



STATEMENT BY

AMBASSADOR AND PERMANENT REPRESENTATIVE

OF SOUTH AFRICA

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IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION
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(1) Overview

It has been a week since the Human Rights Council was inaugurated. During that same week most dignitaries who addressed the High-Level Segment of this session, noted that the Council was making a fresh beginning. They stated that the Council was embarking on a new path away from the politicisation and selectivity that spelled the demise of the Commission on Human Rights. This new path must be built on constructive international dialogue and cooperation with a view to enhancing the promotion and protection of human rights.

The framework, which should guide our discussions is provided for by General Assembly Resolution A/60/251, which calls on the Council in Operative Paragraph 5(f) to "contribute, through dialogue and cooperation towards the prevention of human rights violations and respond promptly to human rights emergencies". South Africa therefore views the thematic discussion as being in line with the spirit of co-operation and dialogue rather than confrontation and condemnation.

(2) Human Rights Situation in Occupied Territories, including Palestine.

- South Africa is concerned at the decline in the wellbeing and quality of life of the Palestinian people in the Occupied Territories, owing to the withholding of funding to the Palestinian Authority, and the ongoing economic isolation of Palestine.
- The humanitarian crisis which, has unfolded over the months has resulted in the gross violation of human rights of the Palestinian people and it cannot be allowed to go unnoticed by the international community any longer. Efforts need to be made by the international community to address the current impasse.
- South Africa would like to re-iterate its call for the implementation of the Road Map, which guarantees the creation of a sovereign Palestine living side by side with a secure Israeli State. My Government envisages this Council continuing to engage the Israeli/Palestinian issue until its peaceful resolution.

(3) Support for the Abuja Peace Efforts

- South Africa welcomes the signing of the recent Darfur Peace Agreement within the framework of the Inter-Sudanese Abuja Peace Efforts.
- The South African Government re-affirms its support for the continued peace-making efforts of the African Union and calls for the strengthening thereof. In order to assure peace in Darfur, there is a need to ensure the adequate allocation of resources and equipment. The South African Government therefore calls for the continued, positive and full engagement by the international community on this matter.

- Alongside the peace efforts however, there is a grave humanitarian situation, which needs to be addressed. South Africa believes that there is an urgent need for further humanitarian assistance to Darfur and we call on the International community to intensify their humanitarian efforts.
- Alongside the peace efforts there is also a need to uphold the principles of human rights and to ensure the promotion and protection thereof. South Africa therefore calls on all parties to the Peace-Treaty to work together to protect the human rights of the Sudanese people.

(4) Human rights of migrants in the context of the High-Level Dialogue in September 2006

- The human rights of migrants is indeed one of the most pressing human rights issues confronting us. In September this year, the United Nations will for the first time ever host a High-Level Dialogue on International Migration. It is therefore proper that the Human Rights Council also considers the matter of migration.
- Concerns about and policies to deal with insecurity are threatening to compromise individual's fundamental human rights. Some anti-terrorism legislation coupled with restrictive immigration legislation in contributing to an increase in racial profiling and institutionalised racism. Restrictive migration policies and the lack of sufficient legal possibilities to migrate are forcing more people to resort to irregular migration and turning to traffickers. When border controls are being militarised and return and readmission agreements take no account of the international human rights obligations which states have assumed, including the right to seek asylum, the Human Rights Council has a responsibility to speak out on these injustices.
- The South African delegation believes that we can not have a debate on increased and coherent migration management policies without taking into account the fundamental human rights of the subjects of such policies, the migrants and their families. The categorisation of migration is increasingly becoming racialized, classed and gendered.
- The development of the so-called "Safe Third Country Agreement" which asserts a principle that refugees should claim protection in the first safe country they reach are nothing else that a policy of containing refugee populations in the regions where crises occur - essentially a "not in my backyard" approach to refugee protection. These policies are both inflaming and exploiting racism and xenophobia.
- There are some non-derogable rights that must be held by all human beings, citizens and non-citizens. Our human rights are intertwined with the rights of others. Human rights are indivisible, intertwined and non-hierarchical. We have to insist on a common standard of dignity, rights and security for all who are on the move.