S-3/1: human rights violations emanating from Israeli military incursions in the Occupied Palestinian Territory and the shelling of Beit Hanoun'. This resolution recommends that the report of the Fact-finding Mission be considered by the General Assembly "with the participation of the members of the mission". The Council adopted this resolution after having heard the report presented by His Eminence Archbishop Desmond Tutu, the Chair/Rapporteur of the High-Level Fact-Finding mission mandated by the Council.

Secondly, decision 9/103 entitled 'Strengthening of the Human Rights Council'. Under this resolution, the Council requested the Secretary-General to present a report which would detail the resources required to ensure the provision of necessary services, including the translation of documents and the webcasting of all proceedings of the Council working groups. In the same decision, the Council also recommended to the Assembly to ensure the establishment of an Office of the President with adequate staffing resources and necessary equipment. Establishing such an office of the Presidency would facilitate easy access and communication between the President and the Bureau, Member States of the Human Rights Council, Observer States, including those Members of the UN who have no permanent missions in Geneva.

At the same session, the Council also heard the update of two regional preparatory Meetings for the Durban Review Conference, respectively held in Brasilia and Abuja.

Ladies and Gentlemen,

As the principal human rights body of the United Nations charged with the responsibility of protection and promotion of human rights, the Council draws great inspiration from the principles and objectives of the Universal Declaration of Human Rights. In this regard, the Council shall be holding a commemorative session on the occasion of the 60th anniversary of the Declaration, scheduled to be held on 12 December 2008. Members of the Bureau and I have been actively working with members of the Council on modalities to mark this important event.

Mr. Chairperson,

In conclusion, the year of 2007-2008 can be considered fruitful in terms of institution- building. It marked the achievement of the institutional renewal of the United Nations human rights machinery. With this development, I am confident that the Council is in a better position, as a subsidiary organ of the General Assembly, to advance the course of protection and promotion of human rights.

I would like to reiterate the commitment of the Council to continue to strengthen the United Nations human rights machinery and to enhance the promotion and protection of all human rights for all. The tasks before us may be daunting, but with the support of all stakeholders, the Council will succeed in upholding the highest standards of human rights by all Member States, as

we have all rightly pledged to do when we decided to establish this unique body.

I thank you.

As the principal human-rights body of the United Nations charged with the responsibility of protection and promotion of human rights, the Council draws great inspiration from the principles and objectives of the Universal Declaration of Human Rights. In this regard, the Council shall be holding a commemorative session on the occasion of the 50th anniversary of the Declaration, scheduled to be held on 12 December 2008. Members of the Council and I have been actively working with members of the Council on measures to mark this important event.

The Chairperson,

In conclusion, the year of 2007-2008 has been a significant period in terms of human rights. It marked the achievement of the Millennium Goals of the United Nations human rights machinery. With this development, I am confident that the Council is in a better position as a subsidiary organ of the General Assembly, to advance the cause of protection and promotion of human rights.

I would like to reiterate the commitment of the Council to continue to strengthen the United Nations human rights machinery and to continue the promotion and protection of all human rights for all. The work before us may be daunting but with the support of all stakeholders, the Council will succeed in upholding the highest standards of human rights by all Member States.