

Progress reports and further discussion or decisions of the WG on the Universal Periodic Review

Monday, 4 December 2006

Principality of Liechtenstein

Mr. President,

Liechtenstein would like to thank the facilitator of the working group, H.E. Mr. Mohammed Loulichki, for his preliminary conclusions. We are pleased to see that it has been possible to achieve convergence on many basic issues. While some important questions still need further consideration, we are nevertheless optimistic that the UPR mechanism can be brought to life and put into operation within the timeframe specified in GA resolution 60/251.

Liechtenstein has contributed to this process by submitting its own detailed proposal in June. Today, we wish to highlight some points that we consider to be of utmost importance for an effective and efficient UPR mechanism.

Mr. President,

We would like to stress that we regard the principle **of universality of the review and the equal treatment of all states** as fundamental. This principle should be applied, inter alia, when discussing the basis of the review. We are glad to see that the working group could agree on the Universal Declaration of Human Rights as one of the relevant human rights standards. This will enable the UPR to address the whole set of internationally agreed human rights and fundamental freedoms, regardless of how many human rights treaties the State under review is a party to. It should thereby ensure that the level of scrutiny is not higher for those States which are already actively participating in many monitoring dialogues under the UN human rights treaties and the respective follow-up. Equal treatment is also relevant when talking about the periodicity of the review cycle. While we agree that the level of development and the specificities of each country should also be taken into account during the dialogue and in the outcome, which might contain provisions for technical assistance, we

strongly believe that the process and the format of the review should be the same for everyone.

The question of the adequate **review cycle** is related to whether we want to undertake the **review in plenary or in smaller review committees**. On both issues the working group could not yet find a point of convergence. In our opinion, it is very important that the UPR consists of a lean mechanism that does not absorb too much of the overall meeting time of the Human Rights Council and does not overburden the membership of the Council as a whole. This is why Liechtenstein prefers the review to be undertaken in four review committees, working in parallel and in inter-sessional meetings.

What has not yet been discussed in detail at the meetings of the working group is how the **interactive dialogue** is going to take place. We think it would be preferable to structure the discussion by appointing a small group of members to assume a leadership role. The Liechtenstein proposal introduces the idea of a troika of member States from different regional groups which would be responsible, on a rotation basis, for preparing the dialogue, chairing the meeting and writing a summary. This would not preclude that other member States could equally participate in the interactive dialogue. It would, however, provide a sound basis for an in-depth exchange and cross-regional involvement during all dialogues.

With regard to the objective of the review, the report of the facilitator shows that States widely share the idea of having a constructive dialogue with an equally constructive outcome consisting of recommendations, the sharing of best practices and, if need be, the provision of technical assistance. With this outcome the UPR would indeed bring added value to other UN monitoring mechanisms such as the treaty bodies and the special procedures. Any **duplication** with other bodies should be strictly avoided, while ensuring that there is no protection gap.

Mr. President,

Although there is agreement on the need to have a **background document**, it is still to be decided what information is included and who prepares it. Without going into further detail, we would like to see information of other UN bodies included in that document. While there should be no compulsory reporting obligation, it is clear to us that the State under review as

well as NHRI's and NGO's with ECOSOC accreditation should be entitled to submit any additional information to the Council that they deem relevant.

Mr. President

Let me conclude by reiterating our conviction that it is possible to establish the UPR within the given timeframe if we really concentrate on the basic issues and on the fundamental questions that still remain open. We should keep in mind during further negotiations that it is essential for the acceptance and the success of the UPR, as for all other issues of institution-building, that the final decisions are **adopted by consensus**.

I thank you.