



PERMANENT MISSION OF THE REPUBLIC OF  
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STATEMENT

BY

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**AGENDA ITEM 67: REPORT OF THE HUMAN RIGHTS COUNCIL**

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*CHECK AGAINST DELIVERY*

**Mr. Chairperson,**

I have the honor to speak on behalf of the African Group.

Allow me, at the outset, to welcome H.E. Dr. Joachim Rucker Permanent Representative of Germany to the UN in Geneva and the current President of the Human Rights Council and thank him for his introductory remarks through which he presented to the United Nations General Assembly the annual report of the Human Rights Council as contained in documents A/70/53 and A/70/53/Add.1. The African Group congratulates Ambassador Rucker on his work since January 1<sup>st</sup> 2015 and the level of professionalism and engagement that he has continuously maintained.

The African Group would like to highlight in this regard the following remarks vis-à-vis the work of the Human Rights Council since its last annual report:

1. As the Human Rights Council approaches the 10<sup>th</sup> anniversary of its creation, it continues to display promising performance in undertaking its mandate as a subsidiary body of the General Assembly according to Resolution 60/251 and further elaborated and framed in the Council's Resolution 5/1 on the Institutional Building Package of the Council as well as its Resolution 16/21 and GA's Resolution 65/251. The Council continues to expand its work and activities. This expansion poses the need for a comprehensive rationalization in the work of the Council to enable it to perform efficiently and effectively.
2. The African Group appreciates the efforts exerted by the incumbent President of the Council during his tenure to address the areas associated with potential increased efficiency in the work of the Human Rights Council. In this regard, we welcome the adoption of the PRST 29/1 on enhancing the efficiency of the Human Rights Council and the subsequent follow-up decision 30/115. We reiterate that any ideas or proposals for consolidating the methods of work or stepping-up efficiency should be within the established parameters by the IB package, outcome of the review, the rules of procedures and the existing agreed modalities of work. We also reiterate that the Bureau of the Human Rights Council should be guided by and working within the framework outlined by paragraph 114 of the Institutional Building Package which clarifies that the role of the Bureau should remain restricted to organizational and procedural matters.
3. We express our concern towards a number of attempts to depart from the IB package or initiating a de-facto review. The recurrence of these endeavors can result in grave and negative consequences on the credibility and the future security of the Human Rights Council. The same sources of concern also apply to the alarming attempts to question the status of the Human Rights Council as a subsidiary body to the United Nations General Assembly or re-open the discussion on previously settled key institutional questions.
4. As we approach the 30<sup>th</sup> anniversary of the UN declaration on the right to development in 2016, It is important in this respect to note with great concern the continued impasse in the intergovernmental Working Group on the Right to Development and the recurrent resistance against pursuing the process of normative elaboration of the content of the right to development and supporting its full realization, in particular a requisite Convention on the Right to Development. Sadly this comes at the expense of the serious work to be undertaken to ensure that this

important right becomes a reality for everyone, particularly the world's global poor in a concrete and tangible manner. The African Group welcomes the recommendation of the Human Right Council which requests the High Commissioner, as part of the activities to commemorate the 30<sup>th</sup> anniversary, to seek the views of Members States in preparing a paper on the realization and implementation of the right to development, as elaborated in the Declaration on the Right to Development, in particular its Article 4, and submit it to the Working group for consideration at its seventeenth session. It requests also the General Assembly to consider holding a high level segment on the right to development during the general debate at its seventy first session.

Mr. Chairperson,

During the period of the report, the African Group, within the Human Rights Council, continued to assume its active and constructive role including by focusing the spotlight on a number of issues and priorities to which it attaches particular importance. The African Group maintained its leadership on a range of issues including the elimination of Female Genital Mutilation, the impact of toxic wastes on human rights, and the effects of non-repatriation of funds of illicit origins on the enjoyment of human rights. At the backdrop of increasing instances of racial violence and hatred in different regions of the world, the African Group remained in the forefront of fighting against racism, racial discrimination, xenophobia and other forms of related intolerance through presenting ambitious and practical resolutions aimed at the full and effective implementation of the Durban Declaration and Program for Action (DDPA).

Mr. Chairperson,

It is important to highlight in this context that the African Group has been the most supportive and engaging with item 10 of the program of work of the Human Rights Council on technical cooperation and capacity building in the field of human rights. The African States constitutes two-thirds of the beneficiaries of this agenda item, an indicator of the degree of openness Africa maintain towards promoting technical cooperation and capacity building in the field of human rights in support of the national efforts by States in this regard. We seize this opportunity to stress that Item 10 remains a platform for technical cooperation and capacity building and should not be abused for other objectives including monitoring and investigation. Advisory services on human rights issues should only be upon the request of the State concerned, based on its priorities and national ownership and with full respect for the State's sovereignty and political independence.

Mr. Chairperson,

We are very encouraged that the Human Rights Council remained seized of the issue of the protection of the family. More than 20 years after the International Year of the Family, protection and support to the family as the natural and fundamental unit of the society remain largely overlooked although this is an uncontested obligation under international human rights law. The African Group welcomes the adoption of resolution 29/22 and looks forward to the report to be submitted to the 31<sup>st</sup> session of the Council on the impact of the fulfillment of States obligations under international human rights law regarding protection of the family on the realization of the right to adequate standard of living for its members particularly through the role of the family in poverty eradication and fostering sustainable development.

Mr. Chairperson,

We take note that the Human Rights Council held an enhanced interactive dialogue during its June session on the human rights of migrants, nevertheless the current grave situation witnessed by migrants, refugees and asylum seekers invites further work and efforts by the Human Rights Council in this regard and particularly the impact of migration and border control policies on the safety, dignity and human rights of migrants and refugees.

The African Group reiterates its commitment for continued support to the work of Human Rights Council, as a subsidiary body of the General Assembly, and its role in supporting the protection and promotion of human rights globally.

Mr. Chairperson,

The African Group is convinced that the Universal Periodic Review (UPR) remains the most distinct mechanism of universal application to assist States in fulfilling their human rights obligations. In our view, this mechanism remains relevant and key towards the promotion and protection of human rights. The Group would like to reaffirm the need to preserve the cooperative nature and principle of dialogue of this mechanism. The Group firmly believes that it is critical that the UN Voluntary Trust Fund for Financial and Technical Assistance for the Implementation of the UPR recommendations be properly resourced for the purpose of assisting States to develop national capacity and expertise for the implementation of the accepted recommendations.

While the African Group reiterates its support for the Mechanisms and Special Procedures of the Council and the important work they undertake in the promotion and protection of human rights and fundamental freedoms, the Group believes that there is a need for the rationalization of these Mechanisms and Special Procedures in order for them to be effective. The Group would also like to emphasize the need for the procedures to comply with the Institution-Building Package, the code of conduct of mandate holders and the terms of reference of their respective mandates.

Mr. Chairperson,

The African Group reiterates its strong concern by the attempts to impose new notions and concepts, such as sexual orientation and gender identity, that are not referenced in international human rights law and **STRONGLY REJECTS** any attempt to undermine the international human rights system by seeking to impose concepts or notions pertaining to social matters, including private individual conduct, that fall outside the internationally agreed human rights legal framework, taking into account that such attempts constitute an expression of disregard for the universality of human rights. Focusing on notions on which there is no international agreement, definition or consensus only serves to divide the Human Rights Council and undermine its balanced and egalitarian approach to the promotion and protection of all human rights.

The group is therefore observes with regret that those non-internationally agreed notions are given attention, to the detriment of issue of paramount importance such as the right to development and the racism agenda.

Our alarm does not merely stem from concerns about the lack of legal grounds, or that the said statement delves into matters which fall essentially within the domestic jurisdiction of States counter to the commitment in the United Nations Charter to respect the sovereignty of States and the principle of non-intervention. We believe that people are not inherently vulnerable,

but some individuals and groups find themselves in vulnerable situations due to a number of factors, including the socio-economic setting they live in. We strongly deplore all forms of stereotyping, exclusion, stigmatization, prejudice, intolerance, discrimination and violence directed against peoples, communities and individuals on any ground whatsoever, wherever they occur.

We also call upon all Member States to refrain from attempting to give priority to the rights of certain individuals, which could result in negative discrimination on the expense of other internationally agreed rights, and thus run in contradiction with the principles of non-discrimination and equality.

Mr. Chairperson,

In conclusion, the African Group is convinced that the underpinning principles of the creation of the Human Rights Council as outlined in Resolution 60/251 remain to be of utmost importance and relevance. The Human Rights Council in undertaking its mandate in promoting universal respect for the protection of human rights and fundamental freedoms without distinction of any kind and in a fair and equal manner should continue to base itself on the principles of non-politicization, non-selectivity, objectivity, universality, elimination of double standards, international cooperation and genuine dialogue in addressing human rights issues. The Human Rights Council should also remain committed to the principle of interrelatedness, interdependence and indivisibility of all human rights including the right to development and that all human rights should all receive equal and fair treatment.

I thank you Mr. Chairperson.