



NORWAY

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Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms.

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STATEMENT

By

H.E. Mr. Johan L. Løvald
Ambassador
Permanent Representative

New York, 27 October 2006

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Mr Chair

We welcome the report of the High Commissioner for Human Rights. We support the ongoing work to strengthen the Office of the High Commissioner for Human Rights. The Strategic Management Plan and an increased budget are central to this work.

In May of this year we decided to establish the Human Rights Council. Before June of next year we have to agree on its modalities. We are about to review the mandates, mechanisms, functions and responsibilities inherited from the Commission. Our work on human rights has been criticised – at times rightly so – for being politicised, selective and ineffective. This time we have the opportunity to create a strong and effective human rights body. We should work on the basis of cooperation and dialogue in order to identify human rights issues of concern, and to improve them. When dialogue is not enough, and there is no will to improve the situation, then we must be willing to take action and speak clearly on behalf of those whose voices are not heard. It is of utmost importance that the UN is able to address and act on pressing human rights situations.

A key task for the Council during the first year is institution building. We have to review the system of special procedures and establish a Universal Periodic Review Mechanism. The Special Procedures are an essential mechanism within the UN system for protecting human rights and alerting us to human rights violations. If the Special Procedures are to fulfill their mandates, it is imperative that they remain independent, impartial and autonomous. A strong and effective special procedures system depends, however, on the willingness of Member States to cooperate fully with the mandate-holders in all aspects of their work. At the same time, the Special Procedures must be provided with the necessary resources to carry out their mandated tasks, including information on individual cases, requests for country visits and follow-up recommendations.

Human rights defenders stand at the front line, promoting and protecting human rights. My Government welcomes the report of the Secretary-General's Special Representative on Human Rights Defenders. Those who fight for the fundamental rights and freedoms of other people – often at the risk of their own lives –, deserve the greatest possible respect and support from the international community. The report confirms that, in many parts of the world, human rights defenders still face a variety of repressive measures. We add our voice to the Special Representative, urging States to review restrictions imposed on the right to the freedom of assembly and to ensure that their legislation is in conformity with the obligations of the State under international human rights law.

Mr Chair

Freedom of expression – the right to receive and exchange opinions, ideas and information – is fundamental in a democratic society. It is a fundamental and a universal

human right. We need to underline that restrictions on the right to freedom of expression have far reaching consequences, going beyond the serious affair of infringing upon a fundamental human right.

But the freedom of expression cannot be isolated from the context in which we express ourselves. Individual human rights are fundamental and universal, but society is not made up of isolated individuals. How do we exercise freedom of expression while respecting the diversity of our multicultural world? What are the long-term consequences of being insensitive to the culture, faith and emotions of others? The answers to these difficult questions can only be found through an on-going dialogue with all parties. To enter into dialogue is not to give up conflicting principles or values. It is about finding a way to manage fundamental differences.

Mr Chair

The principle of non-discrimination is at the core of human rights. We have committed ourselves not to discriminate on the basis of race, colour, sex, language, religion or descent, national or ethnic origin. This fundamental principle must also apply to a person's sexual orientation. Regrettably, there is pervasive evidence of human rights violations based on sexual orientation and gender identity. We commend the attention paid by the Special Procedures to these issues, and call upon all Special Procedures to continue to address human rights violations based on sexual orientation and gender identity within their relevant mandates.

Mr Chair

The prohibition of torture is absolute. Any person who perpetrates acts of torture must be brought to justice. The existence of secret detention facilities where detainees are kept in a legal vacuum, is not in conformity with international law. It may facilitate the perpetration of torture or in itself constitute torture or other cruel, inhuman or degrading treatment.

Mr Chair

Norway attaches great importance to the adoption by the General Assembly of the UN Declaration on the Rights of Indigenous Peoples. When adopted, the Declaration will strengthen the rights of indigenous peoples worldwide. The Declaration will serve as a comprehensive framework for partnership between States and Indigenous Peoples. We also strongly support the adoption of the convention for the Protection of All Persons from Enforced Disappearances. The agreement on the draft Convention on the Rights of Persons with Disabilities in August was also a major step forward in promoting universal human rights.

We thank you, Mr Chair.