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Statement by

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of the Czech Republic,

on behalf of the European Union

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**STATEMENT BY H.E. Karel SCHWARZENBERG, MINISTER OF FOREIGN
AFFAIRS OF THE CZECH REPUBLIC,
ON BEHALF OF THE EUROPEAN UNION**

Mr. President,
Madame High Commissioner,
Excellencies, Ladies and Gentlemen,

It is a great honour for me to speak to you today, on behalf of the European Union.

The Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia*¹, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina and Montenegro, as well as Ukraine, the Republic of Moldova and Armenia align themselves with this declaration.

Today, as we work in the Human Rights Council, having completed the institution building process, we may begin to reflect on the shortcomings of the Commission which we have now overcome. In particular, we should be able to assess whether we are succeeding in the effective employment of mechanisms and procedures and through them in examining human rights situations in a professional, independent, non-selective, unbiased and complex manner.

We cannot measure the success of our endeavours by the number of resolutions, special sessions, panels or working groups. Our goal is not to do more but to do better. We should consider how our discussions reflect reality and to what extent they are conducive to a necessary change. The Council has to remain focused on its primary mandate - Human Rights.

¹ * Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

The fact that very serious human rights violations cannot be adequately addressed on account of regional or ideological solidarity, does little for the credibility of the Human Rights Council. The EU will continue to pay particular attention to the persistent violations of human rights, using every opportunity available, and as permitted by the organs and institutions of the Human Rights Council.

In the spirit of promoting the culture of cooperation as enshrined in the Resolution establishing the Council, the European Union strongly supports the involvement of civil society in the work of the Human Rights Council, and an extensive right of their representatives to attend and participate at Council debates. For decades, the European Union has already benefited from this practice of cooperation with civil society organizations in the protection of human rights. We are of the opinion that organizations established with the aim of giving a voice to the most vulnerable members of society must have the right to speak and present their recommendations to the Council and to governments.

The European Union has long supported the Universal Periodic Review of the Council and is dedicated to the preservation of its effectiveness and credibility. During its four years cycle, this review mechanism examines issues of human rights within every member state of the United Nations and makes it the subject of an in-depth evaluation. The way in which member states respond to these reviews serve as an important indicator as to the willingness of any government to work for the genuine development of human rights. The EU member states have fully participated in their reviews, and have done so in good faith. All of them – as well as most of the other countries reviewed, have to date succeeded in taking an honest look at their own human rights record including any shortcomings.

Over the last few decades, it has been our firm belief that human rights can only be promoted and protected by abiding by fundamental principles. I would like to take this opportunity to reiterate three of these core principles.

1. Human rights are truly universal, indivisible and interdependent;
2. Civil, political, economic, social and cultural rights must be established and maintained in a balanced way;
3. The respect of human rights is only possible in an environment where security is organized and guaranteed and, in a system, which is both just and fair, where people can participate in the decision-making process, in particular where public interest issues are concerned.

The rights of an individual human being, in particular his or her value and dignity cannot be subject to cultural relativism, counter terrorism measures, or the level of economic development.

Mr. President,

The European Union will continue to work on the review of mandates of all special procedures. The laudable work of the Special Rapporteurs, as the "eyes and ears" of the Council have proven to be a most valuable asset and must not be weakened in any way. The European Union will continue to strive for the preservation and reinforcement of this system. We owe the Special Rapporteurs our thanks for their hard work and commitment in upholding human rights, often in difficult circumstances. The European Union reiterates that the universalization of standing invitations should help reinforce the role of special procedures.

Mr. President,

At this session the European Union will be presenting initiatives to extend the mandates of the special Rapporteurs for Burma/Myanmar and the Democratic People's Republic of Korea. The human rights situation in both countries merit the Council's continued attention. We will work for extending the mandate of the Independent Expert for Somalia. We are also ready to fully support the renewal of the technical cooperation and assistance mandate for the Democratic Republic of Congo. With regard to thematic issues, I would especially like to point out the resolution on the rights of the child that the EU is preparing in cooperation with

Group of Latin America and Caribbean countries, dedicated to the 20th Anniversary of the UN Child Rights Convention and its implementation.

However, if the Council is to be successful, it requires cooperation and support from all States – including those which are not currently members. After all, the protection and promotion of human rights is, and remains to be, a matter for the entire international community.

I would like to take this opportunity to reiterate the commitment of the European Union in the fight against all forms of racism and discrimination. I am confident by the extensive and profound ways in which we approach these negative phenomena within our own societies, both on a national and on a regional level, demonstrating our genuine intentions to confront these issues. Therefore, we engage constructively in the preparatory process and are ready to fully participate in the Durban Review Conference next month. Nevertheless, the EU cannot subscribe to the outcome of this conference, where the result would limit, or undermine human rights and fundamental freedoms. The EU remains committed to the Durban Review Conference and believes that the final text will in the end be much shorter than the current one and reflect our principles as we have clearly outlined from the very beginning.

Mr. President,

Let me express my hope and faith that this 10th Human Rights Council Session will be a success, although it will require a lot of work and difficult negotiations.

Let me express my confidence in the good spirit of this Council. I would like to assure you, Mr. President that the European Union consists of devoted, loyal supporters of this Human Rights Council.