



**STATEMENT BY  
HE MR MICHAEL ZILMER-JOHNS  
STATE SECRETARY  
DENMARK**

**ON THE OCCASION OF THE 1<sup>ST</sup> SESSION OF THE  
HUMAN RIGHTS COUNCIL**

**GENEVA, 21 JUNE 2006**

Check against delivery

Mr Chairman,

Distinguished members of the Human Rights Council

Ladies and Gentlemen

Much has been said lately about the Commission on Human Rights – praise as well as denunciation. Let us not forget, that the Commission gave us the international Bill of Rights. It gave us the treaty body system. It gave us Special Procedures. And it provided the central forum for global consideration of thematic and country specific human rights issues. If discredit is due, we should take it upon ourselves as members and observers of the Human Rights Commission. No institution is better than its constituency.

But the 60 years since the opening of the Commission took their toll, and it was high time to revise the central human rights forum in the United Nations. As co-inventors of the concept, we warmly welcome the decision by the General Assembly last March to establish a permanent Human Rights Council. I hope and believe that the new Human Rights Council will prove itself to be a stronger and more effective body than its predecessor, but again: Much will depend on Member States and Observer States – the constituency. We should be inspired by the highest standards in developing the structure, agenda and work programme of the Human Rights Council. And our behaviour and action in the Council should be based upon equally high standards and full respect for human rights.

We consider it extremely important that the Council meets in a number of sessions throughout the year as decided by the General Assembly. Human rights are violated all the year round and should be dealt with as they happen, not just 6 weeks every spring. The permanent nature of the Human Rights Council should also make it possible to deal with all the highly important thematic human rights issues in an innovative and more flexible, pragmatic and focused manner.

Another opportunity for improving UN workmanship in the field of human rights offered by the General Assembly decision is to intensify our relationship with civil society, with NGOs

and National Human Rights Institutions. The opportunity to develop closer and more focused cooperation with these important human rights actors should not be missed.

We should not lose sight of the important role of the High Commissioner of Human Rights for the proper functioning of the Human Rights Council, while we all need to respect the independent status of her and her office. We have seen a significant increase in the UN budget resources of the Office of the High Commissioner. This will help us secure the strong, independent and efficient Office that is so crucial for further progress in our work, such as a strong and efficient secretariat for the coming Sub Committee to be established pursuant to the Optional Protocol to the International Convention Against Torture and Other cruel, Inhuman or Degrading Treatment or Punishment.

Mr Chairman,

The Optional Protocol to the International Convention Against Torture enters into force tomorrow. This represents an effective innovation in the global fight against torture and in human rights law.

The Protocol is very innovative. It introduces an international inspection procedure. It requires national prevention mechanisms. And it provides for interaction between the two. While most human rights procedures are reactive, focusing on past or current situations and events and on violations already committed, the Protocol adopts a much more direct and proactive approach to preventing future violations. The purpose of the system of visits is to pre-empt violation before it occurs.

That is why it is so urgent for more states to join this very important new instrument in the fight against torture.

We do not underestimate the problems states are faced with when considering to join the Protocol. But its entry into force and the commencement of the Subcommittee on Prevention of Torture should facilitate these considerations. And I might add that in Europe we have lived

with this concept under the European Convention for the Prevention of Torture for 17 years. And it works very well.

We will also have before us the draft International Convention for the Protection of all Persons from Enforced Disappearance. It is high time to recognize – in hard law – that enforced disappearances as such are not only crimes - and in certain circumstances crimes against humanity - but serious violations of human rights, and to establish international procedures for the protection of freedom from enforced disappearances.

Likewise we have a draft Declaration on the Rights of Indigenous Peoples. The Declaration is a milestone in developing basic rights for the 300 million human beings who are the world's indigenous peoples, and my Government would urge all states to come forward and eventually join in adopting the declaration by consensus.

We expect that this first session of the Human Rights Council, as one of its first operative decisions, will ensure that these two important draft instruments are passed on to the General Assembly for consideration and adoption.

Mr. Chairman,

Freedom of expression is a basic human right and an essential element of a democratic society, but freedom of expression carries with it special duties and responsibilities, and should be exercised in a spirit of respect for religious and other beliefs and convictions.

Mutual tolerance and respect are universal values that we should all exercise. In this spirit the Danish Government has launched a series of initiatives to promote mutual understanding through dialogue across cultures and religions. We support similar activities undertaken by the European Union through existing mechanisms, including the Barcelona Process, the Anna Lindh Foundation as well as the ASEM process. In this context we would also like to strengthen co-operation with the OIC at the United Nations.

Mr Chairman,

It is only natural if this first session of the Human Rights Council devotes time to develop the structure, working methods and work programme of the Council, but we should not forget that our joint purpose is to ensure protection of people from abuse by their government. Let us all in a spirit of co-operation make sure that the Council is successful in these endeavours.

Thank you Mr Chairman