



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
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CHECK AGAINST DELIVERY

GENERAL ASSEMBLY

AGENDA ITEM 65: REPORT OF THE HUMAN RIGHTS COUNCIL

STATEMENT BY GEORG SPARBER, DEPUTY PERMANENT REPRESENTATIVE

PERMANENT MISSION OF THE PRINCIPALITY OF LIECHTENSTEIN TO THE UNITED NATIONS

Mr. President,

We thank the President of the Human Rights Council for presenting a comprehensive and informative account of the Council's work. As the central permanent human rights body of the United Nations the Human Rights Council is today a well-established voice and an authority on the entire spectrum of human rights questions, not only for this Assembly, but also for the broader public. Liechtenstein supports the work of the Council, its evolving body of Special Procedures and its strong civil society dimension as well as the Universal Periodic Review, whose integrity and universality are important achievements that must be preserved. While this debate is an important annual opportunity for the General Assembly to engage with the Human Rights Council on its substantive work, it also provides a good platform to evaluate the Council's institutional set-up in the framework of the United Nations. The last review of the Human Rights Council has brought useful clarification to the Council's relationship with the General Assembly, including its Third and Fifth Committees. But the General Assembly has a standing responsibility to provide conditions conducive for the Council to implement its mandate. An area where there is clear room for improvement is the Council's mandate to promote the effective coordination

and the mainstreaming of human rights within the United Nations system. This calls for stronger and more consistent links between Geneva and New York and for a more robust cooperation between the Human Rights Council and other main bodies of the UN, in particular the Security Council. The work of the Human Rights Council and its many Special Procedure mandate holders is, in many instances, obviously relevant to the discussions in the Security Council, yet consistently disregarded by it. In doing so the Security Council deprives itself from the best available factual basis for decision-making and promotes an extensively narrow concept of security that the international community has long overcome. But it also prevents the Human Rights Council from fully living up to the important role we have collectively given it. Liechtenstein will continue to consider the broader institutional set-up of the Human Rights Council in the UN system a question of status as the General Assembly engages in further review of the Council.

Mr. President,

The General Assembly has just elected new members to the Human Rights Council. The importance we have collectively given to the quality of the Council's membership is clearly reflected in the provisions of resolution 60/251 – and is also a lesson learnt from its predecessor body, the defunct Commission. That Council members shall uphold the highest standards in the promotion and protection of human rights, represents a commitment by the membership of this Assembly, in particular at the time of election. Some measures have helped increase the fairness and transparency of these elections and we are grateful for the continued engagement by civil society actors in organizing hearings and exchanges with candidates. At the same it is obvious that these measures are insufficient and States consider their own commitment in this respect too often as dispensable. This continues to be a serious liability to the Human Rights Council, both in its work and functioning and in its outside perception. Liechtenstein will therefore continue to support additional measures to ensure the full implementation of the relevant provisions of resolution 60/251, including as part of discussions on the Council's status.

Mr. President,

The work of the Human Rights Council is essential in particular in cases of human rights emergencies and grave violations, and the Council is indeed often the only UN body to address such situations with the necessary urgency. On Myanmar, we have received well-documented reports from the Council's Special Procedures on consistent patterns of most serious human rights violations and abuses, including extrajudicial killings, rape and other forms of sexual and gender-based violence, and other serious violations of international humanitarian law. The Fact-finding Mission speaks of genocidal intent against the Rohingya population in its report. It is obvious that these allegations need to be fully addressed by a competent independent criminal body. Liechtenstein welcomes the independent investigative mechanism for Myanmar as a facilitating measure in that regard. The creation of the mechanism by an overwhelming majority of the Council's membership reflects a strong wish for accountability. All the more, Liechtenstein regrets that the Council has failed to provide the appropriate political backing during its last session to support accountability efforts, including the important steps taken by the International Criminal Court in the context of forced deportation. Today, the ICC provides the most concrete path to justice for the Rohingya people, albeit not for all the grave crimes they have suffered. It is shameful that the Security Council continues to ignore calls from States, the UN system and the victims themselves for a full-fledged referral to the ICC, and has actually not even discussed the matter. At the same time, it is perfectly clear that no lasting solution can take place in the absence of accountability, in particular no safe, voluntary and dignified return of the many displaced.

Mr. President,

Liechtenstein condemns ongoing reprisals, both online and offline against individuals who cooperate with the United Nations. Such reprisals are unacceptable and must be fully investigated. Constructive interaction by civil society with the UN system, in particular with the

Special Procedure mandate holders, is essential for effective human rights work of our organization. We welcome that the Human Rights Council has recognized the important contribution of environmental human rights defenders to the enjoyment of human rights and renewed the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.

Mr. President,

The promotion and protection of human rights is a precondition to peace and security and at the very core of sustainable development. With Agenda 2030 we have at our disposal the most ambitious and comprehensive implementation programme for the right to development ever devised. The SDGs fully reflect a human rights-based approach, which has been one of the most important paradigm shifts in the United Nations. This puts the Human Rights Council front and center in our efforts to achieve sustainable development, including in the area of climate change. Yet, at a time when progress towards achieving the SDGs should be our main focus, we are concerned that conceptual differences on the development paradigm might cause distraction that we can hardly afford. The right to development, as set out in the 1986 Declaration, is a fundamental human right, with the human person as its central subject and its active participant and beneficiary. Liechtenstein considers the Declaration the primary normative guidance as we try to find a common understanding of the meaning of “leaving no one behind”. Interpretations that the right to development does not primarily address the individual person are obviously deviating from that understanding. The Human Rights Council can make a valuable contribution to that discussion, in addition to furthering the implementation of specific human rights enshrined in the SDGs.

I thank you.