

African Statement
The Dialogue with the High Commissioner
5 / 3 / 2009

Thank you Mr. President,

On behalf of the African Group, I would like to express our appreciation for the report and presentation of the High Commissioner. They both reflect her strong commitment to the regular and frank dialogue with the Council, an inclination that is highly valued and shared by the Group.

The Group shares the emphasis the High Commissioner made on the role of the UPR in the promotion and protection of human rights at the national level. However, the Group is of the view that the UPR is proceeding in the right course stated by the IB Text. The role of both the Treaty Bodies and the Special Mechanisms is well defined and sufficiently injected in the process. The Group does not see the need to alter the current practice. Furthermore, The Group emphasizes, once again, that the implementation of the outcome of the UPR process remains the sole responsibility and prerogative of the concerned country.

As for the proposed idea of allowing the Council to address issues during the intersessional periods through presidential statements, the Group wishes to stress that such action is contradictory with the IB Text that clearly emphasized the purely organizational and procedural manner of the work of the Bureau.

The Group welcomes the involvement of the High Commissioner in the Durban Review Process and is encouraged by her report contributing to the Outcome Document. The African Group will submit its detailed views on the report in due course. The African Group remains committed to the success of the process. It is willing to cooperate with other groups that are ready to engage into dialogue and to reciprocate flexibility to ensure consensus, without resorting to unnecessary threats.

The Group shares the concern expressed by the High Commissioner with regard to the status of migrants in many parts of the world. The discrimination and abuse they endure, including during their imprisonment in inhuman detention centers, is contrary to all calls for the promotion and protection of human rights for all. In this regard, it would be appreciated to hear an elaboration on the efforts of the High Commissioner encouraging states to ratify the International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families.

The Group, while welcoming and sharing the wish of the High Commissioner to develop greater interaction and consultation between the Council and her Office, is of the view that such interaction should go beyond the briefing stage and be given a more institutional format, with the view of enriching the work of both bodies and ensuring the fulfillment of their respective mandates.

The Group welcomes the emphasis the High Commissioner made on the importance of the economic, social and cultural rights and the need for the full recognition of the right to development. The Group, too, is of the view that prosperity, security and welfare of societies hinge upon the realization and implementation of those rights.

The African Group joins the High Commissioner in appealing for adequate resources for her office and the mandate holders and urges for urgent intervention by the General Assembly and the Secretary General in this regard.

With regard to the issue of dealing with the International Criminal Court, the African Group believes that this issue remains subject to a sovereign decision to be made by every state. States should not be requested to accept arrangements beyond their international commitments, as this would be in contradiction with the Vienna Convention on the Law of Treaties.

As for the issue of field presence, the Group welcomes the policy of openness and dialogue with member states the High Commissioner is promoting. However, there is still an urgent need to explain the decision making process and to intensify comprehensive consultations

with all concerned countries with the view of enhancing transparency in this regard. The Group also remains concerned at the current practice of limiting the field presence to developing countries. In this regard, we would appreciate receiving information on the status of preparation for opening the repeatedly mentioned regional office in Brussels, as well as the scope of work and the mandate of the proposed office.

Mr. President,

The African Group would have wished to see the issue of the human rights situation in the Arab Occupied Territories, including Jerusalem and the Golan, addressed in the Introduction of the High Commissioner her self. While the Introduction addressed, at considerable length, the human rights situation in more than ten countries, it remained silent on the issue of the Occupied Arab Territories.

Finally, Mr. President, and in line with the repeated call of the Group, shared by other Groups, the African Group would like to, once again, stress the need for ensuring a more equitable geographic representation in the Office of the High Commissioner, in terms of both numbers and ranks.

Thank you.