Statement
by
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of Eritrea to the United Nations

On agenda item: 63

Report of the Human Rights Council
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Mr. President,

My delegation wishes to welcome the President of the Human Rights Council and takes note of his briefing.

Mr. President,
I like to take advantage of his presence to express Eritrea's view on certain issues concerning the activities of the Human Rights Council.

1. Concerning the principles and procedures of handling human right issues

- Eritrea believes and as it is strongly stressed by the African Group, NAM and other regional groups Universal Periodic Review (UPR) remains a valid mechanism in enhancing constructive dialogue and cooperation between Member States. This has been and is a novel approach where every country rich or poor, big or small, human rights' record is put under scrutiny.

- Article 2 of the UN Charter which clearly stresses the non interference in the internal affairs of states must also be the guiding principle of the Human Rights Council

- Human right is a universal concept. As clearly articulated by the African Group and NAM, selectivity, naming and shaming country specific resolutions must be rejected.

- It is because these principles were violated and abused by certain countries for political expediency that, in 2006 the Commission on Human Right was dismantled and replaced with the Human Rights Council. We were sure that we were establishing a new body with higher standards of principles and procedures than the defunct Commission on Human Rights.

- Yet today, history is repeating itself. The Human Rights Council is once again becoming a forum where some countries are using it to advance their interest and geopolitical agenda, including that of regime change.
Naming and shaming declarations and country specific resolutions are becoming the norm rather than the exception. This has to stop.

- The Human Rights Council should not allow itself to be used by any country big or small rich or poor. The

- Eritrea is deeply concerned by the current behaviour of some members states in the implementation and interpretation of the rules of procedures of the Council. This is a serious challenge that has to be addressed by the Human Rights Council in order to uphold its credibility and legitimacy.

- I hope when the President goes back to Geneva that he would ask the Council to verify the credibility and reliability of the allegations and the accusers

2. Concerning disbursement and rationalization of funding

- Every year the number of country mandate resolutions adopted by the Human Rights Council is growing. These proliferation of country mandates ought to be reviewed as a way of saving expenditures and rationalizing the work of the Human Rights Council. For example, the establishment a Special Rapporteur and a Commission of Inquiry for the same issue and for the same country is not only redundant, but it is also waste of time and resources that cannot be justified and rationalized

- Given the fact that there are no nations or governments that do not have human rights issues and problems, it is not possible to create country mandate holders for almost 193 member states. The fund allocated for such redundant activities can be utilized for enhancing other important activities the Human Rights Council is engaged. Given the fact that the Human Right Council is facing a major financial constraint to fully implement its mandated activities, this an area where unnecessary expenditure can be cut.

- The Human Rights Council must avoid overlapping of mandates and activities. Before asking for extra funding, it must address issues of redundancy and duplication seriously. It must clearly articulate, justify and rationalize its expenditures before coming up with the lump sum amount. The fifth Committee, ACBQ and other concerned UN bodies must carry a thorough discussion whether the Council's request is justifiable and cost effective.
3. On modus operandi or rules of engagement of the Human Rights Council

- Eritrea strongly believes the Human Rights Council must follow a clear procedure that will safeguard it from certain politically motivated resolutions from being railroaded under the pretext of human rights violations. In particular when it is done at the last minute while the concerned state is going under UPR process.

- The Human Rights Council that is mandated by the UN General Assembly to make sure that all types of human rights are respect and protected must implement the letter and spirit of the rule of law. It must give an opportunity for the concerned and accused state to defend itself and explain the human rights situation in the country. The dictum "you are innocent until proven guilty" must be respected by all member states, including the Council. The Council must be constantly be reminded that according to the UN Charter it does not have the right and the mandate to intervene in the internal affairs of any member state.

- The Council must base its decisions and resolutions on concrete information and evidences rather than on a politically motivated sweeping statements or allegations compiled by one or two individuals in the name of a Special Rapporteur or Commission of Inquiry.

- The members of the Council should thoroughly interrogate the country mandate holders to ascertain the facts.

- The Human Rights Council as a mandated body to enhance and promote human rights, it must be reminded that its decision and resolutions have serious financial and political ramifications. Its noble mandate should not be compromised under any circumstances or pretext.

Thank you Mr. President,