

## Statement at closing of the Human Rights Council's 14<sup>th</sup> session

Mr President,

We are pleased to have this opportunity to offer our reflections on the Council's 14<sup>th</sup> session.

At the outset we would like to thank the many delegations that have paid tribute to Floribert Chebeya who was killed on 2 June. We have taken note of the information provided by the DRC about plans to investigate the killing and call on it to continue to keep the Council informed of its efforts in this regard. We encourage all States to continue to press for an independent inquiry and prosecution of those responsible for his killing.

We also continue to express concern at intimidation, harassment and reprisals faced by those that seek to cooperate with the UN, its mechanisms and representatives in the field of human rights. We urge the Council to give greater attention to this issue. This could include demanding that States report to the Council on measures taken to investigate and ensure accountability for alleged reprisals.

Mr President,

We welcome the urgent debate the Council held during the first week of this session. This provides a valuable new tool for the Council to be more responsive to urgent human rights situations. We trust that this tool will be applied in a non-selective way to enable the Council to better address human rights situations wherever they occur. We also welcome that many delegations addressed situations of human rights violations that have long been ignored by the Council, including one involving a long-standing situation of gross and systematic violations.

At the same time, the Council must recognise that human rights violations do not occur in a vacuum and that country situations may be discussed throughout the Council's agenda.

Mr President,

We welcome the landmark joint statement on maternal mortality, endorsed by 108 States from all regional groups, the largest ever cross-regional statement in the Council.

It is significant that this session saw the first UN discussion of the decriminalisation

of consensual sexual conduct, in the context of the right to health. The constructive contributions by States from all regions illustrate that this Council can and must engage in discussion of sensitive topics from a human rights perspective. It is disappointing, however, that some States still seek to bar discussion of human rights issues they disagree with. Such an approach, if accepted, would frustrate the Council's ability to fulfill its mandate. The mandate includes 'promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner'.

Mr President,

In relation to the UPR, we welcome the increasing clarity of States' responses to recommendations. This can be further enhanced by States under review circulating clear responses to each recommendation, in writing, and in advance of the session at which the report will be considered. The practice of States rejecting recommendations for reasons incompatible with international human rights law, or claiming that national law takes precedence over their international human rights obligations, must cease. Similarly, States which take the floor merely to praise their regional and political colleagues are undermining the credibility of the process as a whole. We are also disconcerted by the continued presence and participation of government sponsored organisations in the UPR process.

We welcome discussion of the joint report of four special procedures on the global practice of secret detention. The issue is a timely and urgent one, and it is appropriate to situate it in the context of specific concerns in regions around the world. Both the institution-building text and the Code of Conduct for special procedures encourage cooperation amongst mandate-holders, and this is precisely the kind of innovation we should encourage in future.

It remains a concern to us that many States continue to invoke the Code of Conduct in an arbitrary non-specific way to 'shoot the messenger' when they disagree with the message. This highlights the importance of vigorously safeguarding the independence of the special procedures and ensuring that the Code of Conduct is not misused as a tool of political intimidation. Similarly, we have concerns that the process for appointing mandate-holders is increasingly being politically manipulated. This jeopardises the Council's access to independent and expert reporting and advice.

[States' failure to cooperate with the special procedures needs to be urgently addressed. According to the Annual Report of the OHCHR, two-thirds of communications from Special Procedures go unanswered. In any review of the system of special procedures, the first and most crucial matter needing to be urgently addressed is the gross and systemic failure of States to meet even minimum levels of cooperation.]

Thank you