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Operationalization of the Council's 'prevention' mandate: the effective implementation of paragraph 5f of GA res. 60/251

Joint statement

Mr President,

I am pleased to deliver this statement on behalf of Norway and Switzerland and 60 States.

This Council has a clear mandate, given by the General Assembly through paragraph 5f of GA resolution 60/251, to 'contribute, through dialogue and cooperation, towards the prevention of human rights violations' and to 'respond promptly to human rights emergencies.' The Council itself has reaffirmed this role across several consensus resolutions. However, the Council is yet to put in place an explicit and coherent policy framework to turn these important words into reality.

We are pleased today to launch a renewed discussion focussed on operationalizing the Council's prevention mandate under paragraph 5f, and doing so in an inclusive and cooperative manner.

We believe that paragraph 5f comprises two parts.

First, there is the prevention of violations at 'root-cause' level. States must be committed to engage in preventing human rights violations from happening by implementing their obligations and commitments, and building domestic human rights resilience, including through international dialogue and cooperation for the delivery of technical assistance and capacity-building by the entire UN system. This will in turn help States strengthen the rule of law and good governance, promote and protect freedom of expression and of peaceful assembly, gender equality, secure civil society space, promote human rights education and training, ending all forms of discrimination and build domestic human rights protection institutions including independent judiciaries and NHRIs. It also means taking concrete steps to enable and strengthen the Council's promotion of the delivery of technical assistance and capacity-building support under item 10 of its agenda, in consultation with and with the consent of member States concerned.

Second, the Council is mandated to 'respond promptly to human rights emergencies.' The Secretary-General has urged us to 'translate early warning into early action'. This means that the High Commissioner, as per his mandate, should have the tools and resources necessary to gather, process and synthesise 'early warning' information about patterns of violations in a timely and effective manner and to brief the Council, either during or outside of its regular sessions. The Council, in accordance with its mandate, should then appraise that information in an objective and non-selective manner, and decide whether the situation merits and/or may benefit from early preventive action. As part of that process, civil society space at the Council must be fully safeguarded.

In order to do so, it is clear that some of the Council's existing mechanisms can be better used to play a stronger prevention role. Notwithstanding, if this Council is to truly and effectively fulfil its mandate under paragraph 5f, it must develop a new mind-set, new ways of doing things, and potentially new tools.

Finally, none of this can or should happen in isolation. Prevention and early action are relevant for the whole UN system and better coherence throughout the three pillars is essential for the UN's impact and its support to Member States.

Thank you, Mr President.