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Speech by

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Federal Minister for Foreign Affairs

at the 1st Session of the Human Rights Council

Geneva, 19 June 2006

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Translation

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Federal Minister for Foreign Affairs,
at the First Session of the UN Human Rights Council
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Mr Chairman,
Distinguished colleagues,
Ladies and gentlemen,

As we commence our work today in the Human Rights Council, we stand at the threshold of a new era for the promotion of international human rights. I am convinced that the Council represents a great opportunity for improved human rights protection. And I hope that it can meet the expectations placed in it by people around the world.

This new body is one visible achievement of the endeavours to reform the United Nations. Its establishment, as you all know, was far from easy. Indeed, we were forced to scale back our initial hopes and plans for the project in the course of the negotiations. I myself would have wished for more in certain respects.

And yet I hope that today will go down in the history of the United Nations as a milestone for the global protection and promotion of human rights. We must all work together towards this goal. And the success of this work will critically depend on the future practice of the Human Rights Council.

Together with its partners in the EU, Germany supported Secretary-General Annan's proposal to create a human rights council from the very beginning.

That we were indeed able to establish it is due not least to the tremendous dedication of the outgoing President of the General Assembly, my Swedish colleague-in-office Jan Eliasson. He deserves our sincere thanks.

The formal foundations for the Council's work have now been laid. And the first elections have taken place.

I am very pleased that the UN General Assembly has elected Germany as one of the founding members of the new Human Rights Council. I would like to take this opportunity to thank all states who voted for us. Thank you too for the high esteem in which our country is held (as shown by this election).

But I am also very much aware that inherent in this esteem is a duty and a responsibility. The community of states has expressed its confidence in Germany and the other elected members of this new Council. It is now up to us, the elected members, to live up to the trust placed in us. I stress that herein lies our special responsibility to the international community, a responsibility that every single member of the Council must live up to.

I would however also like to underscore that of course the protection and promotion of human rights are and remain a key concern of the international community as a whole. The success of the UN Human Rights Council will be directly proportional to the degree to which its work is constructively supported by all states, including those that are not, or are not yet, its members.

The establishment of the Human Rights Council, which is concluded with today's meeting, is just a first step towards an overhaul of multilateral human rights policy. In the coming months we will have to hold some difficult debates on both substantive and procedural matters. We will in particular have to agree on the working methods of the Human Rights Council and the instruments it is to have at its disposal.

In my opinion, one principle is of particular importance: the Human Rights Council must not remain silent in the face of gross and systematic violations of human rights, regardless of where in the world they are committed. This is a prerequisite for our work. We must be unanimous on this point for anything else would seriously damage the Council's credibility – of that I am firmly convinced.

But our work will consist of far more. It will above all also be our task to make a tangible contribution to preventing abuses and correcting any that do occur. We must find and pursue viable ways of protecting and promoting human rights around the world. We must find out what contributions we are ready to make. Precisely this kind of constructive, goal-oriented

discussion is indicative of a responsible human rights policy. And that is the kind of policy I would like to see in the Human Rights Council.

Permit me to make three brief comments on the instruments and working methods of the Human Rights Council:

Firstly, Germany advocates the retention and further consolidation of the system of special procedures, and above all the special rapporteurs, developed and tested over the decades in the Commission on Human Rights.

Secondly, the Human Rights Council has been charged with implementing an extraordinarily ambitious project – universal periodic review. The way and means in which it fulfils this mandate will greatly influence the credibility and future standing of the Human Rights Council. The aim must be to reliably identify shortcomings wherever they exist, and to discuss them constructively with all those involved – and when I say all, I mean all. This can only be done using objective information obtained from a variety of sources. I promise you here and now that Germany will participate in all related discussions in a spirit of cooperation, fully conscious of its responsibility. For this, too, will be a major yardstick by which our credibility will be judged.

Thirdly, Germany will campaign for the further intensification of the "culture of cooperation" with civil society which has similarly been developed over the decades. I am most firmly convinced that without the contribution made by civil society, by non-governmental organizations, without the continued and courageous engagement of many people from all walks of life for a better and fairer world, our conception of human rights today would not be nearly as developed as it is. Without them we would not have reached agreement on fundamental human rights principles that unite us in spite of all our differences of opinion.

States and non-governmental organizations should therefore not view each other as opponents in the protection and promotion of human rights, but as partners, and should treat each other accordingly. We will therefore continue to foster close cooperation between states and civil society in the Human Rights Council.

Mr Chairman,

As a member of the Council, Germany will persistently work for the implementation of all human rights and will defend the principles of their universality and indivisibility.

I would now like to mention a few of the themes which we will have to address in the coming weeks and months:

- The protection of human rights in the fight against terrorism will continue to have our special attention. Precisely because we unreservedly condemn terrorism, we must ensure that we respect human rights and principles of due process in our efforts to combat it.
- In this context, eradicating torture remains a key concern. The Optional Protocol to the Convention against Torture is about to enter into force. This provides for the creation of independent control mechanisms. I call on all states to sign and ratify this instrument as quickly as possible. Germany has already fulfilled the national requirements for ratification, and I expect to sign the Optional Protocol at the start of this year's session of the General Assembly in New York.
- In our view combating racism, anti-Semitism and xenophobia has lost none of its vital importance. This is a challenge that all of us around the globe have to tackle time and again. Germany is currently hosting the World Cup. Together with the United Nations, Germany suggested that a campaign against racism in sport be launched during the tournament. FIFA took us up on this idea, and we are working together on this project. I have invited Mr Diène, the UN Special Rapporteur on Racism, to visit me next week and together we will see the campaign in action.
- Children's rights remain an issue of special importance to us. We must do more to implement the goals we set ourselves at the UN Special Session on Children in 2002. Germany adopted a national plan of action in 2005, which is designed to make our country more child-friendly. At international level, we continue to advocate action to tackle all forms of violence against children.

During the discussions awaiting us in the Human Rights Council we may at no time lose sight of our common goal of doing all we possibly can to enable everyone around the world to live in freedom and dignity.

This is the task not only of human rights policy, but also, I would contend, of all political action.

The human rights policy of the United Nations, which we in the Human Rights Council will help shape, plays a key role. It sets the standards that must be adhered to around the world. This it does in the interest and on behalf of all human beings, for whom we bear responsibility.

The enforcement and protection of universal human rights are a key task of the Federal Government's policies. As a member of the Human Rights Council for the next three years, Germany will therefore work with great commitment for a strong, credible, reputable and influential Human Rights Council, for a Human Rights Council which enjoys the active co-operation of all regions and is respected in them all.

For our part, we will do everything in our power to justify the confidence that people have placed in us.

Thank you.