

## Oral statement under Item 2 – Annual report of the High Commissioner

16<sup>th</sup> session of the Human Rights Council

3 March 2011

Thank you Mr President, Madam High Commissioner,

We meet today after two recent landmark moments in the life of the Council; the conclusion of the five-year review of the Council's work and functioning; and the Council's clear response to on-going events in Libya. Madam High Commissioner, as noted in your report, 'a key benchmark of the Council's success is its ability to address chronic and urgent human rights situations and to make a difference on the ground' which will ultimately enhance the protection it provides to human rights defenders.

By this standard, the review of the Council failed. However, the Libyan case shows how the Council can take decisive and unanimous action. The Council has shown what it can do with the tools it has available to it. The political will demonstrated during the special session was an example of the Council working at its best, sending a strong and united political signal to the world that serious abuses of human rights will not be tolerated. *Member States need to continue to show responsibility by acting swiftly and strongly in the future. A failure to act weakens the Council's credibility in the eyes of victims and human rights defenders whose trust and contribution are essential to the effective and meaningful functioning of the Council.*

Madam High Commissioner, as you have noted in relation to the recent events in North Africa and the Middle East, civil society plays a central role 'in producing change and spurring international action'. Human rights defenders undertake the difficult and often dangerous work of promoting and defending the human rights standards formulated at the international level. Without their commitment and bravery the work of the Council would come to nothing. *And yet the Council continues to fail to act upon its obligation to provide protection to human rights defenders, an obligation it bears particularly with respect to those groups and individuals who cooperate with the Council, its mechanisms and the wider UN human rights system.*

As you state in your report, one of the most valuable elements of the Council's mechanisms their accessibility human rights defenders. Reprisals against those who cooperate with those mechanisms are a direct threat to that accessibility. We therefore fully support your call for the Council 'to consider the adoption of additional measures to protect engagement

**between experts and all stakeholders'. Such measures should include systematic means of monitoring and following up on abuses against those who cooperate with the UN human rights system. In this context, how do you envisage OHCHR's role in providing such protection?**

**Finally, we see the treaty bodies as central to the better enjoyment by individuals of their rights. It is crucial that they develop into a system that can effectively support this goal. We welcome your own commitment to seeking innovative and creative ideas for how the treaty body system can better fulfil this aim. We also welcome the opportunities provided to NGOs to contribute to this process. Together with a large group of NGOs we submitted a response to the Dublin Statement, and we look forward to continuing to participate in the process.**

*Lastly, we are grateful that the Council's review process has safeguarded your independence and that of your Office. As we have said on previous occasions, the Presidential Statement from the 15<sup>th</sup> session on the Council's consideration of OHCHR's strategic framework should be treated as a personal invitation from the President to you. We reiterate our that only you decide whether, how and in what format to seek the views of members and observers of the Council and other stakeholders on your strategic framework.*

**Thank you.**