

**ADDRESS BY MR. JORGE TAIANA, MINISTER OF FOREIGN AFFAIRS,
INTERNATIONAL TRADE AND WORSHIP OF THE ARGENTINE REPUBLIC
IN THE HIGH LEVEL SEGMENT OF THE FIRST SESSIONAL PERIOD
OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL**
Geneva, June 19, 2006

Mr. Chairman,

Mr. Secretary General of the United Nations,

Madam High Commissioner for Human Rights,

Heads of Delegation,

Representatives of Civil Society Organizations,

Ladies and gentlemen,

It is an honour for me to participate in this historic opening ceremony of the sessions of the United Nations Human Rights Council.

Since the inception of the reform of the United Nations system, my country strongly supported the upgrading of human rights within the organization.

Issues relating to international development, peace-keeping and security have so far received maximum attention from the UN.

The time has now come for human rights.

From a historical perspective, the gradual development of international human rights law as we know it today is only 60 years old, dating back to the adoption of the Universal Declaration in 1948.

This is very short time if we consider that for 300 years, since the Peace of Westfalia, the relationship between the State and individuals submitted to its jurisdiction was not an issue of interest to the international community, which remained indifferent in the face of mass and systematic abuses by both authoritarian as well as democratic governments.

Resolution 60/251 of the General Assembly requires that we "reaffirm the commitment to strengthen the United Nations human rights machinery, with the aim of ensuring effective enjoyment by all of all human rights, civil, political, economic, social and cultural rights, including the right to development."

This is a great responsibility and we should not miss the opportunity of consolidating a strong, effective, efficient and impartial universal system.

This means a system which encourages the full respect of human rights stressing the importance of dialogue and cooperation, and that at the same time does not subordinate itself to the interests of the *realpolitik*.

My presence here today coincides with a very significant and outstanding year for human rights in Argentina.

On March 24, in my country and in other countries, we commemorated the 30th anniversary of the last military coup, which ushered in the most cruel and sad episode in Argentine contemporary history.

The year 1976 marked a turning point not only with respect to the concept of human rights but also with respect to the place human rights occupy in private life and on the political agenda of our country.

Starting from the suffering of the most brutal and systematic practice of violation of rights and freedoms the concept of human rights became a collective and historical experience and was incorporated into our daily and institutional language.

The fight against the dictatorship was led by relatives of the victims and by different human rights organizations which were born in those years. They were united by horror and courage, and they gave the most genuine example of selfless, democratic and solidaristic defense of human rights.

This constant struggle during the dictatorship, which was continued after the restoration of democracy in order to achieve truth and justice, is the most positive element we were able to generate in our social fabric, and something that we are very proud of.

And it is also an experience that went beyond Argentina.

That is why today the "Mothers and Grandmothers of Plaza de Mayo" are a synonym of the fight against impunity all over the world.

Since democracy was recovered, the claims of society encouraged legislative, judicial and public policy developments in the field of human rights became a part of our identity as a nation.

After two decades of democracy but of partial justice since President Kirchner took office in 2003 we have seen a paradigm shift: for the first time, the three powers, respecting the mandate of society as a whole, have concurrently adopted decisions to preserve the four pillars of the fight against impunity: memory, truth, justice and reparation.

These decisions have allowed the repeal of the impunity legislation, which also were declared unconstitutional by the Supreme Court and, consequently, the reopening of over a thousand judicial proceedings on crimes against humanity, and hundreds of individuals kept in custody.

This political will responded to a society and a government that demands to recover over 400 children that were abducted and deprived of their identity, demands to know the fate of thousands of persons that were disappeared and demands to punish those individuals responsible for those crimes.

These achievements, which are a landmark in Argentine history, had as one of their main source the international law of human rights, which our country has incorporated on a mass scale, ratifying nearly all treaties, faithfully complying with the decisions adopted by international organizations for the protection of human rights, and favouring

the adoption by the courts of the practice of applying international human rights regulations as part of the domestic legal system.

At present, in order to strengthen the international law of human rights, we need to assure the success of this Human Rights Council.

The first year of the Council will be very important.

The Council will have to complete the transition from the Commission and start dealing with substantive questions, guided by the resolution by which it was set up.

We must avoid any legal gap in protection, and keep the system of procedures, experts and special rapporteurs, advisory services and complaint procedures.

We must also show the international community that the reform was not only cosmetic and that we are really prepared to provide more guarantees of protection to those who require them in any part of the world.

The Commission ending its duties today was often politicized, ineffective and inefficient.

In fact, my country suffered that sort of politicization, when under a bipolar balance which was indifferent to human rights, the massive and systematic violations of human rights occurring in Argentina during the military dictatorship, were never discussed at the plenary of the Commission.

As a way out of this situation, it was therefore necessary to create the Special Group on Forced Disappearance of Persons, in order to have a forum to deal with thousands of complaints about my country. Within this context, the International Convention on the Protection of All Persons from Forced Disappearance is ready for adoption, and as a country that was deeply involved in its negotiation, we hope that its adoption will be the main achievement of this first session.

This Convention has been the result of the decade-long fight of the human rights movement. It will contribute to recognizing the right not to be a victim of forced disappearance, to confirming that the generalized or systematic practice of forced disappearance constitutes a crime against humanity, and to reaffirming in every case the right of victims to justice and reparation, and to establishing the right to know the truth about this flagrant violation of human rights, if necessary through effective judicial means.

Its adoption will be a positive sign and will be a big step forward in the fight against impunity and in favour of preventing such serious violations of human rights.

The forced disappearance of persons, extrajudicial executions, torture, arbitrary detentions and other serious crimes committed against thousands of residents in my country, for ideological or other similar reasons, have been a tragedy and a serious, mass and systematic violation of human rights which, like genocide, we must prevent.

We should not forget the genocides, that marked the 20th century, which everything seems to suggest could be repeated in the 21st century.

In this regard, Argentina is the only Latin American country participating in the International Task Force on Holocaust Education, Remembrance and Research, to promote education about the Shoah in our country's schools.

We are aware that an adequate knowledge of this tragedy reflects the significance of the challenges we face as humanity, to study how in a country civilization may rapidly merge with barbarity and, to understand that no cultural, scientific, economic or technological development will prevent discrimination, intolerance, persecution and extermination.

These are some of the actions which help us find our place in the world as far as human rights are concerned.

Our political history, more than two decades of democracy, the courage of victims, their relatives and organizations of civil society and, the Copernican change introduced by this Government in terms of remembrance, truth, justice and reparation, allow us to join this Council from a vantage point, as a country which lived the tragedy and recovered freedom and dignity.

The promotion and protection of human rights is a subject which is undoubtedly here to stay in the international relations of 21st century.

In the light of the strong support of the international community for the establishment of this new organization, we cannot choose to be mere witnesses or observers.

We are obliged to be actors for change.

And my country undertakes today to help make this change happen.

THANK YOU.