



# Malaysia

Permanent Mission to the United Nations

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**STATEMENT BY H.E. AMBASSADOR HUSSEIN HANIFF  
PERMANENT REPRESENTATIVE OF MALAYSIA,**

**ON AGENDA ITEM 64: REPORT OF THE HUMAN RIGHTS COUNCIL**

**AT THE THIRD COMMITTEE OF  
THE 67<sup>TH</sup> SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY,  
NEW YORK, WEDNESDAY, 14 NOVEMBER 2012**

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Mr. Chair,

I wish to join earlier speakers in welcoming Her Excellency Ambassador Laura Dupuy Lassere, President of the United Nations Human Rights Council (HRC) to New York once again and in expressing my delegation's appreciation for her comprehensive presentation to the Committee. We welcome this opportunity to engage with Ambassador Lassere on the important work of the Council.

Mr. Chair,

2. Malaysia wishes to reaffirm its support for the decision to allocate this agenda item to both the General Assembly and the Third Committee on the understanding that the Third Committee would consider and act on all recommendations of the Human Rights Council to the Assembly, including those that deal with the development of international law in the field of human rights. Such step allows for better and more comprehensive treatment of the various human rights issues, situations and concerns.

3. In this context, my delegation is encouraged to note that the work and functioning of the HRC has continued and developed in a manner consistent with the agreements and understandings reached at the conclusion of the HRC review process and as contained in GA Resolution 65/281 and HRC resolution 16/21, among others.

4. Indeed, the recent conclusion of the Council's 21<sup>st</sup> regular session marks the conclusion of the first cycle of the Council's annual programme of work based on the outcome of its review process, whereby reports of the three HRC sessions held in 2012 would now and henceforth be considered by the New York process within the same annual calendar.

5. My delegation also notes with satisfaction that the Second Session of the second cycle of the Council's Universal Periodic Review Working Group had also recently concluded its consideration and review of human rights situations in 14 UN Member States.

Mr. Chair,

6. In considering the report of the Human Rights Council contained in document series A/67/53 my delegation notes that alongside the regular recurring initiatives, the Council continues to break new ground in its ongoing efforts to ensure the promotion and protection of all human rights around the world. In particular, we are pleased to note the adoption of several initiatives which seek to enhance the Council's role and ability to provide capacity-building and technical assistance to states.

7. At the same time, my delegation also notes that the Council is moving towards deeper and more sustained conversations on values, traditions and practices that underpin the enjoyment of human rights, including through exploring the linkages between human rights, democracy and the rule of law.

8. We note with further encouragement that there is forward movement on the issue of transparency in funding of the OHCHR with the adoption of Presidential Statement 19/1. My delegation remains supportive of this initiative on the basis that public access to such information would dispel any notion that the OHCHR is or could be influenced by those that control its purse strings.

9. On a related matter, we appreciate the information provided on possible measures to be taken aimed at ensuring that both the UPR and the Council as a whole continues to be adequately supported, including through allocation of necessary financial and other resources.

Mr. Chair,

10. I wish to underscore the importance for all parties to respect and uphold the agreed methods of work which in our view is critical towards ensuring the Council's ability to discharge its mandate in a non-selective, non-discriminatory, impartial and transparent manner as well as in ensuring that the Council remains the primary intergovernmental forum for deliberating on human rights issues and concerns.

11. As such, my delegation takes strong exception to attempts by certain parties to reinterpret certain understandings which have been agreed upon. In particular, we have noted several instances over the past year in which the current Bureau of the Human Rights Council had repeatedly addressed substantive matters that lie beyond its mandated roles and prerogatives.

12. My delegation would underscore and affirm the understanding that the role of the Council's Presidency and Bureau has been clearly defined by the Council's Institution Building Package and requires no further elaboration.

13. In concluding, my delegation urges the HRC Bureau to refrain from pursuing matters that lie beyond its jurisdiction. Mindful that the Bureau does not have any prerogative to take a position on issues of substantive nature, my delegation is of the view that embarking on such exercise amount to attempts to establish precedents that could negatively and adversely affect the work and functioning of the Council.

I thank you for your attention.