

Statement uitgesproken tijdens vierde zitting van de Mensenrechtenraad

Genève, 12 maart 2007

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Minister van Buitenlandse Zaken

Thank you, Mr President.

Excellencies, distinguished delegates,

‘Every step towards the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals.’ In these words, Martin Luther King Jr spoke of the need for moral courage in defending human rights for all. For without the moral courage to sacrifice, suffer and struggle, it is impossible to change the world for the better.

Fortunately, there are individuals who show such courage. Human rights defenders around the world risk their lives for a better, more just future. Some of them are well known; some of them have even won Nobel Prizes, as King did in 1964. As the Burmese Aung San Suu Kyi did in 1991, and the Iranian Shirin Ebadi in 2003. Others, the majority, continue their fight in obscurity, sometimes literally in the dark. We should support these morally courageous people, not only with words but above all in action.

As governments, we too need to be morally courageous. This means we should not be timid in addressing human rights violations in any part of the world, including our own countries. This also applies to my own country, the Netherlands. Last summer the Special Rapporteur on Violence against Women, Ms Yakin Ertürk, visited us. All her findings, whether they are supportive of our policies or critical, are welcome, and we will take them to heart. We are not afraid to admit that we can improve our record. For example, Ms Ertürk concluded that our approach to domestic violence is not gender-specific enough. My government takes this assessment very seriously, and will follow up on her observation.

Ladies and gentlemen, I have only been in office for a few weeks, so I am determining the focal points and setting the priorities for my government’s foreign policy. I am happy to say here that I intend to raise our human rights profile further in the years ahead. Firstly, because respect for human rights is an important end in itself. The United Nations Charter reaffirms the dignity and worth of the human person and refers to promoting respect for human rights as one of its main purposes. I feel our national policies should reflect this standpoint.

Secondly, I believe that respect for human rights, both at home and abroad, contributes to security and economic and social progress, two other main purposes of the UN Charter. Kofi Annan convincingly stressed the interconnectedness of development, security and human rights in his report ‘In Larger Freedom’. It is wrong to say: let’s add a touch of economic growth at the expense of democracy and human rights. In my view, there is a definite and positive link between freedom, prosperity and security. Respect for human rights will therefore be an integral part of my government’s foreign policy. I will outline my policy intentions in more detail in a document in the near future, and encourage debate on it in the Netherlands in parliament and with the public.

Mr President, fellow Ministers,

We are here today at the fourth session of the Human Rights Council, which has put human rights on an equal footing with security and development, where it belongs. We bear a heavy responsibility: to make this Council the authoritative body on human rights it is supposed to be, alongside the Security Council and the Economic and Social Council. So that all three pillars of the United Nations stand on solid ground.

The Human Rights Council is still under construction. Naturally, when you build something, there is always a moment when your view is obstructed. If the construction site gets very messy, you may begin to wonder: will this ever be the solid home I imagined? Will its foundation be strong enough? This, I suppose, is what is happening now in Geneva. Our delegates spend a great deal of time negotiating about nuts and bolts, but we are unsure of the form that the Council will ultimately take. Will it be a true pillar of human rights? Will it be built on solid rock or, instead, on quicksand?

At the time the Council was established, optimism and hope prevailed. Ladies and gentlemen, we aimed high and we should continue to work hard. Promises made should be promises kept. The Netherlands is committed to continuing our collective investment. This is why we have decided to present our candidacy for membership in the Council for the next three years. We look forward to completing this construction project together, so that by the next time we meet, we will have a clear view of our human rights pillar, rock solid and standing tall.

Expectations are high. But, ladies and gentlemen, we cannot just expect the Council to work miracles; it is our responsibility to make it do so. For my government, this means several things:

(1) Firstly, it is important that the human rights situation in each and every country be regularly assessed and that the assessment be followed up. So we need a strong universal periodic review mechanism. The Netherlands has already volunteered to be among the first to undergo such a review, and I am happy to repeat our readiness.

(2) Secondly, we need unbiased information from independent sources to guide us in our deliberations. Therefore, my government supports continuing and improving the system of special procedures. Rapporteurs and independent experts are our eyes and ears, our human rights intelligence. They contribute invaluable information to our debates and consultations. I applaud their work and welcome their findings, in the future as much as today.

(3) Finally, we continue to support active involvement by NGOs. They too bring invaluable information to the table and force us government representatives to remain vigilant.

Some of the weaknesses that characterised the former Commission on Human Rights were its selectivity, its politicisation and its composition. Ladies and gentlemen, we should not repeat the Commission's past mistakes. The Netherlands believes that human rights are universal and that no country should be exempt from scrutiny of its human rights record. At the same time, it would be inappropriate to again and again single out a specific country or region. The attention the Council gives to human rights situations should always be proportionate to the violations committed, and its conclusions should be balanced. If agenda items were to be put on or kept off the agenda merely for political gain, the Council would soon lose its legitimacy. This is what I meant when I referred to building the Council on quicksand.

Secondly, if the Council is to earn the credibility it needs, its members should uphold the highest standards in the promotion and protection of human rights and cooperate fully with the Council. Their voluntary pledges in this regard cannot be empty words. The universal

periodic review, which members have to undergo during their terms, could be an important instrument in this respect. Privilege entails responsibilities. Suspension of those members that do commit gross and systematic violations of human rights should not be an empty threat.

Ladies and gentlemen, the tragedy in Darfur has claimed hundreds of thousands of lives. Millions of people have been forced to leave their homes. It is vital that this Council speaks out against such atrocities, lest it be judged irrelevant. Silence or inaction will not be understood and cannot be excused. As European ministers have done, this Council should support the International Criminal Court, which has recently issued its first indictments related to the atrocities in Darfur. My government welcomed this Council's unanimous decision to send an assessment mission to Sudan. But we deplore the way in which the decision has been implemented, especially the lack of cooperation from the Sudanese government that kept the mission from visiting Darfur. I nevertheless expect the mission's findings to be discussed in a manner worthy of this Council's high principles. Furthermore, I expect that the follow-up of the recommendations will be considered a matter of high priority. For too long, the victims of Darfur have been denied the protection and justice they are entitled to. It is the least we can do for the citizens of Darfur, of Sudan and of Africa.

Ladies and gentlemen. To repeat the words of Zimbabwean human rights defender Arnold Tsunga: 'This Council will be expected to show leadership and have a pioneering role in the greater realisation of all rights by ordinary women, men and children globally – so that this world becomes a better world for humanity everywhere and anywhere.' Tsunga spoke at the Council's opening session, less than a year ago. I could not agree more. Ultimately, the Council's success will be judged by the impact it has on the lives of ordinary people worldwide. People who may now be living in fear and want, deprived of their basic human dignity. To these people, the Human Rights Council should make a difference.

I would like to end my statement by wishing us all the dedication and moral courage needed to make this Council a success story for human rights. In King's words: 'This is no time for apathy and complacency. This is a time for vigorous and positive action.'

Thank you, Mr President.