

HUMAN RIGHTS COUNCIL

STATEMENT BY THE INTERNATIONAL SERVICE FOR HUMAN RIGHTS UNDER AGENDA ITEM 3, REPORT OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

FRIDAY 23 JUNE 2006

Mr President

The International Service for Human Rights welcomes and is grateful for the statement of the High Commissioner for Human Rights to the first session of the Human Rights Council.

In her statement the High Commissioner identifies a number of most urgent human rights issues, including poverty, discrimination and human rights issues in relation to terrorism and counter-terrorism. We share her concerns and welcome in particular her re-affirmation of the absolute prohibition of torture and arbitrary detention.

In discussing discrimination, the High Commissioner refers to a number of specific groups that experience discrimination: women and girls, indigenous peoples, migrants, people with disabilities and racial, ethnic, cultural and religious minorities. There is an additional ground of discrimination that should also be considered because of longstanding experience of discrimination, discrimination based on sexual orientation and gender identity.

This group falls within a category of challenge to the Council raised by the Secretary-General in his inaugural address to the Council on Monday.

... there are other urgent tasks that you inherit – notably that of reaching agreement on issues where the Commission found consensus elusive ...

Human rights and sexual orientation and gender identity was certainly an issue on which “the Commission found consensus elusive”. It is an area of human rights violation that must be addressed by this Council.

I would be grateful for the High Commissioner’s advice on how her Office will deal with this and other areas of discrimination that have not been adequately identified and addressed in the past.

The High Commissioner’s statement also provides a model of how human rights situations in particular States should be dealt with by this Council. The statement draws attention to a number of States by name. Some are singled out for commendation, their work being examples to other States. Others are the subjects of critical comments, either because of their denial of access to the High Commissioner or to the Special Procedures or because of the serious human rights situations in them.

The way the High Commissioner has approached this question is balanced and well founded, relying on objective and reliable information. Her report provides expert and independent advice to the Council, as do the reports of the Special Procedures. These are the kinds of reports the Council needs to fulfil its mandate to address situations of gross and systematic violation of human rights. It avoids politicisation. It avoids selectivity on any grounds other than the seriousness of the violations. In this way, the High Commissioner's report is a model for the necessary future approach.

Both before and during this session of the Council, many States have called for the Council to avoid the "naming and shaming" that they considered characterised the old Commission on Human Rights. The representatives of India and Sri Lanka, for example, have done so again here today. Reliance on expert, independent advice, like that of the High Commissioner and her Office, is the best way for the Council to do this.

Once situations are brought before the Council in this way, the Council will need to decide how to handle them. Here, the need is to avoid the endless repetition of futile resolutions in favour of pursuing action that has a positive effect on the ground. The Indonesian representative identified this morning the need to find solutions to human rights issues throughout the world. I strongly agree. The representative of Palestine called for practical steps and the representative of Pakistan for concrete and positive change on the ground. Again, in both respects I fully agree. That is one of the greatest challenges facing the Council, how to translate its concerns to address situations of human rights violations into effective action that results in improvement of the situation.

Here again the Council needs the High Commissioner's advice. I would be grateful for her views on how the Council can act most effectively and most creatively to take positive steps and to bring about concrete and positive change on the ground.