

## **Council considers effectiveness of technical assistance provided to States**

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As part of the Council's consideration of need for and effectiveness of its provision of technical assistance and capacity building support to States, the Independent Experts on Haiti and Côte d'Ivoire presented their annual reports to the Council. A report from the High Commissioner on the situation in Libya was also presented. The discussion reflected on progress made in the States, highlighted certain issues that remained outstanding, and left room for thoughts on possible ways to improve the provision of technical assistance in the future.

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### **Progress through effective technical assistance**

There was praise during the discussion for the effective way in which Libya and Côte d'Ivoire had engaged in technical cooperation, and the resulting improvements in the promotion and protection of human rights. Particularly with regard to Côte d'Ivoire several States mentioned the very effective reconciliation initiatives it had undertaken in cooperation with the Independent Expert on the situation in the country. However, despite the enthusiasm there was consensus that various challenges still had to be faced, in particular with regard to impunity for human rights violators and the fairness of the justice system. Côte d'Ivoire identified its low financial capacity as one major obstacle for further progress.

### **Human rights challenges still remain**

While some States were praised for their progress, concerns were expressed about the fragile human rights situations in further countries considered. In this context, the case of Haiti was highlighted. The country still faces enormous problems, despite its continued engagement with the Council's mechanisms. As in Côte d'Ivoire, the impunity enjoyed by human rights violators was identified as one major problem. The role of civil society in assisting States such as Haiti to make best use of technical assistance was raised as one possible area to explore further.

### **No cooperation without true efforts**

The crucial importance of the will to cooperate with the Council if the technical assistance provided is to contribute to improving the human rights situation on the ground was a point made by several States. The United States in particular emphasised that while technical cooperation could provide significant benefits, if the will of the State was not engaged then these benefits would not result. Sudan, for instance, continues to undermine political freedoms and recently prohibited access of humanitarian aid to North Darfur. The United States urged the Council to provide technical support only to States that were willing to cooperate, and to take actions against those who did not, stressing that genuine cooperation is fundamental if the Council is to be fully informed of the needs of the States and provide appropriate assistance.

### **Adoption of resolutions**

The Council adopted by consensus resolutions continuing the international community's provision of support to Haiti, Mali, and Libya. In the case of Mali, the Council established the post of an Independent Expert to provide dedicated support to the State to implement the recommendations coming from the Council. The Independent Expert will also inform the Council on progress made in the State. Particular emphasis is placed on the need to provide technical assistance to enable Mali to introduce judicial reforms through possible transitional justice mechanisms.

The Libyan resolution welcomes steps taken by Libya to address human rights concerns, including the drawing up of a national plan of action on human rights in cooperation with the High Commissioner. It draws particular attention to challenges in the areas of security, respect for the rule of law, and transitional justice. The High Commissioner is requested to continue her office's provision of technical assistance and to report back to the Council on the progress made in this respect and needs identified. Contrary to demands made by human rights defenders from Libya, no broad human rights monitoring mandate is given to the High Commissioner.

Haiti expressed its gratitude to States who had drafted the text on its own situation, which extends the mandate of the Independent Expert for one year and encourages the mandate holder to work with NGOs and civil society organisations.

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