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ITEM 64: REPORT OF THE HUMAN RIGHTS COUNCIL

Mr. President,

We welcome President Dupuy back in New York and thank her for her comprehensive report before the General Assembly on the work of the Human Rights Council. In the past year the Council has further consolidated its work and has again shown its readiness to address urgent and grave human rights violations. The Council has proven – better than other UN bodies – that it is a voice of accountability for the most serious human rights violations, in full accordance with its mandate. We welcome the continuous engagement of the Council with regard to the situation in Syria and commend the Commission of Inquiry for its work, in particular in collecting evidence that can be used in judicial proceedings to hold those responsible for the gravest human rights violations and violations of international humanitarian law to account. Furthermore, we welcome the call by the Council on the Sri Lankan government to fulfill its relevant legal obligations and commitment to initiate credible and independent actions to ensure justice, equity, accountability and reconciliation for all Sri Lankans for the serious human rights violations and violations of international humanitarian law in the final phase of the civil war. We also welcome the consensus decisions of the Council on the human rights situations in Mali and Eritrea. Unfortunately, urgent action by the Council was not taken to the extent desirable with regard to the human rights situation in Bahrain.

Mr. President,

We welcome the work undertaken by the Human Rights Council on the safety of journalists and on the promotion and protection of human rights in transitional justice. The Council thereby shows its ability to address current and emerging areas of concern to the international community with a view to strengthen safeguards in the promotion and protection of human rights, in particular in situations of fundamental societal and political change. We believe that in executing its mandate the Council should continue to be guided by the principles enshrined in the Vienna Declaration and Programme of Action (VDPA). The VDPA unconditionally reaffirms the universal nature of all human rights and fundamental freedoms and commits us States to universal respect for, and observance and protection of, all human rights and fundamental freedoms for all. It is against this background that we have followed with some concern the discussion within the Council on traditional values of humankind. While we understand that there might be added value for States to consider particular circumstances when complying with international human rights obligations, we are also convinced that such circumstances cannot be invoked to alter the fundamental entitlement of any human being to the full protection of all her or his human rights – an entitlement, which directly derives from her or his inherent dignity as a human being. We hope that the Council will heed those concerns in its future discussions on the issue.

Mr. President,

The Human Rights Council has established itself as the central standing body of the United Nations to address all dimensions of human rights questions, including standard setting, implementation and emergency response. This year marks a particular moment in the Council's existence as one of its central instruments to promote and protect human rights, the Universal Periodic Review, has entered its second cycle. It is also a time of particular challenges for the UPR. During its second cycle the UPR must prove its validity in terms of concrete results and improvements of the promotion and protection of human rights around the globe. Progress in the implementation of recommendations is essential to secure the legitimacy of the UPR among States and civil society. States should make a particular effort to show that a review by their peers is able to directly benefit citizens of all parts of the world without distinction. The legitimacy of the UPR is not least grounded in the fact that every single State has been reviewed under this process in the first cycle. Preserving the universality of the UPR must therefore be the highest priority for us States, in particular for the members of the Council, but also for the Presidents of the Council and of this Assembly and for the Secretary-General. States have a collective responsibility in

ensuring that the UPR continues to be a cornerstone of the United Nations human rights architecture. The refusal to cooperate under the UPR is a direct challenge to the universal and equal applicability of agreements in the field of human rights and risks taking us back to an overcome understanding that have plagued the Council's precursor body in which political interest and selectivity have often prevailed. We therefore hope that all States will continue to honor the principle of inclusive and transparent multilateralism by submitting themselves again under the UPR.

Mr. President,

The review of the status of the Human Rights Council has been accomplished just over a year ago by the General Assembly. Not all expectations have been met, but a number of positive achievements can be cited. The existing channels for funding urgent and extraordinary decisions of the Council seem to be open, in principle, to OHCHR, if not at all times. The consensus to preserve the current institutional relationship between the High Commissioner, the General Assembly and the Council has allowed for a pragmatic approach to improve information sharing and cooperation within the agreed set-up. And finally, the realignment of the Council's cycle seems to have benefitted both the Council and the General Assembly, while a number of practical implications might still need to be addressed. At the very least that realignment has allowed us to welcome the current President of the Council twice in New York and we look forward to a fruitful exchange with her in the Third Committee after this meeting.

I thank you.