

**Human Rights Council**

**23<sup>rd</sup> Session**

**27 May – 14 June 2013**

**Agenda item 6, General Debate (Universal Periodic Review)**

**International Organization for the Elimination of All Forms of Racial  
Discrimination (EAFORD)**

**Impunity is the Rule, Justice the Exception**

**Delivered by Ms. Yanet Bahena**

Thank you, Mr. President.

The Universal Periodic Review (UPR) is an exercise of extraordinary importance. We commend the Council on its achievement and accomplishments thus far. We want the process to continue effectively, but believe this will only be possible if there is an effective follow-up mechanism in place.

Part of the strength of the UPR is in its universality. If Member States are allowed to withhold participation and if recommendations are not followed up or implemented, then the UPR has failed in its mission.

It is essential that the Council take concrete action to ensure that Israel understands the consequences of its adamant refusal to cooperate with the Council's UPR.

This refusal is strong evidence of the serious violations of human rights by Israel against the Arab people. It is no coincidence that this failure comes during a time when Israel has used force against Syria in violation of international law, and at a time when it is violating the human rights of Palestinians on a daily basis. The Council's integrity can be greatly enhanced by strong and effective action against Israel.

Mr. President, we are concerned about the lack of results of Iraq's review in 2010. During its review, States specifically made recommendations regarding the right to life; freedom of media and expression; eradicating torture; combating impunity and respecting human rights within its judicial system. Iraq accepted these recommendations, but on the ground violations by authorities are more rampant than ever.

In Iraq, impunity is the rule, justice the exception. Torture is endemic and the judicial system is the antithesis of fair and just. Mass arrests continue; detainees are held without charges, confessions extracted by abuse and torture, and prisoners executed without fair

trials or due process.

Finally, last Friday the Iraqi delegation reiterated the protection of freedom of media and demonstration enshrined in its constitution. This goes to our point on effective follow-up and implementation. What good are rights guaranteed on paper if in practice they are violated at will? Authorities granted demonstrators in Hawija a permit, so yes, demonstrators' rights were respected, but then they were attacked and more than 80 killed. The government accused them of being terrorists and armed, but the negotiator, working with Maliki's consent, personally searched the area and informed officials that no weapons were found. Any media in the area had their equipment confiscated or destroyed.

This is the reality in Iraq and testament to the criticalness of implementing an effective UPR follow-up mechanism.

I thank you, Mr. President.

10 June 2013