



*Permanent Mission of*  
**Malaysia**  
*to the United Nations*



**Statement by H.E. Ambassador Hamidon Ali  
on behalf of the Non-Aligned Movement concerning  
Chapter IV (Analysis by programme priorities), Section D:  
Promotion of Human Rights, of the Report of the Secretary General entitled  
"Mandating and delivering: analysis and recommendations to facilitate the review of  
mandates" (A/60/733), at the Informal Consultations of the Plenary of the  
General Assembly New York, 15 May 2006**

Mr. Co-Chair,

The Non-Aligned Movement has considered the section pertaining to the promotion of human rights as contained in paragraphs 88 - 94 in the report of the Secretary-General, and would like to make some preliminary comments in this regards.

2. But before doing so, the Movement would like to reiterate the general principles that should guide the review exercise as whole.

- this exercise deals with mandates that are older than five years and that have not been renewed since;
- this exercise aims at strengthening the programme of work of the Organisation in order to make it better equipped to deliver its mandates, old and new, and not merely a cost-cutting exercise;
- the exercise should respect the politically sensitive mandates and in this regard, views and concerns of main sponsors also need to be seriously taken into account, as well as knowing the reason why a mandate was not implemented;
- this is not an exercise on the consolidation of reports; nor should it be an exercise at trying to biennialise or triennialise agenda items, which should be conducted in the context of the "Revitalisation of the General Assembly". It is therefore important for us to have a clear objective for our exercise, so as to avoid overlapping with other parallel efforts of the General Assembly;
- and that any financial cuts resulting from this exercise are not relocated to other items.

Mr. Co-Chair,

3. We are facing a unique period in the work of the United Nations. The architecture of the human rights machinery is undergoing a process of reform wherein the machinery is given more than just a face-lift but more importantly a solid foundation and a clearer direction and guidelines for the effective and efficient implementation of its mandates.

4. The Non-Aligned Movement welcomes the recent establishment of the Human Rights Council and also reaffirms the role of the newly established Human Rights Council in the promotion of universal respect for the protection of all human rights.

5. We recognize that with the establishment of this new body, a streamlining of the mandates on human rights is expected. Indeed, as the General Assembly has pronounced in the resolution establishing the Human Rights Council, the Council is expected to "... assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of special procedures, expert advice and a complaint procedure; the Council shall complete this review within one year after the holding of its first session". The exercise to be undertaken by the Council itself should also be guided by the same general principles guiding this exercise and properly reported to the General Assembly.

6. While the architecture of the human rights machinery is being improved, the Non-Aligned Movement stresses the importance of the role of the Third Committee as the truly universal intergovernmental body of the UN General Assembly with the competence and responsibility in dealing with human rights questions and issues. In the context of this review, the group reasserts the primary role of the Third Committee in this regard.

Mr. Co-Chair,

7. We should proceed with caution in analyzing human rights mandates because a reporting requirement on an important agenda item may be necessary to continue the very existence of that agenda item. Furthermore, many of the requests for reports seek to address specific areas, which are necessary for the proper and careful consideration of related issues.

Most mandates requesting reports and other forms of documentation originate from the now defunct Commission on Human Rights, its subsidiary bodies, special mechanisms and procedures. We welcome and look forward to the streamlining of mandates in the new Human Rights Council, which is expected to be finalized within one year after its first session.

8. In analyzing the mandates emanating from the treaty body system, it must be borne in mind that treaty bodies have their own very focused and specific mandates, and the challenges regarding different membership in these treaties have to be adequately addressed.

9. The group has reviewed the proposals of the Secretary-General on limiting the reporting, and is of the opinion that limiting the number of languages in which summary records are issued, should be a separate consideration from this exercise. Similarly, the proposal for Governments to submit note verbales in one of the working languages, or attach English translation of materials, does not bear direct relation to this exercise.

Mr. Co-Chair,

10. We must not lose sight of the objective of this whole review exercise, and that is to review existing mandates and see where they can be streamlined and rationalized. It should not be about merely reducing the volume of documentation and consolidation of reports. Ultimately this will be the result, but not the goal, once we have identified and decide on the mandates to be reviewed. We need to be clear about what our short-term and long-term objectives are.

11. We need to formulate a clear picture of the timeline or roadmap for this review exercise. As stated in the Secretary-General's report, we, the Member States are the custodians of these mandates and it is up to us, with the spirit of compromise and political will, to see the successful conclusion of this entire exercise

12. However, with the huge number of mandates that exist, numbering 939 as listed in the online mandates registry, and particularly the sensitivities of many of the mandates on human rights, the NAM

wishes to caution against rushing towards a premature completion of this exercise. It is imperative that we approach this exercise in a systematic and practical manner, while taking into account the sensitivities of many of these mandates. To assist us in this foreseeable long endeavour, we need to establish criteria for review of the mandates and in this regard, the Third Committee could discuss and identify the necessary criteria as well as placing these mandates into broader categories. To do so, it is necessary to also make an assessment of the implementation of the mandates, for the reasons behind their partial or non-implementation.

Mr. Co-Chair,

13. The NAM stands ready to engage constructively with our partners and the Secretariat, as well as the Co-Chairs in this endeavour.

Thank you.