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JOINT STATEMENT Human Rights Council 32nd Session Concluding statement

8 July 2016

I have the honour to deliver this statement on behalf of a cross-regional group of States including Austria, Belgium, Botswana, Canada, Chile, Croatia, Czech Republic, Denmark, Iceland, Ireland, Finland, France, Ghana, Hungary, Liechtenstein, Lithuania, Mexico, Netherlands, New Zealand, Norway, Republic of Korea, Romania, Rwanda, Slovakia, Slovenia, Spain, St Kitts and Nevis, Sweden, Switzerland, Ukraine, United Kingdom and Uruguay.

Mr President

As we mark this, the 10th anniversary session, we believe there is a key opportunity for the Council to reflect on how to give meaning and life to paragraph 5(f) of UNGA resolution 60/251, bearing in mind also the mandate given in paragraph 3 of the same resolution.

Paragraph 5(f) calls on the Council to contribute, through dialogue and cooperation, towards the prevention of human rights violations and respond promptly to human rights emergencies.

Emerging patterns of human rights violations are an important indicator or early warning of a developing crisis. Today, with the Secretary-General's Human Rights Upfront action plan in place, the increasing geographic reach of the Office, and with modern technology and media, the international community is better aware of such emerging patterns of violations than ever before.

But are we, in this Council, in a position to receive and consider such information at an early stage? Are we able to react and take decisions quickly, based on the principles of universality and non-selectivity? And do we have the tools or mechanisms to respond to and address emerging crises?

We welcome the new Swiss-led initiative, announced at the opening of this session, on human rights and conflict prevention, which aims, inter alia, at encouraging States, within existing institutional frameworks, to strengthen interaction between the Human Rights Council and other UN bodies.

However there are other commitments which States in this Council are well-placed to take in order to live up in full to our existing mandate as conferred by the UNGA and with full respect for the principles set out in resolution 60/251 including universality, objectivity and non-selectivity.

Mr. President,

One aspect of this framework is how the Council can consider incoming information about emerging situations of concern, in a non-politicised, non-selective and objective manner; and to decide on an appropriate course of action to prevent or address and respond to violations.

In that regard we recall the statement delivered by the Maldives on behalf of a cross-regional group of States at HRC20, including a voluntary commitment by signatory States to be guided by a number of independent, objective considerations when assessing whether a situation or specific issue merits the attention of the Council and if so, when formulating how the Council should respond.

We recall the guiding considerations identified in that earlier statement, and suggest that they might be supplemented with some additional ones. We believe that when reflecting on a situation of emerging concern, the Council could consider, inter alia:

- whether there has been a call for action by the UN Secretary General, the High Commissioner for Human Rights or a relevant UN organ, body or agency;
- whether a group of Special Procedures have recommended that the Council consider action;
- whether the State concerned has a national human rights institution with A-status; [and whether that institution has drawn the attention of the international community to an emerging situation and called for action];
- whether the State concerned has been willing to recognise that it faces particular human rights challenges and has laid down a set of credible actions, including a time-table and benchmarks to measure progress, to respond to the situation;
- whether the State concerned is engaging in a meaningful, constructive way with the Council on the situation;
- whether the State concerned is effectively cooperating with HRC Special Procedures, including by allowing country visits,
- whether the State concerned is engaging with OHCHR, including in the field of technical assistance and effective engagement with the UN Human Rights Treaty Bodies;
- whether a relevant regional mechanism or institution has identified a situation as requiring the attention of the international community; or whether the State concerned is cooperating with relevant regional organisations;
- whether the State is facilitating or obstructing access and work on the part of humanitarian actors, human rights defenders and the media.

We are convinced that these and other considerations can offer a useful guide for States, to help us decide, in an objective and non-selective manner, when the Council should usefully engage with a concerned State, to prevent, respond to or address violations and to assist in de-escalation of a situation of concern.

These same independent factors can serve as valuable guidance for States in assessing when the consideration by the Council of any particular issue or situation has reached the point where the manner in which the Council addresses it should be reconsidered; or where it may appropriately be considered for closure.

We are pleased today to commit ourselves to being guided by these considerations, and call on other States to work with us on this important matter.

Thank you



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