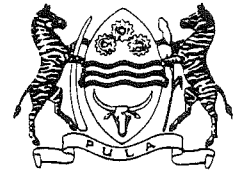


REPUBLIC OF  
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PERMANENT MISSION OF THE REPUBLIC OF  
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**STATEMENT OF THE AFRICAN GROUP  
ON THE PRESENTATION OF THE ANNUAL REPORT OF THE UNITED  
NATIONS HUMAN RIGHTS COUNCIL**

**DELIVERED BY  
H.E. MR. CHARLES T. NTWAAGAE  
AMBASSADOR AND PERMANENT REPRESENTATIVE  
OF BOTSWANA TO THE UNITED NATIONS  
71 SESSION OF THE UNITED NATIONS  
GENERAL ASSEMBLY**

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NEW YORK**

**Madam Chairperson,**

I have the honor to deliver this statement on behalf of the African Group.

The African Group welcomes the President of the Human Rights Council, H.E. Mr. Choi Kyonglim and wishes to extend our appreciation for the opportunity to dialogue with him on the activities of the Council presented in document A/721/53 and its addendum<sup>1</sup>. The Group commends the President for his leadership and commitment to the work of this august body, as well as the professionalism and constructiveness in the manner in which he conducted the work of the Council. The Group assures him of its continuous support and co-operation in the execution of his duties. .

**Madam Chairperson,**

The African Group wishes to reaffirm the Council's mandate as contained in UNGA resolution 60/251 in promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner and make recommendations thereon. It is on this basis that the Group has been consistently supportive of the work of the Council.

The Group views the principles on which the Council's mandate is underpinned as extremely important, particularly with respect to the principle of cooperation and genuine dialogue aimed at strengthening the capacity of Member States to comply with their human rights obligations. It is therefore incumbent upon the Council in discharging its mandate to firmly apply the principles of universality, objectivity and non-selectivity in the consideration of human rights issues.

**Madam Chairperson,**

The African Group is convinced that the Universal Periodic Review (UPR) remains the most effective mechanism of universal application to assist States in fulfilling their human rights obligations. In our view, this mechanism remains relevant and key towards the promotion and protection

of human rights. The Group would like to reaffirm the need to preserve the cooperative nature and principle of dialogue of this mechanism. The group firmly believes that it is critical that the UN Voluntary Trust Fund for Financial and Technical Assistance for the Implementation of the UPR be properly resourced for the purpose of assisting States to develop national capacity and expertise for the implementation of the Agreed Recommendations.

While the African Group reiterates its support for the Mechanisms and Special Procedures of the Council and the important work they undertake in the promotion and protection of human rights and fundamental freedoms, the Group believes that there is a need for the rationalization of these Mechanisms and Special Procedures in order for them to be effective. The Group would like to emphasize also the need for the procedures to comply with the Institution-Building Package, the code of conduct of mandate holders and their respective mandates.

In this regard, we would like to express our support to agenda item 10 of the Human Rights Council on technical cooperation and capacity building in the field of human rights. We seize the opportunity to stress that item 10 should not be abused for other objectives, including monitoring and investigation. Advisory services on human rights issues should only be upon the request of the State concerned, based on its priorities and national ownership, with full respect for sovereignty and political independence.

**Madam Chairperson,**

The Annual Report tabled before the Committee presents comprehensively the resolutions that were adopted by the Council during its yearly deliberations. The Group is also cognizant of the provisions of UNGA resolution 60/251 operational paragraph 5(i) which provides for recommendations to be made by the Council to the Third Committee of the General Assembly, hence its support for the universal membership of the UNGA.

The Group strongly deplores all forms of stereotyping, exclusion, stigmatization, prejudice, intolerance, discrimination, hate speech and violence directed against peoples, communities and individuals on any ground whatsoever, wherever they occur.

**Madam Chairperson,**

The African Group is strongly concerned by the attempts to introduce and impose new notions and concepts that are not internationally agreed upon, particularly in areas where there is no legal foundation in any international human rights instrument. We are even more disturbed at the attempt to focus on certain persons on the grounds of their sexual interests and behaviours, while ignoring that intolerance and discrimination regrettably exist in various parts of the world, be it on the basis of colour, race, sex or religion, to mention only a few. These attempts undermine not only the intent of the drafters and signatories to various human rights instruments, but also seriously jeopardize the entire international human rights framework as they create divisions.

We also call upon all Member States to refrain from attempting to give priority to the rights of certain individuals, which could result in negative discrimination on the expense of other internationally agreed rights, and thus run in contradiction with the principles of non-discrimination and equality. These principles are well entrenched in the Charter of the United Nations and other internationally agreed human rights instruments, as they all reaffirm the faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, without distinction.

**Madam Chairperson,**

The adoption of the resolution 32/2 entitled: Protection against violence and discrimination based on sexual orientation and gender identity in June 2016 is a clear illustration of these attempts. The Group is therefore concerned that non-internationally agreed notions such as sexual orientation and gender identity are given attention, to the detriment of issues of paramount importance such as the right to development and the racism agenda.

We are alarmed that the Council is delving into matters which fall essentially within the domestic jurisdiction of States counter to the commitment in the United Nations Charter to respect the sovereignty of States and the principle of non-intervention. More importantly, it arises owing to the ominous usage of the two notions: sexual orientation and gender identity. We wish to state that those two notions are not and should not be linked to existing international human rights instruments. In this regard, the African Group has tabled a resolution to defer the consideration and action on Human Rights Council resolution 32/2 of 30 June, 2016 in order to engage in further discussion and consultations on the legality of the creation of this mandate. We therefore call for the suspension of the activities of the appointed Independent Expert pending the determination of this issue.

We urge all States and relevant international human rights mechanisms to intensify their efforts to consolidate the commitment to the promotion and protection of human rights of everyone on an equal footing, without exception and call upon all Member States to continue to step up their efforts towards the total eliminating of all forms of racism, racial discrimination, xenophobia and related intolerance.

**Madam Chairperson,**

In conclusion, the African Group wishes to reassure you, Mr. President of our support and reaffirm our commitment to the fundamental principles of human rights for all as enshrined in the Charter of the United Nations.

**I thank you for your attention.**