

Human Rights Council 16th session

End of session statement - 25 March 2011

Mr President,

This is a joint statement on behalf of Asian Forum for Human Rights and Development, Cairo Institute for Human Rights Studies, and the International Service for Human Rights.

Just over one month ago we regretted that the Council had not taken the opportunity to use the review of its work and functioning to improve its response to the needs of human rights defenders. It seems that the members and observer States in the Council have taken the criticism to heart.

While we remain disappointed about its content, we welcome the adoption of the outcome of the review process, and in particular the inclusion of all contributions including those of stakeholders. We trust that the General Assembly will now do its part to strengthen the work of the Council. In particular we hope that States will have the political foresight to take serious steps to enhance the pledge mechanism for new candidates and address the problem of clean slates, thereby avoiding the Libyan experience of having to suspend one of its members.

The momentum gained with the swift action at the special session on Libya has been partly saved into the 16th session, which has made the session ending today one of the most successful to date. While there remain many areas in which the Council needs to do more and needs to do better, the results achieved today are remarkable. Let me point out some of the achievements:

1. The new **Special Rapporteur on Iran** is the first country specific special procedures mandate the Council has established and sends an important message to human rights defenders in the country that the international community has not forgotten them.
2. Equally, the commission of inquiry on **Cote d'Ivoire** is a strong response. It shows how the Council can add value to wider efforts of the international community in addressing the human rights dimension of difficult political situations.
3. The resolution adopted on **Tunisia** is an important step in accompanying the transition to democracy by providing expertise and support through OHCHR.
4. On a thematic level, the renewal of the several special procedures mandates, including **the Special Rapporteur on human rights defenders** is welcome. The consensus on this mandate is a clear acknowledgment of the important role human rights defenders play.
5. The adoption of the **Declaration on human rights education and training** is an important milestone for human rights defenders, and we hope the declaration will be used as a practical tool for the promotion and protection of human rights.
6. We salute the joint statement by 85 states on **ending violence against persons on the basis of their sexual orientation or gender identity** and welcome the agreement by many States that criminal laws relating to sexual

orientation should be expunged. In this context, we appreciate the deferral of a resolution on the way forward pending further discussion.

7. A further divisive debate that has hopefully been put to rest is the falsely framed discussion on "**defamation of religions**". We congratulate Pakistan for having worked constructively towards finding a solution that better respects the individual human rights of all persons.
8. Other important thematic developments include the full day panel discussion on the right of the child's focusing on Street children and we welcome the focus of next year's debate on **children and the administration of justice**.

Regrettably, the Council has remained below expectations on several points.

1. We regret that the Council's response to the situation in the **Democratic Republic of the Congo** remains inadequate and does not follow the recommendations of its own special procedures mandate holders.
2. Sadly the **Independent Expert on Burundi** has still not reported to the Council. We look forward to the consideration of the report on Burundi in June as do the many human rights defenders who have travelled repeatedly to Geneva expecting the report to be considered.
3. Unfortunately the negative trend of attempting to undermine the universality of human rights continues. The resolution on **traditional values** does not contribute to strengthening the promotion and protection of human rights. Nevertheless, we now look to the Advisory Committee to use its expertise, and ensure deliberations on this subject are inclusive, transparent, and safeguard the integrity of international human rights law.

Moving forward, the task of the Council, its members and observers is to **build on these achievements of this session**. Looking ahead to the weeks to come and the Council's 17th session we hope that you will continue to pay attention to the situation in several countries in the **Middle East and North Africa**, which remain of concern. Recent events including the violent repression of demonstrations in Syria, Bahrain and Yemen need to be addressed. The model of Libya and Cote d'Ivoire offer important lessons for future consideration of such situations.

The next session in June will also be an important opportunity to develop the Council's response **to reprisals**. The SG's report on recent cases of reprisals merits closer attention by States and in particular a response from those states that have allegedly committed acts of reprisals. This could be the beginning of a concrete, timely and meaningful response to cases of reprisals by the Human Rights Council.

Thank you.