



Permanent Mission of Pakistan to the UN Geneva

Statement on behalf of OIC, delivered by Mr. Junaid Suleman, Second Secretary, during the first round of Open consultations on HRC's Decision 43/117 "Methods of work of the Consultative Group of the Human Rights Council"

27 October 2020

Thank you, Madam President.

I have the honor to make this statement on behalf of the OIC Member States.

The OIC Group believes that the HRC's decision 43/117 provides us with a good opportunity to further strengthen working methods of the Consultative Group, and align them, in letter and spirit, with the principles and parameters, as enshrined in the HRC resolutions 5/1 and 16/21, about appointment of Special Procedures.

We thank the OHCHR for sharing with us a compilation of reports of the Consultative Groups.

The role of Consultative Group is indeed significant, considering the pivotal role of Special Procedures in supporting efforts across the globe for protecting and promoting human rights. The OIC reiterates its position that the general criteria, prescribed by the IB Package for appointment of UN Special Procedures, should guide the entire appointment process, starting from the initial screening of applicants and culminating into the decision by the Council.

Madam President,

In this regard, OIC would like to underscore three main concerns:

- Para 40 of HRC resolution 5/1 calls that while appointing the mandate-holders, due consideration should be given to gender balance, equitable geographic representation, and appropriate representation of different legal systems. However even after passage of more than 14 years, these principles have yet to be implemented in letter and spirit.
- Though OIC States represent around 1/3rd of the entire UN membership, current composition of the UN Special Procedures is non-reflective of this global political reality and geographical regions representing OIC members are under-representative.
- The legal system in majority of OIC countries is based on Shariah Law. Despite explicit reference to the IB package, we regrettably see absence of an adequate representation of people having expertise in Sharia Law among the Mandate Holders. This has, in turn, led to misunderstanding about sharia law.

In order to ensure full implementation of the IB package with regards to appointment of mandate-holders, the OIC makes the following suggestions:



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1. The principles of equitable geographical distribution and adequate representation of diverse legal systems should be integrated into the initial screening process. We would like to request the OHCHR to develop a working paper, highlighting the spread of geographical distribution and representation of individuals from different legal systems within the Special Procedures since the establishment of the Council.
2. There is a need to cater the issue of dual nationality, which has caused distortion in ensuring equitable geographical representation. In this connection, we suggest that in case of dual nationality, duration of stay at place of current residence should also be considered as one of the parameters while establishing nationality of applicants by OHCHR.
3. We also recommend greater cooperation between OHCHR, regional organizations as well as States for ensuring wider dissemination of information about vacancy announcements and raising general awareness about the Mandate Holders.
4. We also encourage the OHCHR to organize workshops/seminars at the regional level for developing awareness about Mandate Holders Mechanism and their appointment process. This would attract larger pool of suitable candidates, ensuring equitable geographical distribution as well as presence of experts with expertise in different legal systems.

I thank you Madam President



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