

Canada's explanation of vote (HRC 4, Resolution L.02)

Canada agrees with and supports the notion that in principle there should be substantive follow up to the Council's decisions, and we encourage cooperation by all sides with the Council and its mechanisms. The Council has a high responsibility to ensure that when it addresses situations, it does so in a fair manner, taking into account the actions of all sides. Ultimately, the Council's ability to influence behaviour rests upon its moral authority, which in turn rests upon the credibility of its decisions.

The extent of cooperation that we may expect with a decision of the Council will be a function of the fairness of the decision. In this regard, when taking decisions the Council must be mindful of General Assembly Resolution 60/251's call for universality, impartiality, objectivity and non-selectivity in the conduct of its work.

At the time of the events that led to the Council's First and Third Special Sessions, Canada called upon all sides to comply with their respective obligations. Had resolutions S-1/1 and S-3/1 been more even handed and objective, Canada may have been in a better position to support the texts. However, where the Council's original decisions are flawed because they do not accurately and objectively reflect the situation, endorsing follow up would only compound the initial problem. This Council is going to have to move beyond a disproportionate focus on one country and extend its scrutiny to a broader array of pressing human rights issues, if it is to be seen as acting in accordance with its guiding principles. It is for this reason that Canada cannot support follow-up on these specific decisions, and therefore disassociates itself from the Council's decision.