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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Letter dated 18 March 2014 from the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva addressed to the President of the Human Rights Council

I have the honour to address the present letter to you in my capacity as Chair of the Non-Aligned Movement in Geneva with regard to the issue of the position of the Office of the United Nations High Commissioner for Human Rights on publishing comments by States on the country reports of the Office of the High Commissioner and the Secretary-General as addenda thereto.

In this regard, I wish to draw your attention to paragraph 110 of the annex to the institution-building package, Human Rights Council resolution 5/1, in which the Council states that “the methods of work, pursuant to General Assembly resolution 60/251, should be transparent, impartial, equitable, fair, pragmatic; lead to clarity, predictability and inclusiveness. They may also be updated and adjusted over time.”

In this regard, it is pertinent to note that the comments made by States on reports of special procedures mandate holders are published as addenda, as stipulated in Human Rights Council resolution 5/2, in which, at Article 8 (d), the Council states that mandate holders are to give representatives of the concerned State “the opportunity of commenting on mandate holders’ assessment and of responding to the allegations made against this State, and annex the State’s written summary responses to their reports”, and also in the annex to Council resolution 16/21, on the outcome of the review of the work and functioning of the Council, in which, in paragraph 25, the Council stated that “the comments of the State concerned shall be included as an addendum to country mission reports.” Furthermore, a clear precedent for publishing comments by States on country reports of the High Commissioner and the Secretary-General in the form of addenda was noted as recently as March 2013.

In fact, the inability to reflect comments by a State as addenda to country reports seriously impedes the visibility and integrity of subject between the two documents.

In view of the above, it is the considered view of the Non-Aligned Movement that, at present, there is a lack of clarity, transparency, equitability and predictability on the rules

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governing the publishing of addenda containing comments by States to country reports of the High Commissioner and the Secretary-General.

As this issue has wider relevance and implications for all States Members of the United Nations, the Non-Aligned Movement submits to Your Excellency and through you to the Bureau to remain seized of this matter with a view to finding a fair and equitable solution in accordance with the rules of procedure and the institution-building package.

I also request that the present letter be circulated as a document of the twenty-fifth session of the Human Rights Council in the official languages of the United Nations.

(Signed) Mohsen Naziri Asl
Ambassador and Permanent Representative of the Islamic Republic of Iran
Chair of the Non-Aligned Movement in Geneva
