



United Kingdom of Great Britain and Northern Ireland
Seventh Session of the Human Rights Council

**Statement By Lord Malloch Brown, UK Minister for
Africa, Asia and the UN, 5 March 2008**

Check Against Delivery

Mr President, High Commissioner, Ministers, Ambassadors, Ladies and Gentlemen,

As Kofi Annan's former Deputy Secretary General at the time the work to design the Human Rights Council was passing through the General Assembly, I feel like a fond relative who was in at the birth, coming back to find a two year old that walks and talks. But like with most two year olds, even proud parents cannot hide the odd tantrum.

One piece of that 2005 history is worth recalling: Kofi Annan added a human rights council to his 2005 reform proposals to supplement those for an enlarged Security Council and a strengthened ECOSOC.

Some said it was a step too far, but Annan saw it as adding balance to his overall design: three inter-governmental fora to head the three pillars of a revitalised UN addressing the core challenges.

The world now looks to see this body succeed. To see it support the UN's human rights work, rather than being a manifestation of divisions. To see it drive international action to improve human rights.

International action can, and does, make a real difference. Particularly when our efforts are sustained and co-ordinated.

If anyone doubts that, consider two current examples.

In Pakistan, we remain concerned about the considerable human rights problems that exist, but we should also acknowledge the progress seen. International community pressure helped convince President Musharraf to lift the State of Emergency, to step down as Chief of Army Staff, to release most political detainees and to remove media restrictions.

As an international community, we must continue our engagement to ensure that this initial progress leads to substantive improvements across the range of human rights issues, not least the release of the remaining political detainees. We attach great importance to the respect for the independence of the judiciary as a cornerstone of the rule of law.

Similarly in Kenya the role of the international community expressed through the African Union and UN, as well as directly by the European Union, the US and others gave Kofi Annan, the AU mediator, added clout to mediate an agreement to form a new Government and stop the ethnically motivated violence. A field visit by the Office of the High Commissioner for Human Rights was an important expression of the international community's concern. It is right that the causes of violence are addressed in the agreement and that all human rights abuses are investigated thoroughly. Once again, we have a long way to go, but no one here today can be in any doubt that international attention has played a positive role.

In Sri Lanka, a country facing a substantial terrorist threat, unfortunately international concern has not made an impact. We condemn terrorism. But countering terrorism requires respect for human rights.

In Sri Lanka there are reports of disappearances, extra judicial killings and violence against the media. When Louise Arbour visited Sri Lanka in October 2007, she was alarmed by the weakness of the rule of law and the prevalence of impunity. Little has changed, and those who committed these appalling crimes remain free.

Sri Lanka's human rights institutions can play a vital role. But to do so, they must be independent and have the necessary authority and resources. I hope the Universal Periodic Review process - about which I will speak in a moment - will further identify Sri Lanka's problems and encourage and support the Government in tackling them.

The UK supports Louise Arbour's calls for a human rights country office in Sri Lanka and urges the Sri Lankans to work constructively with her Office to achieve this goal.

In this respect, I'd like to take the opportunity to outline the UK's full support for the range of work done by Louise Arbour and her office. As Ban Ki Moon rightly pointed out in his statement earlier this week, the Human Rights Council and the OHCHR have mutually reinforcing, but independent and distinct mandates. One should not be allowed to dominate the other. They should instead look for complementary ways to tackle human rights problems wherever they exist.

We must continue to search for ways to improve the situation in Iran, where we have seen a disturbing increase in the use of the death penalty - with over 300 executions last year. Iran continues the abhorrent practice of executing juvenile offenders and, in recent years, we have seen the return of amputations and stonings. And we must not lose sight of the terrible human rights situation in Zimbabwe, with the continued use of intimidation, arbitrary arrest, torture and organised violence towards Zimbabwean citizens.

In order to fulfil its mandate, the Human Rights Council must be prepared to face up to some of the big issues of our time.

The freedoms of Religion and Expression are two fundamental rights that are often seen to clash. Does this really have to be the case?

The right to freedom of expression is a vital component of a free democratic society. In honouring the values we all hold dear, we must also respect the right of others to believe and to practice their faith without fear.

Being free to speak our minds, exercised in a responsible way, helps to build a healthy society: a society characterised by the very tolerance and openness that enables people of different religious faiths to coexist.

The Human Rights Council must find ways to overcome the misunderstanding and animosity that exists between people of different faiths and their governments.

The Council must also play its part in ensuring that the fight against terrorism is not allowed to overwhelm people's basic human rights.

In addressing the threat of terrorism, governments face difficult challenges. But we must ensure that the measures we take are proportionate, justifiable and in line with

our obligations under international law. This is not only right in principle, but essential if we are to eradicate terrorism over the longer term.

We must ensure that human rights are genuinely universal. This Council must therefore continue to tackle the discrimination faced by Lesbian, Gay, bisexual and transgendered people - millions of whom struggle to exercise their basic human rights.

And we must continue the fight to eliminate the use of torture, which is correctly regarded as one of the worst violations of human rights. Yet is still committed with impunity in many parts of the world.

I mentioned earlier the new Universal Periodic Review, which will begin in April. For many, the success of the UPR will be instrumental to the success - or otherwise - of the Council as a whole. We simply must get this right.

I believe we should have a review process based on collaboration, cooperation, and a commitment to improving human rights. One that aims not simply to criticise - but to create the space and support for countries to take a self-critical look at human rights.

Understandably, many countries are nervous about this new process. The UK will be one of the first to go through it - and we therefore have a responsibility, along with the others, to set the right standards: to bring an open and honest approach; to consult widely and non-selectively with civil society.

No country can, or should, approach this process with equanimity. For in the UK, our review comes at a time of new information about the past use of British territory for extraordinary renditions, as well as issues about how long terrorist suspects can be held without charge. As a government, we are engaged in ongoing debate with our own human rights community about how best to uphold human rights while at the same time countering terrorism.

In meeting our UPR responsibilities, we will not avoid discussing the difficulties we face, and we hope that this will set a precedent for others.

Nor should any of us see the review process as a once-in-four-year event. It should be a progressive process, with countries committing themselves to specific action, and benefiting from the focus that will come from knowing that they will have to account for their actions the next time they come up for review.

The UK's approach to the UPR is a reflection of our commitment to the Council as a whole. We were there at its inception, and throughout the institution building phase. We take our responsibilities seriously and wish to continue to work with others to deliver on the promise the Council holds. To build a strong and effective Council that can and will fulfil its mandate. This is why we are standing for re-election to the Council in May.

Three years ago we knew that the Human Rights Council needed to be established if we were to see the UN's three pillars become a reality. Improved security, development, and human rights cannot be seen in isolation.

Mr President, in the Human Rights Council you have the means to make a difference.
To move human rights to the centre stage of international action.

Thank you