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Statement by

**H.E. Mr. Ali Reza Moaiyeri
Ambassador and Permanent Representative
of the Islamic Republic of Iran**

before

the Fifth Session of the Human Rights Council

on

***the adoption of President Text for the
Institutional – building of the Human Rights
Council***

Geneva 19 June 2007



Mr. President,

May I take this opportunity to congratulate you on your election as the President of the Human Rights Council. The Islamic Republic of Iran appreciates the tremendous efforts exerted by the first President of the Human Rights Council, H.E. Ambassador, De Alba and the exemplary, transparent and impartial manner in which he steered the work of the Human Rights Council during its first year. His able leadership brought us to this historic moment. Now, it is time for the Council to ensure that the outcome of the institution building will contribute to making this Council, a credible and less politicized body. We regret that despite all joint efforts, a record of vote challenged the final process of the institutional building process.

Mr. President,

We would like to emphasize that not all our concerns were incorporated in the President's Text. Accordingly, we request the following statement concerning the President's Text of 18 June to be included in the record of this session.

- The Universal Periodic Mechanism (UPR) as a new mechanism shall preserve its cooperative nature through consensus building and the consent of the country under review. It is our understanding that the states are only accountable for the recommendations that they have agreed to. The UPR must ensure equal treatment in review of human rights situations of all states in a non- selective and non - politicized manner.

- We welcome the adoption of the Code of Conduct for the Mandate holders of the Human Rights Council which is a significant contribution in improving the system of Special Procedures.

- Our understanding of the Mandate of the situation of human rights in the occupied Palestinian territories is that this Mandate will be valid until the end of the occupation.

- We firmly believe that the confidential nature of the complaint Procedure must be preserved at all stages. We also reiterate the need for the restricted application of the admissibility criteria.

- We note with appreciation the compromise proposal for the Agenda of the Council especially on the inclusion of separate agenda items on the issue of combating the Racism and on the situation of human rights in the Occupied Palestinian Territories. However, we would like to register our concern with respect to inclusion of agenda item such as “human rights situations requiring attention of the Council” and country specific mandates. We do wish that this Item will not lead to a situation similar to the CHR experience under item 9 which has been exploited for selective targeting of developing countries for several years.

In this regard, we appreciate the commendable efforts made by the delegation of China to reflect the concern of the developing countries under the Rules of Procedure.

Finally, we reiterate the need to respect the principles of cooperation, dialogue, impartiality, non- selectivity and objectivity as guiding principles of the Human Rights Council work.

Thank You