



**Statement by
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of the Czech Republic**

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High-Level Segment

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Mr. President,

Madam High Commissioner,

Ladies and Gentlemen,

First, I should like to congratulate you, Mr. President, and other members of the Bureau on your election. The Czech Republic associates itself with the statement made on behalf of the European Union by the Austrian Presidency. Let me briefly comment on the Czech Republic's priorities in the field of human rights.

The sixty-year history of the United Nations Commission on Human Rights has come to an end. Throughout this period, the Commission was no doubt the most important universal body dealing with the promotion and protection of human rights. It took part in shaping the modern system of human rights protection, including the international human rights treaties with their monitoring bodies or the Special Procedures. Despite many excellent results on the one hand, it has been increasingly criticized on the other hand, among others for excessive politicisation of its work. While aware of some of its shortcomings, the Czech Republic has always appreciated the major successes achieved by the Commission in the field of promotion and protection of human rights.

Let me mention one of these last achievements. In 2002, the Commission adopted the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Protocol now enters into force, and I am sure that the two-pillar system of prevention of torture will make the global action against torture even more efficient.

The international law makes it clear that torture is not permissible under any circumstances, neither in wartime, nor in the context of the fight against terrorism. In a few days, the Czech Republic will join the group of states that have ratified the Protocol, and I take this opportunity to urge other countries to also consider accession to this instrument.

Ladies and Gentlemen,

The Commission on Human Rights belongs to history now, the Human Rights Council promises the future. Let us therefore concentrate on the future.

I first wish to stress and confirm that the Czech Republic will continue to play an active role in the field of human rights, both in the bilateral and in the multilateral dimension, which includes the Human Rights Council.

Naturally, the Council must now devote a major part of its first session to questions of procedure. In our view, the key phrase for this new body is and will be "implementation of standards". The Commission, the Special Procedures and the Treaty Bodies have produced a number of excellent documents on current human rights issues. Nevertheless, the recommendations made in these documents were sometimes insufficiently implemented by the countries concerned. Another drawback was the absence of an authority which would help and motivate the States to follow the recommendations. And it is here where we should exploit the full potential of the Universal Periodic Review mechanism which could help to solve the problem.

An issue of top priority for the Czech Republic are the Special Procedures. We see them as crucial tools in human rights promotion and protection within the UN system. This applies equally to thematic and country mandates. In our opinion, there are two vital prerequisites for their efficiency: First, qualification and independence. Second, cooperative approach by governments. This includes prompt acceptance of requests for a visit, general assistance and support during the visit, as well as implementation of the recommendations arising from it. This is why I would like to encourage States that have not yet done so to issue the "standing invitation" to the Special Procedures.

Despite our high esteem for the current system, we welcome the overall revision of the Special Procedures' mandates foreseen in the resolution, and hope that the reform will make them even more efficient and stronger.

Mr. President,

The Czech Republic welcomes the decision of the international community to establish the Human Rights Council. It is very important that it can address both thematic and country issues, including gross and systematic human rights violations. We also appreciate the role of NGOs, namely their right to participate and intervene in the Council's meetings.

Let us hope that during the first years of its existence, the Council will operate in such a successful manner that at the first revision of its mandate in five years, general support will be found to give it a higher status within the UN system. I also believe that a possibility to address recommendations directly to other UN bodies, namely the Security Council, would

help the cause of human rights. But I also see that we, Members of the Council, first have to prove that we deserve to be given this opportunity.

Mr. President,

We are ready to assist you and other Member States, with the valuable advise of the High Commissioner, in the work which lies ahead of us, with the aim to create a functioning, fair, just and respected human rights body of the United Nations. I am confident that with good will on all sides, we can achieve this ambitious goal.

Thank you.
