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Third Committee

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Item 67 (c) Human rights situations and reports of special rapporteurs and representatives

Statement by Senator Brett Mason, MP Parliamentary delegate to the Australian delegation to the United Nations

(Check against delivery)

Australia's human rights policy seeks practical outcomes. We are committed to playing our part in helping the UN human rights system function better. Our efforts over the past year have focused on ensuring that institutional change within that system translates into tangible gains for people throughout the world. In particular, the Australian Government continues to promote and fund practical initiatives to improve the observance of human rights, especially in the Asia-Pacific region.

Australia welcomed the establishment of the Human Rights Council earlier this year. This new institution offered a fresh start. However, its performance has been mixed.

On the positive side, Australia has valued the Council's interactive dialogue between States, human rights mandate-holders and other key stakeholders. We have also been pleased by the Council's engagement with civil society and national human rights institutions.

However, we are disappointed by the unbalanced attention the Council has given to Middle East issues. The Council has, so far, failed to produce substantial outcomes on the full range of pressing human rights situations. Australia urges Council members not to focus disproportionately on one country or one region while ignoring injustices

elsewhere. This is critical if the Council is to become an authoritative voice that extends far beyond Geneva to ensure effective and timely action where it really matters – on the ground.

Australia commends the High Commissioner for Human Rights for her strong commitment to reforming and strengthening the work of her Office, the clear vision set out in her Strategic Management Plan, and her focus on implementation work in the field. We welcome the Office's cooperative engagement with government officials and civil society in countries like **Nepal**, **Cambodia** and **Colombia**. We also commend that Office's ongoing work with the Government of **Sri Lanka** on the establishment of a commission of inquiry with terms of reference that meet international standards.

Mr Chairman, since Australia delivered its last statement in this forum, we recognise that genuine progress in human rights observance has occurred in a number of countries. Examples include the ratification by the parliament in **Indonesia** of the two International Covenants, and the abolition of the death penalty in a number of countries, including the **Philippines**. We take this opportunity to encourage other Member States to work towards abolition of the death penalty and join Australia as a State Party to the Second Optional Protocol to the International Covenant on Civil and Political Rights.

Sadly, there remain too many countries in which serious human rights violations persistently occur. No country in the world has a perfect human rights record, and this statement will not offer a comprehensive assessment of the global state of human rights. Some specific country situations, however, warrant particular attention.

The human rights and humanitarian situation in the **DPRK** continues to deteriorate while the regime irresponsibly directs its resources to the conduct of nuclear weapons tests. We hear reports, including from the Special Rapporteur on human rights in the DPRK, of the gap between the rhetoric and the reality of rights protection in that country. Serious transgressions of the rights to security of the person, limitations on freedom of movement, expression and assembly, and reports of discrimination against persons with disabilities are of particular concern. We also hear reports of human rights abuses against border crossers forcibly repatriated to the DPRK. We urge the DPRK to engage fully and openly with the international community to address ongoing human rights concerns. We also urge the DPRK to allow access to the United Nations and other organisations in order that humanitarian assistance may reach those most in need of it.

We are very concerned that, in **Zimbabwe**, protests continue to be suppressed, with participants routinely arrested and, in some cases, brutally assaulted by police. Sadly, the arrest of over 230 individuals planning to organise a peaceful protest in September highlights the routine denial of rights of free association, expression and assembly in that country.

From **Iran**, we also hear reports of the violent dispersal of peaceful gatherings, the arrest and detention without charge of critics of the government, and an increasing atmosphere where citizens, including the Baha'i community, are harassed. Australia urges Iran to redress this situation and asks that it do more, especially to protect the rights of women, children and minority groups.

Mr Chairman, the continued images of suffering of the millions of people displaced by the ongoing violence in the Darfur region of **Sudan** cannot be ignored. Australia believes there is no justification for the Government of Sudan to refuse to accept UN peacekeepers in Sudan and we call upon it to agree without delay to their deployment. We also urge the Government of Sudan to reconsider its decision to expel the Secretary-General's Envoy for Sudan.

The situation of political prisoners in **Burma** symbolises the broader unwillingness of the regime to respect human rights and implement genuine political reform. We call on the regime to afford all persons international human rights standards. In this regard, Aung San Suu Kyi and all other political prisoners should be released immediately and unconditionally. We urge the regime to allow the resumption of proper access to prisons by the International Committee of the Red Cross, and to receive a visit by Special Rapporteur Pinheiro.

In **Iraq**, attacks by terrorists and sectarian violence come at the expense of millions of Iraqis who have voted for democracy and freedom. We will continue to support the Iraqi Government to achieve security and stability. Australia welcomes the appointment of an Iraqi Minister for Human Rights, and progress towards establishing a national Human Rights Commission. In doing so, we urge that the rights of all, including vulnerable groups, such as religious minorities, be protected. In addition, we continue to seek the abolition of the death penalty in Iraq, as part of our ongoing engagement with the Iraqi Government on human rights.

In conclusion, Mr Chairman, let me say that reform of the UN human rights system will only work if Member States are determined to make it work. We need serious and ongoing reform of the system, and practical and durable responses to human rights situations worldwide. The Australian Government stands ready as a member of the international community to ensure that this occurs in the interests of the human rights and fundamental freedoms of all people.