



# PAKISTAN

PERMANENT MISSION TO THE UNITED NATIONS

---

56 Rue de Moillebeau, 1211 Geneva Tel: (4122) 749.1930 Fax: (4122) 734.8085

---

PLEASE CHECK AGAINST DELIVERY

STATEMENT

BY

TEHMINA JANJUA  
DEPUTY PERMANENT REPRESENTATIVE

ON BEHALF OF THE ORGANIZATION  
OF THE ISLAMIC CONFERENCE

AT THE  
THIRD SESSION OF THE HUMAN RIGHTS COUNCIL  
ON PRELIMINARY CONCLUSIONS OF THE WORKING  
GROUP ON REVIEW OF MANDATES  
(EXPERT ADVICE)

GENEVA  
7 DECEMBER 2006

Mr. President,

On behalf of the Organization of the Islamic Conference, I would like to commend Ambassador Musa Burayzat of Jordan for facilitating the work on the Expert Advisory Body as a successor to the Sub-Commission on the Promotion and Protection of Human Rights.

We have actively participated in a series of formal and informal consultations undertaken by the Facilitator which has enabled us to make progress in this regard.

We would like to offer the following comments on the two papers circulated by the Secretariat containing preliminary conclusions and a summary of discussions in the Working Group:

1. The OIC has repeatedly called for the retention of an advisory body or a think tank of the Human Rights Council comprising independent experts.
2. **Structure:** We support a single well-defined formal structure on the pattern of the Sub-Commission. The Sub-Commission cannot be replaced by an adhoc arrangement of a roster or pool of experts to be maintained by the Office of the High Commissioner for Human Rights for conducting studies.
3. **Size:** Our preference is to retain the number of experts of the Sub-Commission. Equitable geographical representation in accordance with the formula agreed for membership of the Human Rights Council should be strictly adhered to in the composition of the future expert body.
4. **Term of Membership:** We agree that each term should be of three years. We have to further consider the proposal of limiting membership to two terms on the pattern suggested for the special procedures.
5. **Election/Selection:** The members of the expert body should be elected by the Human Rights Council from experts nominated by the states. We do not see the merit of the High Commissioner or the Secretary General in appointing experts to the new body.
6. **Eligibility of the Experts:** We can support the eligibility criteria given by the facilitator. The experts should be independent, impartial and objective, highly qualified and competent. They should be representative of different legal systems and cultures in order make the new body truly international.

The Expert Advisory Body should also have a gender balance.

7. **Status:** The Expert Advisory Body should meet for three weeks as was the case with the Sub-Commission. It should not be a standing body. We support the retention of the Working Groups of the Sub-Commission.

**Mandate:** We believe that the new body should be an expert, not a legislative body. It should be a subsidiary organ of the Council. Legislation is the prerogative of the Human Rights Council, even if it is a complex process. Lawmaking is cumbersome work in all parliaments. The Sub-Commission's successor cannot assume the political and parliamentary functions of the Council. We should not assign any country-specific role to the advisory body. There is growing consensus that such a body should be collegial in its approach.

The OIC is of the view that the expert body should be given a clearly defined mandate which should focus on specific issues. It should provide inputs to the Council in the shape of studies, reports and recommendations on subjects requested by the Council.

8. **Relationship with the HRC:** The expert body, being a subsidiary body of the Council, should only undertake tasks assigned to it by the Council. The expert body cannot be expected to participate in the Universal Periodic Review, as this could undermine its independence and credibility.

We look forward to further detailed discussions on all issues relating to the expert body that would be a successor to the Sub-Commission on the Promotion and Protection of Human Rights. The Sub-Commission did some important work and performed a useful supportive role for the Commission in the past. This supportive role needs to be retained. The future expert body should perform an essential think tank supportive role for the Council.

Thank You, Mr. President.