

Statement by the Delegation of Malaysia
On the Follow-up to the Decisions of the Human Rights Council,
Second Session of the Human Rights Council
29 September 2006

Mr. President,

We view this My delegation *associates itself with the* statement delivered by Pakistan on behalf of the OIC.

~~This is an important opportunity for the Human Rights Council to thoroughly consider the fundamental issue of follow-up and implementation of its decisions and resolutions.~~

~~Very often in the context of work in UN organs, we are faced with serious problems of decisions not implemented or even lack of concrete follow-up to them. This is a timely occasion for us to reflect on this problem given this Council is still new and in a formative stage.~~

2. While we look into the implementation of specific recent decisions or resolutions by the Council, my delegation believes that we should also consider concrete steps necessary to address this perennial problem on non-implementation. After all what is always at stake is the credibility and effectiveness of the Council. The Council will not have both if its decisions are not implemented, to put simply.

~~Mr. President,~~

3. As emphasised by ~~most~~ speakers already, it is imperative that the decisions taken by the Council are carried out in full and without undue delay. More importantly so if those decisions have been taken at the Council's Special Sessions, reflecting the gravity of the human rights violations on the one hand and the importance of urgent and effective response to such violations on the other hand.

4. In this context, my delegation fully subscribes to the earlier statements calling for urgent and full implementation of the decisions the Council adopted at its first ~~and second~~ special sessions held in July ~~and August~~, respectively. We fully support the calls that have been made for Israel to implement the decisions relating to it in Resolution ~~S/11/4~~ of 6 July 2006 on the human rights situation in the Occupied Palestinian Territory, including to facilitate the despatch of a fact-finding mission headed by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, by providing the necessary access to the said mission.

5. Similarly, we fully support the call for the implementation of Resolution S-2/1 of 11 August 2006 on the grave situation of human rights in Lebanon caused by Israel military operations. We take note that the High-Level Commission of Inquiry [is currently in Lebanon] to carry out its work and we look forward to its report. We recall that the urgency of the inquiry called for in the resolution was

Thank you, Mr. President.

of particular importance. Therefore, the delay in the appointment of the Commission members and its mission to Lebanon, which was apparently due to certain budgeting constraint, is very much regrettable. At this juncture, we wish to express our appreciation for the recent visit by the four mandate holders to Lebanon and Israel. We will carefully study the report of the visit and we look forward to consideration of this report by the Council next week.

Mr. President,

6. Implementation of decisions by the Council also hinges on the required human and financial resources, as well as the dedication and impartiality of any concerned UN machinery that is supposed to undertake the tasks entrusted to it by the Council, promptly and efficiently. In light of the recent experience, there are a number of broad questions that need to be carefully considered. These include among others a question relating to the relationship between this Council and the General Assembly, and this Council on the one hand and the OHCHR and the UN Secretariat in New York on the other. This relationship must be clearly defined to indicate the level of authority that this Council has in terms of ensuring that necessary resources will be made available on the basis of 'automaticity' or in a timely manner for the implementation of its decisions. This is crucial so that the Council will not to lose effectiveness and credibility.

Thank you.