



INTER-PARLIAMENTARY UNION

United Nations General Assembly

Agenda item 64: Report of the Human Rights Council

**Statement by Mr. Miguel Bermeo
Permanent Observer**

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CHECK AGAINST DELIVERY

Mr. President,

The IPU continues to work for stronger parliamentary engagement with existing United Nations mechanisms to enhance respect for human rights.

Since the beginning of this year, this work has centered in particular on associating parliaments more closely with the work of the UN Human Rights Council, in particular its Universal Periodic Review mechanism.

The IPU believes that parliament has a critical role to play to ensure that the UPR becomes ever more effective. Parliament, through its legislative, oversight and budgetary functions, can directly contribute to the success of the UPR. A study we conducted in 2009 to assess the extent to which parliaments were involved in the UPR process found, however, that the vast majority of them were not even aware it existed.

The IPU has therefore made it a priority to raise awareness among parliaments about the UPR and the contribution they can make to it. From the beginning of this year, the IPU has systematically informed parliaments of the forthcoming examination of their countries' national reports. We have started to organize capacity-building workshops for parliamentarians to promote a better understanding of the UPR and of parliament's role. As part of these efforts, earlier this week the IPU, together with the Commonwealth Secretariat, brought together over 70 parliamentarians and staff from some 30 countries. Without exception, participants underscored our earlier findings that once parliaments know about the UPR, they want to be associated with it.

The question is of course *how*. There is no doubt that parliament has a key role to play in helping ensure that UPR recommendations are translated into national action. However, should parliament also contribute to the drafting of the report? There are some who say it should not, because it is the preserve of the executive and because parliament would otherwise compromise its independence. Others believe, however, that nothing prevents parliaments from contributing to the report and subsequently holding the government to account for the implementation of the UPR recommendations. Whichever side you stand on, there seems to be consensus that, as a minimum, parliament needs to be informed of the report and should have a possibility to debate it before it is sent to the Council in Geneva.

Should members of parliament also be part of the official delegation presenting the report to the Council? Again opinions differ and largely for the same reasons as where it concerns parliament's contribution to the drafting process. However, no one seems to disagree that there is great merit in allowing members of parliament, in an observer capacity as part of their official delegation or otherwise, to attend the interactive dialogue in the Council on their country situation. As a result, they will gain direct insight into the functioning of the UPR and get first-hand impressions of how the Executive fared in the process, in particular how it responded to questions and concerns from the Council and what commitments it decided to undertake. Ideally, parliamentarians attending the Council session should represent both the majority and opposition parties in Parliament and work directly on human rights issues, such as members of dedicated parliamentary human rights committees.

Allowing parliaments to contribute to the UPR requires that the Council takes full account of that contribution and, where possible, seeks to promote it in the course of its own deliberations. For instance, there is nothing preventing the Council from questioning official delegations whether their parliaments has seen or debated the report. In the same vein, the Council can ask official delegations if they intend to subsequently inform the parliament of the UPR recommendations.

The IPU, with the support of the Presidency of the Human Rights Council, has undertaken several activities this year to raise awareness among Council members and the human rights community at large to illustrate in concrete terms how parliaments have directly contributed to the impact of its work at the national level and thus bring home the message that the Council stands much to gain by enhancing parliamentary involvement in its work. The IPU intends to take these initiatives to the next level in 2013 and advocates for the organization of a panel discussion of the Council, as part of its official programme, on the contribution of parliaments to the UPR and, more largely, the promotion of human rights, to strengthen synergies between the Council and parliaments.

Let me conclude by referring to the resolution which your Assembly adopted in June this year on interaction between the UN, national parliaments and the IPU in which you encourage the IPU to provide a parliamentary contribution to the UN Human Rights Council. I hope my intervention has shown you that the IPU is as determined as ever to play its role in ensuring greater parliamentary involvement in the UN Human Rights Council and, more specifically, in the UPR with a view to enhancing its effectiveness.

Thank you.