

**STATEMENT
BY THE THAI DELEGATION
ON PROGRESS REPORTS
FROM THE INSTITUTIONAL BUILDING WORKING GROUPS
AT THE 4TH SESSION OF THE HUMAN RIGHTS COUNCIL (HRC)
15 MARCH 2007, GENEVA**

Mr. President,

Allow me to join other delegations in thanking all facilitators of the open-ended intergovernmental Working Groups on institutional building of the Human Rights Council (HRC)¹ for their tireless efforts and able chairmanship during the course of discussions. My delegation would also like to thank all facilitators for their updated non-papers.

We would also like to associate ourselves with the statements made by Sri Lanka on behalf of the Asian Group and Cuba on behalf of the Non-Aligned Movement (NAM).

The HRC will be one year old this June. Despite its short existence, the HRC has come a long way in laying a solid foundation to effectively respond to all mandates of UNGA Resolution 60/251. We are confident that under your leadership, the HRC will be able to finish its task on institutional building as scheduled. We believe that with all out efforts by HRC members, non-members and interested parties in a more constructive and cooperative manner, we can reach a conclusion on this issue. Flexibility and compromise with full commitment to the HRC's objectives and responsibilities are keys to our success.

In this regard, my delegation would like to share some views as follows:

First, **on the Universal Periodic Review (UPR)**, which will become an important mechanism in reviewing the human rights situation in all countries and strengthen the promotion and protection of human rights for people on the ground, we need to think deeply how it can effectively eliminate mistrust, politicization, selectivity and double standards. The UPR is an intergovernmental interactive dialogue process that should build confidence and promote cooperation among all States. Only through constructive and positive dialogues will the UPR be a meaningful instrument to address the situation in all countries. Furthermore, a specified requirement that member countries of the HRC be the first group of countries to be examined under the UPR would help enhance the international community's confidence in the non-politicization and non-selectivity principles of the UPR mechanism, as well the credibility of the Council itself.

Second, **on the review of mandates**, the question is what we need from the Special Procedure system and how it can be reviewed and rationalized in a way to enhance the credibility of the Council. The review and rationalization of the Special Procedure system should be comprehensive and bring about real and effective changes in protecting human rights and fundamental freedoms. The initiative to draft the Code of Conduct for the mandate holders could be relevant and useful if it is not too specific but provide general guidelines and avoids duplication with the existing Working Manual, while respecting the independence of the mandate holders.

¹ H.E. Mr. Mohammed Loulichki (Morocco) – Facilitator on UPR, H.E. Mr. Tomas Husak (Czech Republic) – Facilitator on Review of the Special Procedures, Mr. Mousa Burayzat (Jordan) – Facilitator on Review of the Expert Advice Body, H.E. Mr. Blaise Godet (Switzerland) – Facilitator on Review of the Complaint Procedure, H.E. Mr. Carlos Ramiro Martinez (Guatemala) – Facilitator on Review of Agenda and Annual Programme of Work, and H.E. Enrique A. Manalo (the Philippines) – Facilitator on Methods of Work and Rules of Procedure

Third, **on the Expert Advice Body**, my delegation is optimistic about its valuable contribution to the HRC and views that impartial, independent, specialized and highly qualified experts could make a difference in promoting human rights situations and issues as requested by the Council. This body should have a well-defined structure, enhancing predictability and participation of all parties concerned. The Expert Advice Body should also maintain the unique characteristic of the Sub-commission as a venue for interactive dialogue which includes the civil society, especially for the discussion on issues such as contemporary forms of slavery, minorities and indigenous populations.

Fourth, **on the Complaint Procedure**, we would like to reiterate that the Complaint Procedure should consider only the allegations of a consistent pattern of gross, systematic and reliably attested violations of human rights and fundamental freedoms. Its nature of "confidentiality" should be retained and the existing criteria for admissibility of complaints or allegations under this procedure should be strictly observed throughout the whole consideration process. We also believe that, in order to prevent and correct, in an effective and sustainable manner, any grave human rights violations, it is necessary to recognize the constraints and limitations that the country concerned may be facing as well as to provide necessary assistance as needed and requested by that country to overcome such constraints and limitations.

Fifth, **on the Agenda and Annual Programme of Work**, the HRC should have a well-structured agenda, taking into account all sets of human rights, be they political and civil rights, economic, social and cultural rights, as well as the right to development. The balanced and equitable distribution of the agenda throughout the year is necessary for an effective preparation and participation of all relevant parties. My delegation also supports the views expressed by other delegations that the HRC should organize a High-level Segment only once a year during its main session and a general segment should be designated for countries which do not send their high dignitaries. In addition, we encourage the High Commissioner for Human Rights to present her updated report on human rights situation at each session, followed by an interactive dialogue, with the understanding that her annual report will be presented and discussed only at the main HRC session.

Sixth, **on the Rules of Procedure and Method of Work**, as a subsidiary body of the GA, the HRC should adopt the GA rules of procedure and the Council's method of work should be transparent, fair and impartial. The HRC should function in a cooperative and constructive spirit and promote a culture of dialogue and cooperation in a sincere manner, while appreciating and benefiting from the diversity and differences among one another. My delegation welcomes the involvement of the NGOs and national human rights institutions in the work of the HRC. Such participation should also come with full responsibilities and reflect a valuable, substantive and practical contribution with constructive dialogue and engagement.

Mr. President,

In concluding, Thailand wishes to see the HRC as a body that is credible, practical and successful. My delegation stands ready to closely cooperate with all interested parties to develop the relevant HRC in promoting and protecting human rights.

I thank you, Mr. President.
