

Joint NGO end of session statement

Human Rights Council 17th session – June 2011

Mr President,

This is a joint statement on behalf of the Cairo Institute for Human Rights Studies, the International Commission of Jurists (ICJ), the Human Rights Law Center, Civicus, Humanas, International Federation for Human Rights (FIDH), Arc International and the International Service for Human Rights.

We are pleased to be able to commend the Council for continuing to build on the improved performance observed at the March session, when amongst other successes, we witnessed the will to create new special procedure mandates where needed. This past session has – in part – built on this success. The principled approach and perseverance of many delegations has enabled the Council to take several positive decisions.

First of all, we applaud the landmark resolution on human rights and sexual orientation and gender identity passed this morning. It represents a long over due move by the Human Rights Council to step up to the mark, and begin to display the leadership in protecting all persons from human rights violations that the world expects from this body. In that regard, we salute the leadership of South Africans – both the government delegation and human rights defenders – which has galvanised the support of States from all regions. We regret that some States have attempted to portray the protection of all human beings from discrimination and violence as a divisive issue, but we recognize the readiness in this room to move beyond these difficulties and take more ‘nuanced’ positions. We hope for and look forward to the constructive engagement of all in the panel discussion in March next year.

While we are happy about this progress, we regret that the Council has backtracked on previously agreed language in the violence against women resolution, and we trust that the Special Rapporteur will continue to address violence against women with a focus on all vulnerable groups.

We also welcome the renewal of several important special procedures mandates. While we welcome the working group on business and human rights, we are disappointed that the mandate focuses almost exclusively on the Guiding Principles. We trust that it and the Council itself will continue to work on the implementation of the Framework, particularly concerning accountability and remedies.

The renewal of other mandates, including those on the independence of judges and lawyers and extrajudicial, summary or arbitrary executions is welcome, but we also see those resolutions as lost opportunities to include language reflecting the Council’s principled resolve to end reprisals against those who cooperate with UN human rights mechanisms, as enshrined in the review-outcome-document. We urge all States to ensure that specific cases are investigated, and that the broader phenomenon of reprisals is made the subject of sustained attention when the Secretary-General’s report is presented in September.

We welcome the response of this Council to the unfolding situations in Cote d'Ivoire, Libya, and Syria over the last several months, including the dedicated debates during this past session. The resolutions on Kyrgyzstan and Belarus, and the decision on Yemen are positive examples of incremental and innovative approaches. This is a move in the right direction, but

must be followed up with sustained attention and response to the situation on the ground, and accompanied by the willingness to step up pressure in case of lacking cooperation.

The selectivity and double-standards that have prevented the Council from addressing other urgent situations adequately, such as Sri Lanka and Bahrain, must be addressed more seriously by member States to avoid undermining the Council's credibility. The panel-discussion on peaceful protest is a further positive attempt to do so, but will not be sufficient by itself. More cross-regional efforts, coupled with the kind of leadership and principled human rights based approaches shown by individual delegations during this session, are key for success.

Finally, Mr President, we wish to support previous speakers in expressing concern about the appointment process of special procedures mandate holders. The past session has shown the importance of observing scrupulously the criteria set out in Resolution 5/1, and of the independent role of the President. We hope that your successors will build on your efforts in maintaining that role.

Last but not least, Mr President, we thank you for steering the Council through a challenging, but overall successful cycle, and look forward to working with you in your reincarnation as Ambassador of Thailand.

Thank you.