



**STATEMENT DELIVERED BY HONOURABLE MINISTER OF
JUSTICE, HUMAN RIGHTS AND REHABILITATION AND OF
LAW AND CONSTITUTIONAL AFFAIRS, MR. MOSES REFILOE
MASEMENE AT THE INUGOURAL SESSION OF THE UNITED
NATIONS HUMAN RIGHTS COUNCIL ON THE 19TH TO 31ST
JUNE 2006, GENEVA,
SWITZERLAND.**



**SECRETARY GENERAL OF THE UNITED NATIONS
PRESIDENT OF THE GENERAL ASSEMBLY
PRESIDENT OF THE HUMAN RIGHTS COUNCIL
HIGH COMMISSIONER FOR HUMAN RIGHTS
HONOURABLE MINISTERS
EXCELLENCIES
DISTINGUISHED DELEGATES
LADIES AND GENTLEMEN**

I deem it high honour and special privilege to be given this opportunity to address this august body. Allow me to commence by joining others in congratulating you Mr. President and your team in the Bureau for your election. That election is an expression of high confidence in your leadership skills which you have ably demonstrated over the years.

The international community is pinning its hopes on you and the Bureau that you lead to steer this Council skillfully and gingerly during this delicate and sensitive formative phase. The stakes are high. The hopes are equally high. We take comfort in knowing that you will discharge duties of the office with unquestioned competence, efficiency and dignity. Lesotho, on its part, promises you requisite support and cooperation.

Graduation from Human Rights Commission to the Human Rights Council can be seen as a logical progression in the quest for ever more effective, efficient and hopefully impartial approach to the promotion, protection, compliance, monitoring and evaluation of Human Rights. The establishment

of the Human Rights Council can be seen as an appropriate and timely response to an obvious need to adapt structures and processes to the changed and changing circumstances; that is to obtaining socio – economic, cultural and political environment and dynamics at global, regional and national levels.

The Kingdom of Lesotho is gratified with the assurance that the process will be guided by the principles of universality, impartiality, objectivity and non-selectivity. It is re-assuring to note that these core principles still remain the corner stone of dealing with human rights issues.

The Kingdom of Lesotho notes with gratification equitable geographical balance as reflected in the distribution of the membership among different regions. We applaud the inbuilt mechanism of rotation in the membership of the Council, as well as in the Bureau, that ensures the broader participation by allowing a term of service to all member states while at the same time ensuring continuity. It is our fervent hope that convergence and consensus on the definition of Human Rights will be maintained. Reference here is to the retention of the fundamental principles of inter-dependence and indivisibility of Civil and Political Rights with Economic, Social and Cultural Rights as contained in the Vienna Declaration and Programme of Action of 1993.

Lesotho welcomes the proposal to adopt at this First Session of the Council, the Convention on Enforced Disappearances of Persons and notes with keen interest developments in the Convention on Indigenous Persons.

MR. PRESIDENT

Since the adoption of the Universal Declaration on Human Rights of 1948 almost sixty years ago, a body of pivotal human rights norms and standards have been adopted through a number of international human rights covenants and conventions by the United Nations which deal with Civil and Political Rights, Social and Economic Rights, and the Right to Development in general. In this regard, Lesotho has ratified and acceded to a number of pertinent international human rights instruments. Among these are the Covenant on Civil and Political Rights of 1966 and the Covenant on Economic Social and Cultural Rights both ratified in 1992, the Convention on the Rights of the Child (CRC) also ratified in the same year, the Convention on the Elimination of All Forms of Discrimination Against Women of 1979 ratified with a reservation to Article 2 (2), on the eve of the Fourth World Conference on Women, held in Beijing, China in 1995 and the International Convention on the Elimination of Racial Discrimination.

MR. PRESIDENT

The treaty body state party reporting mechanism inbuilt in these covenants and conventions deserves to be a composite working mechanism to be carried forward from the Human Rights Commission to the Human Rights Council. This procedure will continue to provide a true introspection mechanism for member states performance on human rights.

It is highly gratifying to note that positive achievements and milestones made by the Human Rights Commission through its Working Group sessions, Independent Experts, thematic procedures and country specific

procedures have been encouraged by most delegates to be inbuilt into the new working mechanisms of the Human Rights Council. The Treaty-Body Reporting mechanism has been an effective tool in the measurement of Member States compliance with human rights norms and standards and it should be retained by the Human Rights Council.

MR. PRESIDENT

Lesotho strongly associates itself with the pertinent regional developments such as the peer review mechanism of NEPAD. We believe that it will be complementary to the universal peer review mechanism that is to be used by the Human Rights Council in assessing member states performance on all human rights issues. Lesotho's support to the work of the African Commission on Human and People's Rights remains unwavering. This is demonstrated by Lesotho's active participation in the sessions of that Commission.

MR. PRESIDENT

At the national level I would like to briefly apprise the member states of human rights developments and initiatives that the Government of Lesotho has successfully undertaken. The right to education has been achieved through the successful introduction of the free primary education programme that is in its seventh year of implementation. Parliament in the month of June, 2006 enacted a Labour Amendment law of 2006, which eliminates discrimination of all persons infected with HIV and AIDS at the workplace. The human rights Unit of the Ministry of Justice has also held human rights

advocacy programmes nation wide, sensitizing the citizenry on issues of bail law, succession and administration of estates, maintenance law, rights of children who are in conflict with the law, rights of prisoners and victim's rights in the criminal justice system . A draft Bill on the Rights and Welfare of Children is in the offing, and it has encompassed the Convention on the Rights of the Child and the concluding remarks and observations of the Committee on the Rights of the Child, that examined Lesotho's initial report in 2001.

Lesotho has made remarkable advances in mainstreaming gender equality in all spheres of life. This process will be continued to full fruition. While we have made good progress in the promotion and protection of human rights at the national level as shared, we invite member states so inclined, to join us with requisite material and hands on support in pursuit of the ultimate fulfillment of these ideals.

MR. PRESIDENT

We therefore wish to reiterate unreservedly, the commitment of our Government in working cooperatively with the Council and other member states in promoting and protecting human rights for all. May I be allowed to emphasize that at the national level, our Government is undertaking community education campaigns on human rights and relevant procedures for seeking redress in the event of violation of those rights. Human Rights Law is also being incorporated into the primary schools curriculum to ensure that our children have a clear understanding of what human rights are. On the issue of HIV and AIDS, our labour laws strictly condemn discrimination

on the basis of one's status. It is in the same spirit that we echo the remarks of the High Commissioner for Human Rights, that countries must demonstrate the political will to put the defense of human rights above narrow interests. They are a birthright of all people every where. Were we to lose sight of this fundamental fact, then all work to create the Council and reaffirm the primary importance of human rights will have been wasted efforts.

Once again it has been a distinct honour and privilege to be afforded this opportunity to address the Council.

Thank You For Your Kind Attention.