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Universal periodic review

Letter dated 5 September 2013 from the Minister for Foreign Affairs of Georgia addressed to the President of the Human Rights Council

I am delighted to have the opportunity to commend you for the activities conducted in your capacity as President of the Human Rights Council.

With the present letter, allow me to highlight the importance of the universal periodic review and to stress Georgia's strong commitment to it. It is undoubtedly a unique mechanism to review the human rights progress of all Member States. We all agree that the mechanism's modus operandi must be based on transparency, fairness, objectivity and universality.

In this context, the developments witnessed during the second cycle review of the Russian Federation raises serious concerns with regard to the overall future of the universal periodic review process. Georgia is extremely disappointed at the way the whole process was conducted. We witnessed a blatantly biased approach that threatens the fairness and impartiality of the review mechanism, and was a dangerous precedent: when the two recommendations made by Georgia were removed from the text of a draft report because the State under review considered them irrelevant, it constituted an evident assault on the universal periodic review mechanism and reflected blatant disregard of its principles, thus threatening institutionally its integrity and universality. By allowing this precedent, we are likely to open Pandora's box. All actors involved in the process must follow established principles and guidelines.

It is our steadfast position that the format of the report of the Working Group must be universal, without exception. The recommendations belong to the State voicing them and must be incorporated fully into the report. The recommendations are either accepted or not accepted by the State under review. Under no circumstances should States have the possibility to exclude recommendations from the text of the report. The contents of the report should clearly reflect the discussions held and should not be subjected to negotiations by States. This approach needs to be protected in order to ensure equal treatment of all States. Human Rights Council resolutions 5/1 and 16/21, President's statement 8/1, and established practice all strengthen this approach.

In the light of the above, I call on you and the international community to make efforts to remedy this misstep and thus to safeguard the integrity and universality of the universal periodic review process. I am convinced that, jointly, we can still achieve that goal.

I would be highly appreciative if the secretariat of the Human Rights Council could circulate the present letter as a document of the twenty-fourth session of the Human Rights Council, under agenda item 6.

(Signed) Maia Panjikidze
Minister of Foreign Affairs
