

**INTERNATIONAL ALLIANCE OF WOMEN
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**Equal Rights - Equal Responsibilities
Droits Égaux - Responsabilités Égales**

IAW – NEWSFLASH January 2011



Equal Rights

**Human Rights Council
Palais des Nations, 25 January 2011**

Secretary-General's remarks

Mr. President, Distinguished members of the Human Rights Council, Ladies and gentlemen,
Good afternoon, I am honoured to address you today. I understand you had to re-arrange your schedule to make this possible. I am very grateful for your flexibility.

Human rights lie at the core of all we do.

The General Assembly established this Council nearly five years ago to put human rights on a par with development and peace. Some worried this Council would become biased, others saw it as a great hope for solving every human rights challenge that confronts our world.

Two years ago, I came here and issued a challenge. I called on the Council to promote human rights without favour, without selectivity, without any undue influence. Today I say these touchstones should guide your discussions in the upcoming five-year review.

You should examine the Council's work not from the perspective of governments or experts, but through the eyes of people who need this Council's protection. You should ask whether this Council responds to mass rapes and sexual assaults committed with impunity, children conscripted in war, human rights defenders who speak the truth only to suffer yet more oppression.

You should preserve space for non-governmental organizations. And you should carry out the review carefully and efficiently. The High Commissioner for Human Rights and her office are your great allies in this effort. Distinguished members of the Council, over the past five years, the Universal Periodic Review has made important progress. It scrutinizes all countries, small and large, poor and rich, weak and powerful. The delegations are high-level. The discussions are candid. The debate is difficult. Just as it should be. The Universal Periodic Review is breaking new ground, now we must make sure it never becomes simply a rote exercise. That requires you, the members of the Council and all the Member States, to follow through on its recommendations. Facing human rights problems is the first step, acting to fix them moves us forward on the path of progress.

As we walk this road we must shine light on abuses everywhere. The Council's system of special procedures makes this possible. These experts travel the world, record what they see, and report to you. They are your eyes and ears. They must be able to see clearly and hear well, free from hindrance. I welcome the fact that this Council has convened more special sessions in five years than the Human Rights Commission held during its entire history. You did this with flexibility and creativity. Victims shared their stories. Fact-finding missions probed complex cases. Council members responded to breaking developments. But more must be done to fully rise above national and regional interests. If this Council is to deliver on the promise of its founding, you must go beyond narrow considerations.

Let us be frank. This body has come under criticism from various quarters. For this Human Rights Council to fulfil its mandate, it must be seen as impartial, and fair. It cannot be seen as a place ruled by bias or special interests. It cannot be a place that targets some countries, yet ignores others. It cannot be a place where some members overlook the human rights violations of others so as to avoid scrutiny themselves.

That is why the Human Rights Commission was discredited. That is why this body was created in its place. To redress the shortcomings of the Human Rights Commission. To function impartially, objectively, and constructively.

Let me make two additional points in this regard:

First, the Special Rapporteurs and independent experts who represent the Human Rights Council are appointed by the Council – not by the Secretary-General. The Council decides whether they continue in their jobs. In this, there is a delicate balance. We cannot, and should not, limit their independence. Yet we cannot condone irresponsible behaviour that undermines the Human Rights Council and the United Nations. Recently, a Special Rapporteur suggested there was an “apparent cover-up” in the 2001 terrorist attacks on the United States.

I want to tell you, clearly and directly. I condemn this sort of inflammatory rhetoric. It is preposterous – an affront to the memory of the more than 3,000 people who died in that tragic terrorist attack. It is the responsibility of the Human Rights Council to uphold, at all times, the highest standards of the United Nations and the Council.

Second, we cannot be selective in promoting human rights. We must address the full spectrum of rights with equal force – civil, cultural, economic, social and political. Put simply, our watchword should be: all people, all countries, all rights. That is why you are here.

The Universal Declaration of Human Rights has been translated into more languages than any other document in the world. This is more than an historic record – this is the collective voice of the world's people insisting that the Declaration applies everywhere, that no matter what language you speak, or where you live, you should be sheltered by its principles. And yet, though we have translated the Declaration into more than 300 languages, we have yet to fully translate its principles into action. This is our shared responsibility, the express mission of the Human Rights Council: to ensure that every single person can enjoy their human rights in full.

All rights for all people.

This week's commemoration of Holocaust Remembrance Day is a powerful call to reject all forms of intolerance, including anti-Semitism and other expressions of religious intolerance. In this we must be especially mindful of growing intolerance against our Muslim brothers and sisters.

We must also continue working to protect civilians caught in conflict. That means accountability. It means supporting the International Criminal Court and the other tribunals and special courts that are advancing justice, punishing perpetrators, and serving as a warning to all those who might commit atrocities. **We must especially address rape and gender-based violence.** As we prepare to mark the 25th anniversary of the right to development, we must work to make this right a reality for all in line with the Millennium Declaration. **We must reject persecution of people because of their sexual orientation or gender identity who may be arrested, detained or executed for being lesbian, gay, bisexual or transgender. They may not have popular or political support, but they deserve our support in safeguarding their fundamental human rights.**

I understand that sexual orientation and gender identity raise sensitive cultural issues. But cultural practice can not justify any violation of human rights. Women's treatment as second-class citizens has been justified, at times, as a “cultural practice”. So has institutional racism and other forms of inhuman punishment. But that is merely an excuse.

When our fellow humans are persecuted because of their sexual orientation or gender identity, we must speak out.

That is what I am doing here, that is my consistent position.

Human rights are human rights everywhere, for everyone.

Excellencies, ladies and gentlemen,

The General Assembly founded this Council to promote universal respect for the human rights and fundamental freedoms for all, without distinction, in a fair and equal manner. The Assembly charged you, the members of this Council, with upholding the highest standards of human rights. Now you must act in a fair and equal manner, and uphold the highest human right standards, in your own countries and around the world.

Thank you.

NGO Representative Statement

delivered by Budi Tjahjono, President of NGO Committee on Human Rights in Geneva (of CONGO)

in consultation with NGOs in Geneva - NGO Committee on Human Rights in Geneva and Human Rights Watch, Amnesty International, International Service for Human Rights, Asian Forum for Human Rights and Development, Cairo Institute for Human Rights Studies, ARC International, CIVICUS, International Commission of Jurists.

Your Excellency Mr. Secretary General,

Five years after its establishment, the Human Rights Council is still struggling to fulfil its mandate, including in addressing situations of violations of human rights in emergency and chronic situations. The Council has failed to respond promptly to several serious situations. The Council must not be selective. It should be open to debate situations of all violations anywhere they occur. If governments are not willing to bring serious human rights situations to the attention of the Council, you, Mr. Secretary General, the High Commissioner for Human Rights and UN experts should independently alert it those situations that most require its attention. Your secretariat and the other independent actors are the ones that work closely with victims and know their need and challenges.

With regard to mainstreaming the human rights work of the United Nations, we encourage you, Mr. Secretary General, to use your leadership to ensure much more effective coordination across the UN, including between the Council, the Office of the High Commissioner and UN country teams, so that there is greater coherence between the normative work of the UN and its planning and operational activities.

We also call on you to support the efforts of the Office of the High Commissioner, and ensure independent voices are respected by the Council, especially in the light of attempts to undermine the independence of the High Commissioner and her office, as well as the UN Special Procedures.

It has become more and more difficult for victims to effectively engage with the Council. The review should look for ways of including the voices of victims in its debates, panels and briefings. The Council's review should also strengthen the actual implementation of its decisions and to ensure that human rights standards are upheld.

Regarding the phenomenon of reprisals against those who cooperate with the United Nations, we urge you to provide leadership on the protection of Human Rights Defenders and Civil Society actors. As the Human Rights Council has failed to adequately address this issue, we urge you to ensure an effective use of your annual report. We call on you to remind the Council of its obligation to follow up and hold states duly accountable on any case of retaliation against those who cooperate with the UN.

We are also concerned about attempts to undermine the principle of universality of human rights for all and we underline the importance of addressing human rights violations against those most marginalised. In particular, we commend you for your leadership in speaking out on the need to end violence and criminal sanctions based on sexual orientation and gender identity and urge you to ensure that all human rights violations are addressed throughout the UN System especially by the Human Rights Council.

I thank you.

Note

We are sending this NEWSFLASH as an attachment, saved in Word 97.

Please be so kind to advise Pat Richardson if you know of any IAW members or affiliate/associate organisations with an e-mail address, so we can mail them this NEWSFLASH too.

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