

EU speaking points for the
Informal consultations on the HRC Review: Process and Modalities
Geneva, 26 May 2010

- Thank you, Mr. President, for convening these consultations to discuss the modalities of the 2011 HRC review before the Intergovernmental Working Group on the review starts in October. I have the honor to speak on behalf of the European Union.
- The solemn commitment to promote universal respect for and protection of human rights led us to the establishment of the Human Rights Council, a UN body exclusively responsible for promotion and protection of human rights and fundamental freedoms for all persons in all countries of the world.
- In its young history, the Council has proved on a number of occasions to be a competent organ to address human rights situations. But we also have seen that there are areas, in which the Council has not lived up to its mandate and responsibilities. With this in mind the European Union welcomes this self-assessment exercise that is before us and is looking forward to cooperating with you, Mr. President, as well as with all other stakeholders with the aim to advance human rights issues.
- As to the timing of the review process in Geneva, we agree to have a first session of the Working Group at the end of October in which we will share our assessment of the accomplishments and shortcomings of the Council and make concrete proposals for improvement, followed by a second meeting at the beginning of 2011, in which we shall finalize our deliberations and indicate areas for agreed adjustments.
- GA 60/251 establishes a division of labor between NY and Geneva: The Assembly shall review the status of the Council and the Council shall review its work and functioning and report to the GA. This could entail however some risk of overlapping and duplication. Thus, we need to ensure a close coordination between Geneva and New York, and the EU will support any efforts aimed at ensuring it. As for the sequencing of the process, the EU considers that the review of the status of the Council should be linked to the results of the Geneva review, and that both processes should ultimately converge in NY. We would, therefore, welcome close consultations between the President of the HRC and the President of the GA, with a view also to the alignment of the calendars of the whole process. We would be interested to learn about ongoing contacts so far.
- To be able to conclude our evaluation of the Council's performance on time in Geneva, the sessions of the Working Group should be well prepared. We believe that it will be necessary to agree on a draft agenda prior to the sessions, so as to allow the President to structure the programme of work for the two sessions and to give all stakeholders the necessary time for preparation of our debate. The agenda, in our view, should reflect the mandate of the Working Group to analyse the implementation of the Council's mandate and responsibilities. This choice would entail the inclusion in the Review of the evaluation the HRC's task to undertake the Universal Periodic Review. UPR cannot be evaluated in an isolated manner as is an integral part and a valuable mechanism of the HRC. Decisions taken regarding the review will affect the UPR and also decisions to be

taken regarding UPR should be considered within the broader framework of the Human Rights Council.

- We invite the President to lead us through this process and for the sake of full transparency the EU would like to work with all stakeholders on a draft agenda, as part of your draft roadmap. As for the structuring of the meetings, the EU would prefer not to hold parallel meetings as some delegation would then run the risk of being excluded from the full participation in the review. Also, we expect the President to summarize all the views and proposals expressed in the first session of the Working Group on all the issues under review, to indicate areas of consensus and to seek for compromise between conflicting proposals.
- The European Union attaches high value to the contribution of the civil society to our every day work. We believe that their active participation in the review process is crucial and we would like to hear their views on the discussed topics at the end of each thematic chapter of our debate.
- Further, we appreciate the different preparatory initiatives that allowed for early brainstorming and informal discussions of different ideas and proposals. We believe that the outcomes of these deliberations shall be available on the OHCHR extranet together with submissions from civil society and relevant UN bodies and mechanisms that the President shall invite to contribute.
- Experts, Member States and observers, should be invited to put forward their analysis, input and concrete suggestions, before the first Working Group session in October with a deadline for submission no later than mid September.
- We fully trust the President to transparently organize this work as he deems appropriate, including the possibility to call on specific expertise and to call for expert assistance in his work.
- The European Union suggests that the Working Group shall agree on a report that should assess the ability of the HRC to fulfil its mandate and preferably contain consensual proposals for improvement of Council's mandate implementation, and if necessary indicate of remaining issues of disagreement. Such a report should then, as called for by OP 16 of GA Resolution 60/251, be send to the UN General Assembly.