



## **ISHR statement at the 6<sup>th</sup> session of the Human Rights Council**

**19 September 2007**

Mr President

This is an appeal to the Council.

Three months ago this morning, on 19 June, we felt a sense of achievement that the great work of institution-building in the Council's first year had been completed. The package was adopted; there were a small number of remaining tasks to be undertaken. Three months later, this morning, two trends are becoming evident in this session.

The first trend is that agreement is only possible on the basis of the lowest common denominator, undermining the purpose and intent of the package of 18 June. When we look at the proposals for requirements of members of the Human Rights Council's Advisory Committee and for mandate holders, we see the lowest common denominator. The package itself said that the only "most highly qualified persons" should be selected, that the Council should have the "best possible expertise". And yet the criteria being proposed are so low that literally millions of people will be eligible to serve the Council in this capacity. This is not what the clear words of the institution-building package require. There is concern expressed by many delegates that the higher criteria originally proposed would exclude people from developing countries. But they will also exclude people, quite rightly, from developed countries. The fact is that the criteria should exclude if they are to lead to the appointment of the "highly qualified persons" making available the "best possible expertise". In addressing these two areas, we are seeing movement towards the lowest common denominator. That is not what was agreed and it is not good enough.

The second trend that is becoming evident is delay. It is appropriate, in relation to the Universal Periodic Review, to ensure that the best possible preparation is undertaken by every state under review. But this is no excuse for delay when this process should have commenced last year, but did not. We are concerned by the emphasis today in many contributions on the need for a fund for technical assistance. Indeed, there is need for such a fund. But the establishment of the fund

cannot be used as an excuse for further delay. Much human rights work is cost-free. And in any event, before additional assistance is provided, we need to ask whether States are honouring their obligations in relation to the fulfilment of economic, social and cultural rights to use the “maximum extent of available resources” for this purpose.

Similarly, suggestions to delay further the completion of the mandate review until next March are simply excuses for delay. States argue that we need to take a comprehensive approach to the mandate review. Non-governmental organisations said that 15 months ago, but no comprehensive approach was taken. Now we have mandate holders whose futures are uncertain, who cannot plan their activities, and indeed whose authority is undermined because of the delay. The reviews must be completed as quickly as possible and those that can be completed now, at this session, should be completed now.

The Council is in danger of drifting, Mr President, and it simply must be stopped and action commenced. Thank you.