

S T A T E M E N T

BY

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DEPUTY MINISTER OF FOREIGN AFFAIRS
OF THE RUSSIAN FEDERATION
AT THE HIGH LEVEL SEGMENT DURING
THE 1ST SESSION
OF THE UN HUMAN RIGHTS COUNCIL

Geneva, 20 June 2006

Mr. Chairman,
Madam High Commissioner,
Ladies and Gentlemen,

Much has been done since 1945: a comprehensive system for the promotion and protection of human rights was created, a considerable array of documents, including legally-binding ones, were adopted, a network of international bodies and control mechanisms was established to promote cooperation in the human rights sphere in an effort to ensure the observance of the rights and interests of the individual to the fullest possible extent.

However, quite often this complex, but extremely indispensable system was hit by glitches. As a result, the rights and interests of individuals, ordinary people, those, for whom this system was actually created, would suffer. Therefore indeed, it was necessary to take steps to make it function harmoniously and efficiently, and above all – be able to provide an adequate response to contemporary threats and challenges in the field of the promotion and protection of human rights and freedoms.

Mr. Chairman,

Much has been said in recent years that the Commission was in a severe crisis, that its effectiveness was low and a major reform was needed. At the same time, one should not attempt to depreciate or deny the Commission's contribution to the progressive development of international human rights law. It was within the framework of the Commission that all core modern human rights instruments have been developed, including the Universal Declaration of Human Rights and the International Covenants on human rights. It was the Commission that has established the system of Special Procedures - a unique control mechanism in the field of human rights. It was the Commission that contributed to the fall of apartheid in the South Africa. This list of achievements can be continued.

All this compels us to adopt a more thoughtful and responsible approach to the issue of continuity and succession in the activities of the present and future

United Nations human rights system. We have no doubts about the need to preserve all positive results of Commission's work in the Council. Certainly, it's not enough to just change the name of the Commission to Council or automatically copy the Commission's *modus operandi*. We need to carefully select all that is able to function effectively in the present conditions and meet the demands of the day.

In particular, we consider the Sub-Commission on Promotion and Protection of Human Rights to be a necessary element, which must be preserved among the future mechanisms. And once again, this is not about preserving its present name or role. The important thing, from our point of view, is to maintain the availability of an organ subordinate to the Council with a mandate to carry out research work and collective expertise in the field of pressing human rights issues – something the Council actually will have no time to do.

Another essentially important component the Council cannot just do without is the system of Special Procedures. This does not mean that the Russian Federation does not consider the existing Special Procedures to be flawless in terms of operation. They have deficiencies, sometimes – considerable ones. However, it is inadmissible to underestimate their role as an important tool of international control in the field of human rights. We are in favour of preserving the Special Procedures, but it does not exclude a critical review of their role, place and mode of work in order to increase their efficiency and improve their performance.

The role of NGOs in the activities of the Council deserves a separate reference. For us the participation of NGOs in the work of the Human Rights Council is something that is simply unquestionable. During the years of the Commission on Human Rights the NGOs have proven that they can and should contribute to the strengthening of the international regime of the promotion and protection of human rights. We are of the view that the conditions for participation of NGOs in the work of the commission should be transferred to the Council. The

provisions of the relevant resolutions of ECOSOC on this issue could serve as a basis for such an approach.

Mr. Chairman,

We hope that the Council will be able to avoid making the same mistakes as the Commission had made and stay clear of those negative factors, which would inevitably decrease the efficiency of the Commission's activities. We also need to relieve this area of international co-operation from elements of confrontation, politicization and "double standards". In particular, we count on the fact that the Council, or, to be more exact, – its member States, will renounce the selective and confrontational practice of submitting politicized and by no means objective draft resolutions on the situation with human rights in particular States. In this regard we have high expectations regarding the new form of work – carrying out universal periodic reviews of human rights situation in individual countries. It is important to ensure the universality of these reviews, which should include all countries of the UN. The assessment of the human rights situation in individual States should take into consideration historic, economic, social and confessional factors and traditions, as well as basic socio-economic conditions. In other words, we are in favour of a realistic and differentiated approach towards such an assessment.

Mr. Chairman,

The issue of reforming the UN human rights machinery and increasing the effectiveness of its activities is inextricably linked to the issue of a qualitative improvement in the work of the Office of the United Nations High Commissioner for Human Rights, increasing its transparency and accountability to the UN member States, including in the aspect of equitable geographic representation in the course of OHCHR staff recruitment. The Russian Federation welcomes the steps taken by the High Commissioner aimed at improving management, rationalizing the structure, clarifying financial accounting procedures. Russia reaffirms its support to the High Commissioner's mandate and its readiness to support her efforts in the cause of strengthening international co-operation in the

area of human rights. The best illustration of our approach is the decision of December 17, 2005 to contribute 2 million USD to the budget of the OHCHR.

Mr. Chairman,

We have to admit that in spite of all our efforts, the provisions of the Universal Declaration of Human Rights, the International Covenants on human rights and other extremely important instruments have not yet become a reality of the present day, a guiding standard for the States to follow and live up to in their routine policy.

Even now, every day we hear about the violations of human rights in this or that country, and sometimes these violations are of a gross and systematic nature. When it happens in a place that is considered to be rather safe in terms of human rights protection one can perceive more keenly that there is no country in the world which is absolutely free from human rights violations. Discrimination of minorities, infringements upon their rights, the problem of non-citizenship, non-observance of basic principles of the judiciary – all these are nothing but a source of new conflict situations. If this kind of practice is not stopped, we may suffer grave consequences.

Mr. Chairman,

A relevant international system is needed to adequately respond to contemporary threats and challenges in the field of human rights protection.

Allow me to repeat once again that in the course of large-scale reforms that we are undertaking it is not enough to limit ourselves to sporadic measures of a technical or organizational nature, though necessary as they may seem. The changes must occur in the approaches of States, in their attitude towards the very issue of international cooperation in the field of human rights. Only then will the future Human Rights Council be able to fully exploit its ample potential.

I thank you, Mr. Chairman.