

Mr. Chairman, Ambassador Luis Alfonso de Alba
Mr. Secretary General of the United Nations
Excellencies,
Ladies and Gentlemen

It is an honour and a privilege to address this assembly on the very first day of this new body, a day of historic significance for the cause of human rights.

The decision to establish Human Rights Council taken by our Heads of State and Government, last September in the World Summit, was a remarkable step to strengthen the protection and the promotion of human rights worldwide.

The new Human Rights Council, when compared to the former Commission, entails substantially more than a mere change in name. We believe the Human Rights Council can improve significantly the UN's existing capacity to protect and to promote human rights.

The polemics and the criticism - some times unfair - directed towards the Commission, mainly in its last phase, should not diminish its valuable work and achievements. In fact, the Human Rights Council will be able to draw upon its useful *acquis*. The Commission should be remembered as a fundamental body, which has had a positive and lasting impact in promoting human rights and codifying human rights standards, the last ones being the draft International Convention on the Protection of All Persons from Enforced Disappearances and the draft UN Declaration on the Rights of Indigenous Peoples, which we hope will be adopted in this session.

The twentieth century proved that the denial of human rights has been at the root of many conflicts. Let me praise the efforts of all those Special Rapporteurs, human rights experts of the Commission on Human Rights and field monitors of the Office of the High Commissioner for Human Rights, whose work has been fundamental in preventing human rights violations that might otherwise have escalated into armed conflicts.

The creation of the High Commissioner for Human Rights and her Office were major steps towards the improvement of the UN Human rights machinery. I would like to take this opportunity to commend the work done by this Office and the positive role played by Mrs Louise Arbour in supporting the functioning of the UN human rights machinery and institutions.

Mr Chairman,
Mr Secretary General,

To illustrate the importance that my country attaches to the recollection of the Commission on Human Rights, allow me to refer to one issue that was on the agenda of the Commission: the question of Timor Leste. I recall the crucial role played by the Commission on Human Rights as a whole, but especially by several of its Experts, Special Rapporteurs and also by NGOs that drawn the attention of the international community, and of all the parties involved, to the question of Timor Leste. Let me emphasise that, with their reports and interventions, they made concrete and much appreciated contributions to the “just, comprehensive and internationally acceptable” solution that was achieved in New York in 1999. In this occasion, I would like to pay a particular tribute to the memory of the late Sergio Vieira de Melo, whose work in Timor Leste is an example for all.

Let me voice here, on behalf of Portugal, our solidarity with the people and authorities of Timor Leste that are going through difficult times. Let us hope that dialogue will reconcile the Timorese and allow them to deal with the challenges they are facing.

Mr Chairman,
Mr Secretary General,

The establishment of the Human Rights Council creates an historic opportunity to strengthen the human rights machinery of the United Nations. As I stated before, the Human Rights Council is an improvement on the Commission on Human Rights. It preserves the strengths of the Commission, including the Special Procedures and its practices of NGO participation, but it also contains several innovative elements that represent a reinvigorating start. It is our strong conviction that this new body presents an opportunity, one that we should not pass up, to renew our commitment to human rights and to increase our efforts to facilitate the full enjoyment of these rights by all people everywhere.

At the same time, we should learn the lessons of the past and avoid making the same errors that were attributed to the Commission of Human Rights.

While contributing to the creation of a transparent, efficient and effective new body, it is also our firm conviction that the United Nations human rights machinery has to better understand the different realities of human rights in the

World. In this regard, Portugal believes that the Human Rights Council has a critical role to play and that this will only be achieved through the presence of experts on the field and a comprehensive approach to human rights: an approach where civil, cultural, economic, political and social rights are all placed on an equal footing, viewed with the same level of urgency and importance, and treated as truly interdependent, interrelated, universal and indivisible.

The International Community has come a long way since the World Conference on Human Rights in Vienna reaffirmed the principles of universality, indivisibility, interdependence and interrelatedness. It is now time to move from principles to practice. The interrelation of all human rights is not just a trendy dogma: it is a matter of fact. On the one hand, we have to admit that civil and political rights are not the highest priorities of people who suffer from massive hunger or severe illness. On the other hand, material or economic well being unaccompanied by civil and political freedoms is unacceptable. We are well aware that there are differences between Member States as to the extent of some of these rights, and about the role of the State in providing for them, but we strongly believe that the comprehensive nature of Human Rights cannot be denied.

Mr Chairman,
Mr Secretary General,

Although not a Council member, Portugal is firmly committed to making this new Human Rights Council an efficient and effective body of the United Nations. We are prepared to take part in honest discussions and negotiations, engage in a constructive cooperation with members and non members of the Council, and with NGOs, and to participate actively in the work of this body with known and new initiatives in all fields of human rights. It is our intention to respect at international and national level those pledges and commitments that do not depend upon our election to the Council and that we have publicly undertaken.

As I mentioned earlier, Portugal believes that work remains to be done on many issues surrounding the universal acceptance of the comprehensive nature of Human Rights. We will, therefore, introduce a procedural draft resolution on the Working Group on an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, which we expect to be adopted by consensus. We propose a renewal and an adjustment of the Working Group's mandate in order to enable the drafting of this much-needed Optional Protocol. I

would like to add that we very warmly welcome the Secretary-General's words today on this process. Let me reiterate that our objective is to create an international instrument that achieves the widest possible consensus, which significantly enhances the value of the various existing international treaties and which will be widely accepted and ratified by United Nations Member States. With a view of ensuring that the negotiation process is undertaken in a spirit of compromise, Portugal commits itself to supporting the realization of informal and intersessional discussion fora on this issue.

Genuine dialogue, participation and commitment to the human rights cause should guide us as we implement the framework of the new Human Rights Council. We believe that this new body has the ability to ensure the protection and the promotion of all human rights at the national and international levels.

Mr Chairman
Mr Secretary General,

The implementation of human rights – of all human rights – is still largely a work in progress everywhere. Indeed, we are far from the universal realization of all human rights: there is no country in which all the rights enshrined in the Universal Declaration are fully honoured for all individuals. But, as members of governments, we have a responsibility to do our utmost to respect and to achieve the standards set out in the Universal Declaration of Human Rights.

Allow me to quote from the Classics: “Verba movent, exempla trahunt” which translates into “words move but examples drag”. More than the words that we may articulate today, it will be the example of our conduct, each of us and each of our countries, that will determine the future of Human Rights for all. As the Secretary General reminded us, this is also “Our shared responsibility”.

Thank you.