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Third Committee
32nd Meeting (AM)

2007-2008 MARKED 'INSTITUTIONAL RENEWAL' OF UNITED NATIONS HUMAN RIGHTS MACHINERY

THIRD COMMITTEE TOLD, AS IT TAKES UP HUMAN RIGHTS COUNCIL REPORT

Council President Says 'Implementation Phase' Has Been Reached; Two Groups of Countries Already Reviewed under Universal Mechanism

"2007-2008 ... marked the achievement of the institutional renewal of the United Nations human rights machinery" and was a fruitful period for the institution-building of the Human Rights Council, said the President of the Council, Martin Ihoeghian Uhomoibhi (Nigeria), speaking to the Third Committee (Social, Humanitarian and Cultural) today, as it took up the report of the Council.

"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", said Mr. Uhomoibhi. Indeed, over its first two years of work, the Council had advanced sufficiently in its institution-building that it had now moved onto the implementation phase of its various mechanisms, including the Universal Periodic Review. The first group of States had been reviewed under that mechanism in April 2008, and a second group in May.

Along with the outcomes from that review process, Mr. Uhomoibhi said the report also contained more than 100 resolutions and decisions adopted by the Council during the reporting period, including the adoption of an optional protocol to the International Covenant on Economic, Social and Cultural Rights, which had been "painstakingly negotiated" in Geneva and was now before the General Assembly for consideration and adoption. The representative of Portugal, whose delegation would introduce the draft resolution calling for the adoption of that protocol by the Assembly, said the intensive negotiations had produced the "best possible compromise" that would allow for a high number of ratifications in the future.

It was frequently through individual complaints that human rights were given concrete meaning, he said, where norms that might otherwise seem general and abstract were put into practical effect. The new mechanism would create a communications procedure for cases of alleged violations of all economic, social and cultural rights contained in the Covenant, similar to the one that existed for civil and political rights.

In addition to negotiating the draft protocol, the Council had also been seized with global events that constituted serious human rights violations, said Mr. Uhomoibhi. As such, it had dedicated numerous special sessions to some of those situations, including the human rights situation in Myanmar, human rights violations emanating from Israeli military attacks and incursion in the Occupied Palestinian Territory, and to the negative impact of the world food crisis on the right to food.

Now, the continuation of much of that work lay in the hands of the General Assembly, and Mr. Uhomoibhi urged Member States to give urgent consideration to a number of items included in the report, such as the draft optional protocol. In addition, he asked that the Assembly pay special attention to a resolution on human rights violations emanating from Israeli military incursions in the occupied Palestinian territories, and a decision on strengthening the Human Rights Council, which would require the Secretary-General to present a report detailing the resources the Council needed to ensure the provision of necessary services and provide for the establishment of an Office of the President of the Council.

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Background

The Committee met today to take up the report of the Human Rights Council (document [A/63/53](#) and Add.1), which includes the resolutions, decisions and

president's statements adopted by the Human Rights Council from 10 September 2007 to 18 June 2008, at its sixth, seventh, eighth and ninth sessions, and at its fifth, sixth and seventh special sessions. The resolutions adopted during the reporting period ranged from the establishment of funds for the Universal Periodic Review mechanism to the human rights situations in various countries. As well, the report includes the decisions adopted on the outcomes of the Universal Periodic Review for the first 32 countries to undergo that process.

The General Committee had asked for the report to be considered in a plenary meeting and in the Third Committee, on the understanding that the Third Committee would consider and act on all recommendations of the Human Rights Council to the Assembly, including those that deal with the development of international law in the field of human rights, without prejudice to the right of Member States to present resolutions and decisions on all issues considered in the report of the Council. Taking that recommendation into account, the Assembly will consider the report of the Council in a plenary meeting.

Introduction of Report

MARTIN IHOEGHIAN UHOMOIBHI, President of the Human Rights Council, drew the Committee's attention to a number of resolutions included in the report that he said required urgent action. In addition, he presented a brief overview of the work of the Council during its sixth, seventh, eighth and ninth sessions and its fifth, sixth and seventh special sessions. During the reporting period, the Council had established new mechanisms and subsidiary bodies, undertook the process of review, rationalization and improvement of the mandates of Special Procedures, agreed on the modalities of the Universal Periodic Review and reviewed 32 countries.

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Mr. Uhomoibhi also drew attention to the implementation of the Universal Periodic Review and the first two groups of States to have undergone the process. So far, the Council had reviewed 32 countries, and, based on the current timeline, all Member States were scheduled to be reviewed by 2011. During the same period, the Council had reviewed the mandates of some 24 Special Procedures, both country and thematic. Since the seventh session in March 2008, a number of Special Procedure mandate holders had been appointed or renewed, with due consideration given to regional and gender balance. In addition, and in accordance with its mandate, the Council had been seized with events in some parts of the world that constitute serious human rights violations. As such, the Council had dedicated its fifth special session to the human rights situation in Myanmar, its sixth special session to human rights violations emanating from Israeli military attacks and incursion in the Occupied Palestinian Territory, and in the seventh such session to the negative impact of the world food crisis on the right to food.

Turning then to the ninth session, which had concluded in September 2008, he highlighted texts that required urgent consideration by the General Assembly, along with the optional protocol to the International Covenant to Economic, Social and Cultural Rights. In particular, he noted resolution 9/18 on human rights violations emanating from Israeli military incursions in the occupied Palestinian territories, which recommended that the report of the fact-finding mission be considered by the General Assembly, and decision 9/103 on strengthening the Human Rights Council, in which the Council requested the Secretary-General to present a report detailing the resources required to ensure the provision of necessary services and recommended to the Assembly to ensure the establishment of an Office of the President with adequate staffing resources.

"The year of 2007-2008 can be considered fruitful in terms of institution-building, and it marked the achievement of the institutional renewal of the United Nations human rights machinery," he said, while expressing his confidence that the Council was now in a better position to advance the course of protection and promotion of human rights. "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."

Statements

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TIBOR SHALEV-SCHLOSSER ([Israel](#)) said his Government appreciated the President of the Council's efforts to lead the deliberations of the Council in a balanced manner. Still, he asked the President what had been done, and what would be done, in order to guarantee a fair and balanced treatment for all countries in the Council. In particular, he referred to the "singling out" of Israel in the Council's agenda with a special item, and asked when the content of the special mandate on the territories would be reviewed. His delegation also took note of the fact that such a review had even been requested by the mandate holder itself. Finally, he asked what had been done to ensure that the "Durban II" Conference would not become, itself, a platform for racism or incitement to anti-Semitism or anti-Zionism, and would not follow the example of the original conference on the same issue.

Rights of Reply

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The representative of [Sudan](#) ...

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Further, he said the United States rejected any criticism of Israel and used its veto power to protect the tyrannical authority of Israel, which violated the rights of Palestinians. The United States did not take a responsible position against the occupation of the Palestinian people, who were subject to massacre and deprived of their dignity and human rights. The United States Government would always adopt an agenda item on not criticizing Israel. ...

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