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Statement

by

**H.E. Mr. A.R. Moaiyeri
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before

the first session of the Human Rights Council

under agenda item

Universal Periodic Review

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Mr. President,

The mechanism of the Universal Periodic Review constitute a breakthrough in the work of the United Nations intergovernmental human rights activity. The rational behind the proposal of this mechanism was to ensure universality, objectivity, non-selectivity and impartiality in the work of the Human Rights Council. The real performance of this mechanism, in a logical setting, should allow the human rights machinery to act beyond the monopoly, maintained by a few in the past, in monitoring the human rights situations in the countries.

Yet, there is every reason to believe that the Universal Periodic Review, though a universal mechanism, will be subjected to the risk of being perverted, over the passage of time, if all safeguards to protect the system are not identified and implemented.

The real challenge before the Council, in this domain, is to ensure that the monitoring system work truly as a universal mechanism in addressing the human rights situations worldwide. This will require the Council to adopt a balanced and integrated approach and enforce the unified set of criteria and terms of reference in all situations alike. The agreed modalities, the quality accepted to be valid for the source of information, the elements required for the admissibility of information, the widely accepted criteria of ratifications and finally the implementation of recommendations given by the United Nations expert system should be equally and carefully applied to all states.

A major deficiency within the monitoring system of the Commission on human Rights was the fact that some procedures and providers of information frequently highlighted a particular manifestation considered to be violation of human rights by a traditionally targeted country, while they tend to be quite insensitive to an equally charged violation of human rights by another country, deemed traditionally exempted from the international scrutiny, thanks to its political influence in the system.

Hence, any stereotypical attitude directed towards a particular state stressing on a well propagated form of violation of human rights at the expense of others should be rejected.

Besides, the following elements should also be taken into consideration

-As mentioned in the GA resolution, the review should be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity building needs.

-Review process should take into consideration the important features of the level of development of the State and religious and cultural particularities of different societies.

-Members of the Council should be first which go under review.

-A country reviewed under the UPR mechanism in the Council should not be simultaneously subject to other bodies and procedures.

- An open, transparent and inclusive process of negotiations on the modalities of the UPR should be followed by the Council. In this regard an open – ended working group should be established based on paragraph op5 (f) and op9 of the General Assembly resolution 60/251.

Thank You