

# MEXICO



MISION PERMANENTE

16, AVENUE DE BUDÉ, 1202 GENÈVE

UNOFFICIAL TRANSLATION

## Statement by Deputy Foreign Minister for Multilateral Affairs and Human Rights María del Refugio González

High Level Segment  
1st session of the UN Human Rights Council

*Geneva, June 20<sup>th</sup> 2006.*

Ladies and Gentleman,

On behalf of my government, I thank you all for the trust placed on Mexico in order to join the Human Rights Council. To participate in its foundation and its constituting process is a responsibility that we assume with full determination in order to ensure that this new organ will effectively promote and protect human rights throughout the world.

Our objective is to define the content and set out the rules upon which the Council shall work in the years to come. I congratulate Ambassador de Alba for his election as President of the Council. I am convinced that the President together with the four Vice-presidents and their respective teams, will enable us to meet the expectations entrusted to us with the support of all the Council members.

Since its inception, the promotion and protection of human rights, including the preservation of fundamental freedoms, has been a central task of the United Nations. This is reflected in the Charter and in the Universal Declaration of Human Rights, and particularly in all the works carried out in the Commission on Human Rights. The establishment of international human rights standards and the negotiation of substantive treaties on the subject are the best evidence thereof.

Distinguished delegates,

The establishment of the Human Rights Council represents the beginning of a new era in the promotion and protection of human rights. It is an era in which the United Nations will be in conditions to effectively respond to the enormous challenges posed by the current world's situation. We must take advantage of this new opportunity to renew the endeavours to solve the problems that affect the full enjoyment of all human rights.

We shall build the Council upon the pillars contained in UN General Assembly resolution 60/251, as well as upon the strengths and legacies of the Commission on Human Rights.

Thus, this first session period of the Council is of utmost importance, as it will set out not only the guidance, but also the foundations for the future works of the new organ.

Mr. President,

When working in the definition of the content and working methods of this Council, we must bear in mind that the most important task is to consolidate the norms, raise the international standards and ensure the compliance of all existing international obligations, whether contained in either one or more of the seven main treaties and customary international norms, or in the voluntary pledges and commitments expressed by the States when they were aspiring to join the Council. For this purpose, it is essential to create the conditions that enable the understanding and drawing closer of diverse points of view. In this regards, it is imperative to develop cooperation and technical assistance mechanisms that avoid confrontation, without affecting their objectives. Only in this way shall we leave behind the politicization that did so much damage to the Commission.

Thus, I stress that the universal periodic review mechanism that we are about to establish must effectively ensure its application to all countries of the Organization; as well as ensure its objectivity in the handling of information; the non-selectivity in the treatment of countries and the non-application of double standards.

Furthermore, this new Council must strengthen the participation in its works of organizations from the civil society as well as that of national institutions for the protection of human rights. It shall also assume the mandates, mechanisms and functions transferred by the Commission to the Council, including of course those that are of fundamental relevance for my country, such as the Special Rapporteurs on human rights of indigenous peoples, on human rights of migrants and on the protection of human rights in the fight against terrorism.

As is the case today, during the first years of the United Nations Organization differences existed between States regarding relevant human rights issues. Currently, with a much larger number of States representing a rich diversity of peoples and cultures, it is understandable that these differences may be more evident. In this context, tolerance to differences is just as necessary as it was in the past. Men and women of different national origins, religious beliefs, and political and economical systems coexist in the planet. All these different forms of thinking and living must not be perceived as antagonistic. To prevent this from happening, such tolerance must be encouraged, and we must fight to eliminate discrimination on account of religious, political, ethnic or national motives, for reasons of gender or for the simple fact of being a migrant.

In order not to exacerbate differences, it is of utmost importance that the working methods of the recently created Council avoid the polarization of positions. Creativity and courage will be needed to achieve this task, particularly to encourage collective efforts between countries with a view to promote consensus. Only by building upon consensus, by bringing positions closer, by committing ourselves with the rights of those most in need and by broadening cooperation, shall we be able to move forward in the delicate task that we have before us.

It is this Council's task to define the cooperation mechanisms that shall build bridges between the domestic and the international areas of different countries. In addition to cooperation, one of the avenues to achieve such goals is, of course, education in human rights. Ignorance is undoubtedly the best sustenance of fear. If we are able to disseminate the true scope of human rights, we will move forward towards the complete harmonization of cultural and political practices that facilitate their full realization.

Distinguished members of the Council,

It is in this context that Mexico supports the Chairman-Rapporteur of the Working Group on the Draft Declaration on the Rights of Indigenous Peoples and his Draft Declaration. For my country, it is a well-thought compromise text. As the product of 21 long years of negotiations, it is a document which is now completed. No real benefit to the cause of protecting the rights of indigenous peoples will derive if we prolong its negotiations. If any of the Draft's provisions were modified, it would affect the delicate balance reached, particularly during the toils of the past year. As in any negotiation, we have all had to concede and none of us has seen their expectations fully satisfied. For these reasons, we must adopt it. Let us take this opportunity to recognize the rights of indigenous peoples and to end with an institutionalized history of racism and racial discrimination.

Mexico also has the firm belief that in this first session period, the Council should adopt the draft International Convention for the Protection of all Persons against Enforced Disappearances, completed by the Working Group in September 2005, and that the text should be sent to the General Assembly for its adoption. After 15 years of unfulfilled promises by the Commission on Human Rights, the victims of enforced disappearances need a universal instrument to protect them against this heinous crime. The conditions are set out for this to take place.

Also, since 1966, when the International Bill of Human Rights was concluded, a debt towards all persons was acquired, because we have not been able to offer them a mechanism to enforce their economic, social and cultural rights, whereas this does happen with their civil and political rights. After three years of works and discussions, it is indispensable and urgent that the mandate of the Working Group to consider options regarding the drafting of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, not only be renewed by the Council, but also adjusted and transformed in order for the Working Group to have the authority to properly begin drawing up a draft Optional Protocol.

The effectiveness of the works of the Human Rights Council depends on the support of other non-governmental instances, but above all of other United Nations bodies. Undoubtedly, it is of utmost importance that the Office of the High Commissioner for Human Rights must work with the Council, for example, in the systematization of the objective information that will serve as a basis for the universal periodic review mechanism, and particularly in continuing to offer its support to the Council's mandates and mechanisms for the promotion and protection of human rights. The OHCHR, together with its field offices, will be an extraordinary means to grant the technical assistance that countries may require.

Mr. President,

As members of the first Human Rights Council, we have before us the enormous responsibility of consolidating it as a strong body that has the ability to respond to the international community's current demands regarding human rights.

Mexico shall be an active promoter of this process. Rest assured that you will have our most enthusiastic and determined participation in this first session period, as well as in those that will follow. Let us build together the firm groundwork that is required for the Human Rights Council to be able to successfully accomplish the objectives for which it was created. If we do so, in five years we will be able to verify that it has full credibility and legitimacy; and that it has been able to spawn ample confidence and trust in order for human rights to finally be consolidated as a true pillar of the Organization.

Thank you very much.