

COUNCIL MONITOR

International Service for Human Rights



Human Rights Monitor Series

COUNCIL UPDATE ORGANISATIONAL MEETING FOR THE 4TH CYCLE 19TH JUNE 2009

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Overview

The 4th cycle of the Human Rights Council (the Council) started with an organisational session on 19 June 2009. It was the first meeting with the new membership of the Council.¹ The meeting was dominated by shared goodwill for the outgoing President of the Council, Ambassador Uhomoibhi, and calls for the Council to improve its effectiveness. It began with statements by the High Commissioner for Human Rights, Ms Navanethem Pillay, and some reflections from Ambassador Uhomoibhi on his tenure of the position and his hopes for the future. The new President, nominated by Denmark on behalf of the Western European and Others Group (WEOG), was chosen as Mr Alex van Meeuwen of Belgium. He made an opening speech in which he praised the work of the previous Presidents and stated his intentions for the coming year. Also of note was the speech by the United States and other new Council members in declaring their support for the continued success of the Council.

ISHR delivered a statement at the organisational meeting, emphasising the need for the Council to do more to fully address all aspects of its mandate.²

The Council also gave initial consideration to the annual programme of work for 2009 – 2010, which sets out a broad schedule for the next three sessions. The calendar of meetings and the annual programme of work for 2009 and 2010 are available on the OHCHR extranet.³

¹ The Council's members are Angola (2010), Argentina (2011), Bahrain (2011), Bangladesh (2012), Belgium (2012), Bolivia (2010), Bosnia and Herzegovina (2010), Brazil (2011), Burkina Faso (2011), Cameroon (2012), Chile (2011), China (2012), Cuba (2012), Djibouti (2012), Egypt (2010), France (2011), Gabon (2011), Ghana (2011), Hungary (2012), India (2010), Indonesia (2010), Italy (2010), Japan (2011), Jordan (2012), Kyrgyzstan (2012), Madagascar (2010), Mauritius (2012), Mexico (2012), Netherlands (2010), Nicaragua (2010), Nigeria (2012), Norway (2012), Pakistan (2011), Philippines (2010), Qatar (2010), Republic of Korea (2011), Russian Federation (2012), Saudi Arabia (2012), Senegal (2012), Slovakia (2011), Slovenia (2010), South Africa (2010), Ukraine (2011), United Kingdom of Great Britain and Northern Ireland (2011), United States of America (2012), Uruguay (2012) and Zambia (2011). See also <http://www2.ohchr.org/english/bodies/hrcouncil/membership.htm>.

² Available at http://www.ishr.ch/index.php?option=com_content&task=view&id=244&Itemid=466.

³ At <http://portal.ohchr.org/portal/page/portal/HRCExtranet>.

Opening statements

Ms Pillay opened the meeting by thanking the outgoing President for his work. She also used the opportunity to highlight some of the pressing issues that she felt needed to be addressed by the Council for it to enhance its credibility and effectiveness. This included maximising the Council's potential in dealing with pressing human rights situations and continuing to develop the UPR system. She welcomed the practice of States inviting special procedures mandate holders to visit their countries and was pleased at the UPR process which has provided a 'catalyst' for the further ratification of human rights treaties and a critical assessment of a State's follow-up to treaty body recommendations. Besides implementing existing standards, she also highlighted the need for the Council to fill 'normative gaps' in legislation and thus welcomed the recent Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR). The High Commissioner emphasised the need to encourage a plurality of views in the Council and the UPR process, which she said would enhance and enrich these debates. In an apparent reference to the recent special session held on the situation in Sri Lanka,⁴ she said that the Council should be more potent and decisive in addressing emergency situations. She further commented on the need to develop the Council's unique mechanisms and ensure the effectiveness of special procedures, calling them the 'building blocks' of the Council's development. Only 'a demonstrated ability to integrate the contributions from treaty bodies, national human rights institutions and non-governmental organisations would convince people of the Council's success', she said.

The outgoing President Uhomoibhi offered his inspiring thoughts on the Council's progress to date and echoed many of the High Commissioner's points raised. Declaring that the Council had made 'modest progress' in the previous year, he nevertheless believed that the Council had proved its cynics wrong in overseeing the establishment of three new major human rights treaties and declarations, namely the *International Convention on the Rights of Persons with Disabilities* and the *International Convention on the Elimination against Enforced Disappearances*, and the *Declaration on the Rights of Indigenous Peoples*.

He said that there could be 'no place so remote or dark that the UN human rights system could not reach', and therefore insisted there should be no denying of access to special procedures. He pointed out that the global human rights situation is 'far from healthy', but hoped that with renewed efforts by all stakeholders in the Council, including NGOs, the situation would improve. He reminded States to adhere to their international human rights commitments and decried the attitude of some States to pick and choose which rights they enforced 'à la carte'. He paid particular attention to the issues of impunity, quoting US President Obama's recent speech in Egypt, and the relative inaction regarding the eradication of poverty, which was particularly concerning in light of the recent huge efforts made by some governments to bail-out their national banking institutions. He ended by stating that 'to forbear to do harm is more meritorious than remedying actions after they have happened', and stressed the Council's collective duty to protect and ensure human rights.

Election of Officers

Ambassador van Meeuwen of Belgium was elected as the Council's 4th President, according to the regional rotation of that post. He will serve until June 2010, when an Ambassador from the Asian Group will replace him. The following Vice-Presidents were elected:

- **Ambassador Mr Hisham Badr**, Permanent Representative of Egypt, for the Group of African States.
- **Ambassador Mr Andrej Logar**, Permanent Representative of Slovenia, for the Group of Eastern European States.
- **Ambassador Mrs Dyan T. Djani**, Permanent Representative of Indonesia, for the Group of Asian States;
- **Ambassador Mr Carlos Portales**, Permanent Representative of Chile, for the Group of Latin-American and Caribbean States

⁴ See ISHR's report, available at http://www.ishr.ch/index.php?option=com_content&task=view&id=522&Itemid=1.

Ambassador Badr was also elected as Rapporteur of the Bureau. The terms of the newly elected Bureau members will end on 18 June 2010.

States were then given the floor to speak. Amid widespread congratulations for the outgoing President by all States that spoke, the United States made its first statement as a new member of the Council. It said that it recognised its own historical shortcomings in the protection of human rights. However, declaring a ‘new era of transparency and objectivity’ it expressed its wish that the Council should speak with one voice and emphasised ‘forging constructive paths towards shared goals’. Algeria took the floor to criticise the gender balance of the Bureau and called upon the Council to be less ‘ideological’ and instead aim to be more ‘value driven’. Bangladesh and Sri Lanka stated that the Council should ensure its non-selectivity and should resist the politicisation of its work.

Programme of Work

The President also introduced the latest version of the annual programme of work, advising stakeholders that the calendar for the coming year was provisional and could therefore be adjusted according to the needs of the Council. He said that the draft annual programme would be updated to reflect the resolutions adopted at the 11th session. No States commented on this, and on this basis the draft annual programme of work and calendar were adopted by consensus.

Further information

For further information on the Human Rights Council, please consult the following resources:

- Web site of the International Service for Human Rights, providing up-to-date information before, during and after sessions of the Council: <http://www.ishr.ch/council>. During the session, ISHR will provide information about the Council’s proceedings on a regular but not daily basis. You can subscribe to receive alerts of our publications by sending an email to information@ishr.ch.
- Oral statements made at the Council, as well as other informal documents and draft resolutions are available on the ‘OHCHR extranet’ at <http://portal.ohchr.org/portal/page/portal/HRCExtranet>. Username: ‘hrc extranet’ Password: ‘1session’.
- Web site of the Office of the High Commissioner for Human Rights (OHCHR) on the 11th session of the Human Rights Council: <http://www2.ohchr.org/english/bodies/hrcouncil/11session>. For direct access to reports considered, check <http://www2.ohchr.org/english/bodies/hrcouncil/11session/reports.htm>.

NGOs and human rights defenders seeking more specific information or individual advice on the Council session, please contact the ISHR secretariat by email or phone at +41 (0) 22 919 71 00.

COUNCIL MONITOR STAFF

Eléonore Dziurzynski, Communications Officer
Michael Ineichen, Human Rights Officer
Gareth Sweeney, Deputy Manager
Katrine Thomasen, Manager International Programme

CONTRIBUTORS

Rachel Breen, intern
Joelle Dek, Intern
Dmitry Foryy, Intern
Mabel Kirabo, Intern
Ladina Knapp, Intern
Clara Martino, Intern
Isabella Ries, Intern
Peter Tubman, Intern

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