

ITEM 107 A:
IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS

STATEMENT

BY

MR. PIO SCHURTI
FIRST SECRETARY
PERMANENT MISSION OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS

NEW YORK, 25 OCTOBER 2004

CHECK AGAINST DELIVERY

Mr. Chairman

The reform process set in motion by the Secretary-General is in full swing, indeed it is *the* topic of the day. Member States as well as UN bodies have engaged in extensive discussions on how to improve or revitalize the system in its parts and as a whole, thus making our work more action-oriented, efficient and effective. Needless to say, reform has not come to a conclusion. Not even close. We are fully aware that reform does not lead to instant gratification. My delegation trusts, however, that the international community has embarked on a useful journey and will be able to incrementally enhance its modus operandi.

Mr. Chairman,

Liechtenstein has always been very conscious of human rights as being one of the cornerstones of the United Nations. The promotion and protection of Human Rights and the rule of law has been a priority of Liechtenstein's foreign policy, out of the conviction that the full enjoyment of human rights, while an end in itself, serves as a foundation for sustainable development, the prevention of conflict, peace and stability. Human rights must be at the core of all United Nations activities.

Obviously, Mr. Chairman, bearing in mind the fundamental significance of Human Rights in the work of the United Nations, the proper functioning of the Human Rights machinery is crucial. The Treaty Bodies are indispensable elements in this machinery. This is why Liechtenstein has been following Treaty Body reform with particular interest. We are glad to see that the brainstorming seminar that Liechtenstein hosted in May 2003 in Malbun/Liechtenstein, has produced a set of ideas that have since fueled the reform discussions. The seminar, organized together with the Office of the High Commissioner for Human Rights (OHCHR), brought together representatives of Governments, non-governmental organizations and Treaty Bodies members as well as other experts in the area and discussed the reform proposals the Secretary-General originally set out in his "agenda for further change" (A/57/387). The seminar's outcome (A/58/123) served sub-sequent discussions of the Inter-Committee

Meeting as well as the Meeting of Treaty Body Chairpersons in 2003 and most recently in June 2004. We find both these fora have proved to be increasingly useful in the process of reforming and strengthening of the Treaty Bodies.

The Inter-Committee Meeting embraced several of the results of the Malbun seminar, in particular the recommendations on elaborating guidelines for an expanded core document, which can be complementary to focused periodic reporting, and the harmonization of reporting guidelines, without diluting the specificity of the individual treaties. A number of practical measures have been developed aimed at strengthening the Treaty Body reporting process from two sides: streamlining the reporting requirements and harmonizing the working methods of the committees.

Mr. Chairman

We welcome the agreement emerging among Treaty Bodies to stay in continuous dialogue in order to harmonize and streamline their working methods in the consideration of State Party reports. Further coordination can not only prevent duplication, but, it would seem, allow Treaty Bodies to focus on their specific mandates. To give an example: In June of this year, the Human Rights Committee considered Liechtenstein's initial report under the ICCPR. While women's civil and political rights doubtlessly are a rightful concern of the HRC, the amount of attention paid to women's issues in the consideration of the report was somewhat astonishing. Undoubtedly, women's issues will be taken up again by CEDAW during the consideration of Liechtenstein's next report to that Committee. Liechtenstein's delegation felt that a tighter focus might have allowed the Human Rights Committee to probe deeper into areas that pertain to its own unique/specific expertise.

As unconvinced as we might have been about the Committee's choice of focus on one particular issue, Liechtenstein's delegation very much appreciates the working methods applied by the Human Rights Committee. The issuance of a list of issues well prior to the dialogue between the Committee and our delegation as well as the

establishment of a task force led by a country rapporteur made for a more to-the-point dialogue. We appreciate that these working methods serve as an example for other Committees and strongly support efforts to streamline and harmonize procedures in such a pragmatic fashion. Indeed, in the Malbun brainstorming seminar there was broad consensus that even seemingly innocuous practical measures would help maximize the effectiveness of the reporting system. My delegation also welcomes increasing efforts to make recommendations or concluding observations as concrete and detailed as possible in order for them to be of greater use to States. In order to monitor the effectiveness of the reporting and dialogue with State Parties, the Committees should focus on follow-up to concluding observations.

Mr. Chairman,

my delegation shares the view that the reporting system is a process of dialogue and should remain so. As a consequence, we favor the creation of ad hoc task forces and designation of country rapporteurs over the establishment of different chambers or parallel groups. The establishment of chambers/parallel groups should be limited in duration until backlogs faced by some Committees are reduced. As a rule, however, State Parties as well as Committees should be able to benefit from the variety of legal and sectoral expertise represented in each Committee. Linguistically, the word "chamber" is an unfortunate choice as it evokes a tribunal rather than emphasizing the dialogue that should ensue after the presentation and consideration of reports. Such a dialogue can be conducted both in a short-term and in a long-term manner. i.e. at the moment of presentation and discussion of a report submitted by a State Party, but also during the time that elapses in between submission of reports and, as the case may be, involving the technical assistance provided by the OHCHR.

Mr. Chairman,

Liechtenstein is encouraged by recent developments in Treaty Body reform. Treaty Bodies, in cooperation with the High Commissioner for Human Rights, have been able to put on paper and in practice specific practical measures that already prove to be beneficial. In our view, Member States should make efforts to keep in step with these fortunate developments. Informal consultations between State Parties and Treaty Bodies, of the kind held on 24 June in Geneva, should be complemented by a more vigorous debate on the issue among State Parties. Treaty Body reform is very much part and parcel of United Nations reform

I thank you.