



Mission permanente d'Israël
auprès de l'Office des Nations Unies
et des Organisations Internationales à Genève

משלחת ישראל
ליד משרד האומות המאוחדות
והארגונים הבינלאומיים בג'נבה
Check against Delivery

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To the United Nations, Geneva

Human Rights Council Review
Second Session of the Open-ended Working Group

7 February 2011

Mr. President,

Let me begin by extending my delegation's sincere appreciation for the work of the President, the five (5) facilitators and the Secretariat throughout the formal and informal sessions of the review. At the same time, however I wish to express our sincere disappointment in the review process thus far of the Human Rights Council.

Mr. President,

Israel has engaged in this exercise in the hope that the Council would take a serious and critical look at itself, and in good faith, accept that in some key aspects it has failed to adhere to its mandate under UNGA resolution 60/251. The singling out of one country alone by devoting to it a Permanent Agenda item 7, as stipulated in Section V (B) and (C) of the IB package, stands in marked contrast to the basic principles on which this Council was established. This cannot be reconciled with the imperative of ensuring "universality, objectivity and non-selectivity in the consideration of human rights issues," as stipulated by resolution 60/251 and it clearly is counter to "the elimination of double standards and politicization".

The Council lacked the authority to adopt resolution 5/1 and its Annex, to the extent that it selectively singled out one country - Israel. From a legal and procedural standpoint, one must not let the political rhetoric govern and dictate this process. The resort to political explanations such as "maintaining the delicate balance" or that "this is a review and not a reform"— are a poor excuse to justify an institutional discrimination and bias against Israel, and in effect, they are detrimental to any meaningful review of the Council's methods of work.

To date, regrettably no serious consideration has been devoted to the issue of the existing imbalanced Agenda of the Council.

Removing Agenda-Item 7, from the Council's Permanent Agenda is not only a legal requisite, but it is also vital in order for the Council to earn credibility and legitimacy, in accordance with its constitutive mandate and basic principles of fairness and impartiality. All human rights situations of concern must be considered on a par and in the same manner, under Agenda Item 4, including Israel and the Israeli-Palestinian conflict. To this end, we reiterate our proposal to significantly increase the time allotted to the consideration of Item 4 in order to ensure an efficient and meaningful exchange that will promote universal respect for, and the realization of, human rights and fundamental freedoms for all.

Mr. President,

Similarly, to this day, while the overwhelming majority of special procedures and mandate holders have been reviewed by the Council in some way since its establishment, it is the Mandate of the Special Rapporteur on the Territories that remains isolated and detached, without any review as required by operative paragraph (6) of UNGA resolution 60/251.

Let me also remind the Council of the importance of the visibility of its work in the public's eye in order to ensure the respect and legitimacy that it so far lacks. Sadly, the Human Rights Council has become so renowned in its exercise of selectivity and politicization against my country that even the Media no longer wishes to cover its sessions. This credibility deficit casts a dark shadow on the work of the Council in general and on the review process in particular.

Mr. President,

Let me also express regret that the Brazilian-Mexican initiative to enable the High Commissioner of Human Rights to bring urgent situations to the attention of the Council has not received full support of the Council. We believe this was an opportunity to enhance the independence of the High Commissioner and to improve the work relations

between the OHCHR and the Council. We urge delegations to favorably reconsider this proposal.

Furthermore, this Council must better utilize its tools to consider urgent situations of concern. In the last month alone at least two urgent human rights situations of concern, required the attention of the Council, yet no steps were ever taken to address either of them.

Mr. President,

In practice, the Council has become too political body to have any valuable impact where it truly matters. We, therefore, request that the Report of the Working Group, in line with the established procedure of the Council, includes all oral comments and proposals made in the course of this review process. The Report must provide a holistic and comprehensive account of all the proposals raised during the review process, in order to allow UN General Assembly a full and fair disclosure of the pending issues at hand. In the spirit of transparency, it should also reflect the proposals of all stakeholders including National Human Rights Institutions and the NGOs community.

Mr. President,

This compilation, as it now stands, is considerably lacking and hence - does not enjoy Israel's support. The proposals submitted up to this day by Israel, have not been reflected in the compilation of contributions. In line with the principles establishing this Council and pursuant to its constitutive document, we call upon all delegates with a genuine interest in the success of this exercise, to reconsider their position before adopting any outcome document.

I thank you.