



Malaysia

Permanent Mission to the United Nations

**STATEMENT BY H.E. DATO' HUSSEIN HANIFF,
PERMANENT REPRESENTATIVE OF MALAYSIA
TO THE UNITED NATIONS
ON AGENDA ITEM 64: REPORT OF THE HUMAN RIGHTS COUNCIL
AT THE PLENARY MEETING
OF THE 66TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY
NEW YORK, 2 NOVEMBER 2011**

Mr. President,

The General Assembly Resolution 60/251 of 15 March 2006 decided that the Human Rights Council should review its work and functioning within five years after its establishment, and shall then revert to the General Assembly. In pursuant to the mandate authorized by Resolution 12/1, Malaysia was delighted to note the commencement of an open-ended intergovernmental working group to review the work and functioning of the Council (IGWG) and the commendable efforts by the President of the Human Rights Council in holding open-ended informal consultations on 26 May, 30 August and 6 September 2010 respectively to further delineate the process and the modalities of the review.

2. The review process which was convened in two separate sessions in October 2010 and February 2011 was aimed at strengthening the Council in its ability to protect and promote human rights. The review process therefore attempted to improve various possible angles, including on the Universal Periodic Review (UPR), Special Procedures, the Human Rights Council Advisory Committee and the Complaint Procedure, the Agenda and Framework for a Programme of Work and the Council's Methods of Work and Rules of Procedure.

Mr. President,

3. My delegation wishes to make some comments on UPR and Special Procedures. Allow me to firstly commend some of the encouraging assessments and recommendations in the focus and modalities of the UPR. With the complexity of issues relating to human rights, the recommendation for an extension of the review cycle to four years and a half, and using the existing resources and workload is indeed welcoming. In this regard, Malaysia notes with appreciation that the Universal Periodic Review Voluntary Trust Fund to facilitate the participation of States established by Human Rights Council Resolution 6/17 should be strengthened and operationalized in order to encourage significant participation of developing countries, particularly the least developing countries and small island developing states, in their review.

4. In the area of Special Procedures, in line with the Council resolution 5/2, States should cooperate with and assist special procedures in the performance of their tasks and it is incumbent upon mandate holders to exercise their functions in accordance with their mandates and in compliance with the Code of Conduct. As enshrined in the Paris Principle, the integrity and independence of special procedures and the principles of cooperation, transparency and accountability are integral to ensuring a robust system of the special procedures that would enhance the capacity of the Council to address human rights situations on the ground.

5. We take note of the work by the Special Procedures in fostering a constructive dialogue with States. In the same token, we would encourage the Special Procedures with country specific mandates to understand closely the internal situations of the concerned countries in order to provide reports that would help in the betterment of the human rights situations and at the same time, would also take into consideration the views of the majority.

Mr. President,

6. Malaysia sees that the purpose of the review of the HRC is to enhance the Council's effectiveness and efficiency in discharging its mandate. What this means is to achieve a consensus on practical and realistic outcomes. Malaysia notes with appreciation that the review process is a continuous effort, and the review is the first step in a continuing journey. In Malaysia's view, the Council should continue to make efforts in order to become more responsive to such a quest. It reflects the determination to seize the opportunity through the review to streamline the work of the Council in order to maintain and increase its relevance to the human rights situation on the ground.

7. Lastly, Mr. President, Malaysia fully supports the holistic aims of the review process in the Human Rights Council which was to contribute towards the betterment of human rights. It is our utmost hope that the outcome of the review process is geared at maintaining the principles of objectivity, inclusiveness, non-politicization, non-confrontation and above all, avoiding double standards and ensuring equal and fair participation of all States which should remain as the fundamental requisite of this state-driven process.

I thank you, Mr. President.