

UNITED NATIONS



NATIONS UNIES

THE SECRETARY-GENERAL

ADDRESS TO THE HUMAN RIGHTS COUNCIL

Geneva, 19 June 2006

Mr. President [Luis Alfonso de Alba], let me first congratulate you – or rather, let me congratulate the Council on choosing you as its first President.

This choice augurs well indeed for the Council's future work. We at United Nations in New York know you well, from your time in the Permanent Mission of Mexico there. We know you as a most accomplished diplomat and a resolute champion of human rights – in fact, definitely the right person for this crucial task.

Excellencies,
Ladies and Gentlemen:

It is hardly an exaggeration to say that the eyes of the world – especially the eyes of those whose human rights are denied, threatened or infringed – are upon you, they are turned towards this chamber and this Council.

A great effort has been made, by Member States and by civil society worldwide, to bring us to this point.

And a new era in the human rights work of the United Nations has been proclaimed.

I trust that all members of the Council are fully aware of the hopes that have thus been raised, and are determined not to disappoint them.

They certainly should be aware, because all of them, in seeking election to this Council, have made pledges both to respect human rights at home and to uphold them abroad. Moreover, the General Assembly has required them to uphold the highest standards in the promotion and protection of human rights, fully cooperate with the Council, and submit themselves to the universal periodic review mechanism during their term of membership.

Their peoples – and the peoples of the world – will be watching to see whether those standards are indeed upheld.

Dear friends,

Let us briefly recall the journey that has brought us here. Last year, in my report “In Larger Freedom”, I stressed that human rights form the third of the three pillars, with economic and social development and peace and security, on which all the work of the United Nations must be based.

I argued that these three are interlinked and mutually reinforcing, and are the pre-requisites for our collective well-being. No society can develop without peace and security. No

State can be secure if its people are condemned to poverty without hope. And no nation can be secure or prosperous for long, if the basic rights of its citizens are not protected.

In short, lack of respect for human rights and human dignity is the fundamental reason why the peace of the world today is so precarious, and why prosperity is so unequally shared.

I am glad to say that world leaders, at the Summit last September, endorsed this vision.

They resolved to integrate the promotion and protection of human rights into national policies, and to support the further mainstreaming of human rights throughout the United Nations system.

And they accepted my suggestion that, in order to establish human rights at its proper level within the system, they should create this Council, directly elected by the General Assembly, to work alongside the Security Council and the Economic and Social Council.

They also resolved to strengthen the Office of the High Commissioner, and the General Assembly has since decided that this Council should assume the former role and responsibilities of the Commission on Human Rights relating to the work of that Office. I too wish to congratulate and thank the High Commissioner for the outstanding leadership she is giving in the expansion and transformation of our human rights work. And I urge all members of the Council to give her their utmost support.

Let me also congratulate the President of the General Assembly on the consummate skill with which he managed the negotiations leading to the establishment of this Council, which will – I am sure – be remembered as a historic achievement.

For the moment it is a subsidiary organ of the Assembly. But within five years the Assembly will review its status. I venture to hope – and I suggest it should be your ambition – that within five years your work will have so clearly established the Human Rights Council's authority that there will be a general will to amend the Charter, and to elevate it to the status of a Principal Organ of the United Nations.

If that ambition is to be realised, the Council's work must mark a clean break from the past. That must be apparent in the way you develop and apply the universal periodic review mechanism; in your willingness to confront hard issues and engage in difficult discussions, where these are necessary to remedy – or, even better, to prevent – human rights violations; and in your readiness to make good use of your ability to meet more frequently than the Commission did, and to call special sessions.

What must be apparent, above all, is a change in culture – I repeat – a change in culture. In place of the culture of confrontation and distrust, which pervaded the Commission in its final years, we must see a culture of cooperation and commitment, inspired by mature leadership – which cannot rest only on the shoulders of your President, but must be collective. The General Assembly has given you a good set of rules to start from, but ultimately your success or failure will be determined by your working methods, and by the aspirations and attitudes that inform them.

Yet, whatever its recent shortcomings, the Commission did create many useful mechanisms. These should be retained and strengthened.

I would mention in particular the system of special procedures, through which the Commission made itself not only the promoter but also the protector of human rights. These include independent experts, special rapporteurs, my own special representatives and those of the High Commissioner, and of course the Working Groups.

Together, these mechanisms – most of which take the form of individual people, chosen for their expertise and serving without pay – constitute the frontline troops to whom we look to protect human rights, and to give us early warning of violations. By raising the alarm and then investigating, they keep the spotlight of world attention focused on many of our most pressing human rights dilemmas.

They give a voice to the voiceless victims of abuses, and their reports provide a starting-point for discussion on the concrete measures that governments need to take to put a stop to violations, and to ensure that human rights are protected in future.

The Commission also created the first ever human rights complaints mechanism in the United Nations system – the confidential, so-called “1503 procedure”, which allows complaints from non-governmental organizations, other groups and even individuals.

I trust that this, or a similar confidential complaint procedure, will be retained, to ensure that you do not overlook allegations of gross and widespread abuses in any country. And I hope you will be able also to reach agreement on an additional protocol establishing avenues for lodging complaints under the Covenant on Economic, Social and Cultural Rights.

Non-governmental organizations play an important role in promoting and protecting human rights, at the national, regional and international levels. That is why the General Assembly has required you to build on the practices of the Commission to ensure that – along with States that are not members of the Council, the specialized agencies, other intergovernmental organizations, and national human rights institutions – NGOs can contribute to your work in the most effective way.

The Commission has also bequeathed to you two vital documents – the draft Convention on Enforced Disappearances and the draft Declaration on the Rights of Indigenous Peoples. You have a chance, by considering and approving those instruments at the earliest possible opportunity, to start your work with a tangible achievement – one that will bring hope to large groups of people who have lived in a dark shadow of fear.

And there are other urgent tasks that you inherit – notably that of reaching agreement on issues where the Commission found consensus elusive, such as that of making the “right to development” clear and specific enough to be effectively enforced and upheld.

My dear friends,

As you know, the negotiations leading to the creation of this Council were tough. Not every delegation got all it wanted, as we heard earlier from our brilliant [General Assembly]

President Jan Eliasson. Compromise was necessary, though in the end principles were not sacrificed.

These disagreements and difficulties should not surprise us. If there were no disagreement about human rights we should not need this council!

Indeed, human rights are an inherently sensitive topic. But that does not mean they are inherently intrusive, or antithetical to state interests. Nor should we accept the widely parroted notion that there is a built-in tension, or a necessary trade-off, between freedom and security.

On the contrary, the strongest States are those that most resolutely defend the human rights of all their citizens. And human beings are never truly secure unless their rights and freedom are protected from assault, whether perpetrated by enemies of the State or by those who act in its name.

It follows that those who have sought and won election to this Council must be prepared for debate and disagreement, but must also be united in their determination to uphold and implement human rights without fear or favour. They must recognize, as the General Assembly did when it established this Council, the importance of universality and objectivity – let me repeat – universality and objectivity, and the need to eliminate double standards.

Excellencies, dear friends:

You have much hard work before you. In the weeks and months ahead, as you descend into detail and wrestle with issues at the heart of the Council's mandate, I urge you to keep constantly in mind the noble aims that brought you here.

Never allow this Council to become caught up in political point-scoring or petty manoeuvre. Think always of those whose rights are denied – whether those rights are civil and political, or economic, social and cultural; whether those people are perishing from brutal treatment by arbitrary rulers, or from ignorance, hunger and disease.

The truth is that those denials go together. All too often, it is those who seek to improve the welfare of their communities who become the victims of oppression; and it is the lack of freedom and of legal safeguards that inhibits economic and social development.

On both those essential fronts, this Council represents a great new chance for the United Nations, and for humanity, to renew the struggle for human rights. I implore you, do not let the opportunity be squandered.

Thank you very much.