

INAUGURAL MEETING OF THE HUMAN RIGHTS COUNCIL 19-22 JUNE 2006
Presentation by Arnold Tsunga¹

It is an honour for me to be one of the very select few human rights defenders chosen to speak at this inaugural session of the newly established Human Rights Council. I thank the more than 60 NGO representatives based in Geneva collaborating with other human rights groups globally that saw it fit to choose me to make this presentation which I must say at the outset represents my personal views. The creation of space for human rights defenders to speak at this inaugural session is the right spirit given that human rights defenders carry out the vital work of protecting everyone's rights at the grassroots level.

Politicization, selectivity and double standards were commonly acknowledged to be shortcomings of the Human Rights Commission which this Council replaces². Standard - setting to reinforce human rights cannot be performed by States that lack a demonstrated commitment to their promotion and protection. The United Nations has commendably made tremendous progress in developing international human rights norms and standards over the years. The challenge remains one of implementation of human rights for all.

Expectations

It is in the field of realization and enforcement of human rights that we continue to have considerable challenges. This Council will be expected to show leadership and have a pioneering role in the greater realization of all rights by ordinary women, men and children globally so that this world becomes a better world for humanity everywhere and anywhere. A strong and effective universal periodic review mechanism is therefore important. Further the positive work of the human rights experts (special rapporteurs) who deal with regions or themes needs to be retained and strengthened. There may also be need to explore the possibility of encouraging greater use of the Council's findings on human rights situations in particular countries as a basis for bi-lateral and multi-lateral negotiations as a method of enforcement for greater realization of rights globally.

In exercising its mandate and defining its methodologies, the Council's guiding principle should be the universality, indivisibility, interdependence and interrelatedness of all human rights especially regard being had to the fact that violating parties usually explain violating a certain class of rights e.g. civil and political rights on the basis that it is an inevitable consequence of addressing another class of rights such as economic, social and cultural rights. The Council must work to remove this myth.

The Council will be expected to have a particular focus on HIV/AIDS as a sustained threat to the full enjoyment of human rights especially in sub-Saharan Africa. Measures will have to be devised to cause states to enact, strengthen or enforce, as appropriate, legislation, regulations and other measures to eliminate all forms of discrimination

¹ Arnold Tsunga is the Executive Director of Zimbabwe Lawyers for Human Rights, Secretary of the Law Society of Zimbabwe and a co-winner of the 2006 Martin Ennals Award for Human Rights Defenders with Akbar Ganji of Iran

² A/59/847-E/2005/73