

Address by Mr Micheál Martin T.D., Minister for Foreign Affairs of Ireland at the UN Human Rights Council High Level Segment

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Mr President, High Commissioner, ladies and gentlemen.

On behalf of the Irish Government and people, may I begin by expressing deepest sympathy and solidarity with the people of Chile in relation to the devastating earthquake which they suffered in recent days.

I would like to associate Ireland with the statement made earlier this week by Ms. Fernandez de la Vega, First Vice President of Spain, speaking on behalf of the Member States of the European Union.

It is the inherent dignity and equal and inalienable rights enshrined in the Universal Declaration of Human Rights which this Council seeks to promote and protect. The common values enshrined within universal human rights transcend our differences of nationality, race, religion, wealth or power and are the foundation of freedom, justice and peace in the world.

Why do we seek to protect these common values? Because we know that when people's rights are respected, when their voices are heard and when their freedoms are protected, then they are empowered. In the words of Dr Martin Luther King, 'injustice anywhere is a threat to justice everywhere'. The realisation of human rights for all people everywhere is therefore our common cause.

When Ireland addressed the inaugural session of this Council in June 2006, we set out our hopes for the newly established Human Rights Council.

At that time, we hoped for a Council which would be marked by a decisive shift to more effective implementation of human rights norms and standards; a Council which would be relevant and confront the very real and practical problems the world faces today in ensuring genuine respect for human rights, and a Council which would also be able to point out when international human rights standards are being neglected or wilfully violated.

We, the UN membership, decided in General Assembly resolution 60/251, establishing the Human Rights Council, that the Council should address situations of gross and systematic violations of human rights.

Almost four years later, Ireland's hopes for the Council remain the same but have we all fully availed of the opportunities to realise these aspirations?

No State has a perfect human rights record. In Ireland, we are aware from our own history that the birth of a strong and functioning democracy, in which everyone's human rights are respected, does not happen overnight. If our commitment to human rights is sincere, it follows that we must seek to tackle our shortcomings and speak frankly about them.

On the island of Ireland, we have seen at first-hand the positive and historic changes which can be wrought by mainstreaming human rights principles. The Northern Ireland peace process has at its foundation the Good Friday Agreement – a settlement with a strong human rights focus. The parties to the Agreement specifically dedicated themselves to the achievement of reconciliation, tolerance and mutual trust, and to the protection and vindication of the human rights of all. This dedication - underpinned by a commitment to partnership, equality and mutual respect – permeates the letter and spirit of the Agreement and has served as the engine for the undreamt of progress which we have achieved over the last twelve years.

This Council is the primary international forum to advance the promotion and protection of human rights. It is in all our interests to create a positive and constructive environment in the Council and learn from each other, as befits a real partnership. The Council should be able to confront the reality of human rights abuses, and to highlight situations in which international human rights standards are being neglected or violated. We are doing a grave disservice to the victims of such violations and those who struggle to end them if we remain silent, or do not respond adequately, in the face of the many human rights abuses that persist in the world today.

Last week, I paid a visit to Gaza. I was the first Foreign Minister of an EU member State to do so in over a year. My purpose in travelling was a humanitarian one, to see for myself the impact of a blockade which has now been imposed on the people of Gaza for some two-and-a-half years. The situation there is truly a humanitarian crisis, with a growing proportion of Gazans receiving insufficient food each day and some 80% of the population now subsisting below the poverty line. My visit reinforced my belief that the conditions under which the people of Gaza have to live as a result of the blockade are inhumane and utterly unacceptable. Normal international standards of human rights are not being respected. It is completely unjust that an entire population should be subjected to medieval siege conditions of this kind. As this situation strengthens extremism and undermines the voices of moderation, it is also wholly counter-productive in terms of achieving the wider political progress which is so urgently needed in the Middle East.

I believe that the credibility of the international community is at stake in Gaza. We must step up pressure for a lifting of the blockade and the opening of the border crossings to normal commercial and humanitarian traffic.

I am also convinced that accountability for the most serious offences which occurred during the Gaza conflict in late 2008/early 2009 must be ensured. That is why Ireland voted for the Resolution adopted by the UN General Assembly last November on the Goldstone Report and why we similarly supported the Resolution adopted last week reiterating the call on both sides to conduct credible and independent investigations. While we do not endorse every recommendation in the Goldstone Report, we do recognise it as a serious and very important contribution to our understanding of what took place in Gaza and southern Israel and of the need to ensure some form of appropriate accountability for actions which occurred.

The Council has a responsibility to address serious and pressing human rights situations. Ireland remains extremely concerned about the deteriorating human rights situation within Iran, the appalling humanitarian and human rights crisis in the Democratic Republic of the Congo (DRC), and the ongoing serious breaches of human rights in countries such as Burma/Myanmar and the DPRK.

Another of the aims in establishing this Council was that it would ‘be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner’.

Article 2 of the Universal Declaration of Human Rights provides that everyone is entitled to the rights and freedoms set forth in the Declaration without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. And yet it is sadly the case that some seem more equal than others when it comes to human

rights protection. We, as governments, have an obligation to promote the principle of non-discrimination, which is the cornerstone of human rights protection and is at the heart of the work of this Council. In this regard, Ireland is concerned that violence, discrimination and stigmatisation continue against persons in all countries of the world because of their sexual orientation or gender identity.

We are pleased to see the High Commissioner's continuous unwavering commitment to the principle of non-discrimination and echo her words that our challenge is to move beyond the debate on whether all human beings have rights, to securing the climate for implementation.

The Universal Periodic Review (UPR) is probably the most significant innovation of the Council. For Ireland, the UPR presents a unique opportunity to bring attention and visibility to the domestic human rights situation in every UN member state. It is one of the best reflections of the spirit of cooperation that lies at the heart of the Council and it provides the framework for equal treatment of States. We are now half way through its first cycle. It is impressive to see the sincerity with which States have approached this process, acknowledging problems where they exist and pointing out where they have encountered difficulties in implementing international human rights standards. Ireland will shortly embark upon our own national consultation process and we look forward to learning about the experience of other States in the run up to our own review at the end of 2011.

Reflection on how the Human Rights Council is working is particularly relevant now, in the context of the upcoming Review of the operation of the Council next year. Ireland is committed to a strong and effective Human Rights Council, which has the scope to strengthen the cause of human rights around the world. When embarking on this Review we must bear in mind that the ultimate goal must be the enhanced protection of human rights on the ground.

Ireland will be presenting its candidature to the Human Rights Council for the first time for the period 2012-2015 and, if elected, we hope that we can play a role in contributing to a strong and effective Council.

The practical expression of human rights work is the real measure of work on promotion and protection. This is why the work of the independent Special Procedures is vitally important. The work done by the Special Rapporteur on Human Rights Defenders is also a good example of well-focussed activities by a UN Special Procedure. Ireland attaches particular importance to the work of human rights defenders and makes every attempt to support their endeavours. We look forward to a strong resolution on human rights defenders coming out of this session which will hopefully strengthen the security and protection of human rights defenders.

I believe that civil society groups are vital partners in the area of human rights. The valuable work of these individuals, groups and associations helps contribute to the effective elimination of violations of human rights and fundamental freedoms of individuals. One of the notable successes of the Human Rights Council is that it has opened up increased space for NGOs to engage with human rights issues at an international level, particularly through their voice in the Universal Periodic Review Process.

Ireland further considers that freedom of expression is a key and inherent element in the manifestation of freedom of thought and conscience and urges the Council to protect these freedoms.

We also recognise the importance of protecting and consolidating the role of the Treaty Monitoring Bodies. Ireland and the Netherlands were pleased to facilitate a side event in March 2009 in the margins of the 10th session of the Council on complementarity between the Treaty Bodies and the UPR. I am pleased that Ireland also facilitated a meeting of eminent experts – both current and past treaty body members - in Dublin last November who examined how the Human Rights Treaty Body System could be strengthened. The outcome of these discussions, the "Dublin Statement on the Process of Strengthening of the UN Human Rights Treaty Body System" was launched in Geneva in January and will, I believe, serve as a very important contribution to the reflection on system

reforms.

At the opening ceremony of the inaugural Human Rights Council session, the then High Commissioner for Human Rights said that when we consider the remoteness of the horizon of human rights work – in other words, the fact that some of its goals will take a long time to realise – this should not encourage procrastination and an evasion of choice. In this regard I would recall an old Irish proverb that says you'll never plough a field by turning it over in your mind. The innovations of this Council have already prepared the ground for enhanced action on human rights and we must continue our efforts to yield further results.

Thank you Mr President.

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Press Office

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