

الجمهورية الجزائرية الديمقراطية الشعبية

RÉPUBLIQUE ALGÉRIENNE DÉMOCRATIQUE ET POPULAIRE

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البعثة الدائمة
لدى مكتب الأمم المتحدة
والمنظمات الدولية بسويسرا

HUMAN RIGHTS COUNCIL 3rd Session

*Open-ended Inter-sessional Intergovernmental Working Group
Charged with Special Procedures
Preliminary conclusions by H.E. M. Tomáš Husàk*

*Declaration delivered by
H.E. M. Idriss JAZAÏRY
Ambassador and Permanent Representative of Algeria
On behalf of the African Group*

original en français

Geneva, 5 December 2006

Mr. Chairman,

I had the opportunity of expressing our concerns, on behalf of the African Group, regarding the method of making recourse to the "preliminary conclusions", as an outcome of the discussions which took place within the framework of the inter-sessional Working Groups. If these documents, it is true, have not been approved by the members of the Group, neither are they mere minutes of the deliberations.

In the case of the conclusions on special procedures, however, these very conclusions go well beyond merely summarising the debates, defending a position that was not actually shared by a large number of participants.

For instance, on the issue of the election or appointment of mandate-holders, the proposed "summary" on the appointment of mandate-holders, by the Chairman, the High Commissioner or the Secretary General, based on a pre-evaluation by the Committee of Coordination on Special Procedures is contradictory to the views of the majority of the delegations, who declared themselves in favour of an election by the Council of Human Rights itself, in addition to the fact that such an evaluation on the part of the mandate-holders themselves would bring about a conflict of interest. Neither was there any agreement to the effect that certain Special Rapporteurs be simply appointed by the Secretary General.

Concerning the priority areas, asserting that there was unanimity on the fact that "country focus" was essential is equally questionable. On the contrary, it was stated by the majority that country reports should be restricted to exceptional cases to which much stricter criteria would be applied than was the case in the past, with a view to preventing the politicisation of debates that was quite characteristic of the deliberations of the Human Rights Commission.

Consequently, unlike stated in the report, there was no consensus in favour of a simultaneous evolution of thematic and country mandates.

Concerning the relationship between the Council, which is the supreme body in terms of the promotion and the protection of human rights, and the special procedures, which must be the instrument rather than the partner thereof, the relevant paragraph hardly skimmed over the lengthy discussions that took place on this issue.

The document queries whether it is for the Human Rights Council to "interfere" in the process of reviewing the manual of the Coordination Committee. Such a question and such a derogatory term are currently out of place, now that the second session of the Human Rights Council has explicitly mandated the Working Group with the undertaking of this particular task, all the more so as the Coordination Committee postponed the cut off date for the submission of observations to the end of the fourth session of the Council, precisely to allow the latter to submit the said observations.

differences that were expressed, in the way that done by the Facilitator for the UPR, rather than discussing the tendentious interpretations of a complex debate.

Thank you.