



**Statement by Mr. Conor Lenihan, T.D., Minister of State at the  
Department of Foreign Affairs with Special Responsibility for  
Overseas Development and Human Rights**

**UN Commission on Human Rights, Geneva  
17 March 2005**

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Mr. Chairman,

I would like first of all to congratulate you on assuming the Chair of the 61st session of the Commission on Human Rights. I wish you and the members of the Bureau every success in the challenging task before you.

I wish also to take this opportunity to extend my best wishes to the High Commissioner for Human Rights, Ms. Louise Arbour. Her commitment to the promotion and protection of human rights is very well known.

I would like to associate Ireland with the address made earlier this week by His Excellency Mr. Jean Asselborn, Minister for Foreign Affairs of Luxembourg, speaking on behalf of the European Union.

Mr. Chairman,

As a Minister with dual responsibility, for overseas development and human rights, I am acutely conscious of the connections between both. Another important aspect is that the linkage between these concepts should be given practical expression on the ground.

A useful example in this regard is Darfur where I will shortly visit. It is vital for the people of Darfur and for all those suffering in conflict situations that what is discussed here and in other international gatherings is given practical meaning and that it enhances their lives.

Mr Chairman,

The new multilateral system which arose from the ashes of the Second World War placed human rights at the centre of its activities. The United Nations in general, and this body in particular, play a vital role in that context.

Ireland has long been a strong supporter of the role of the United Nations. One of the main themes of Ireland's recent Presidency of the European Union was the need for effective multilateralism.

Effective multilateralism starts from the recognition that the fundamental framework for international relations is the United Nations Charter.

The UN human rights system, and this Commission in particular, plays an essential role in minimising the potential for conflict, ensuring that the rights of people are respected, including during conflict situations, and that violations of those rights are properly investigated and punished.

Mr. Chairman,

The elements that make up the concept of human security - the promotion of human rights, the advancement of human safety, and the protection of human lives - are also among the guiding principles that should inform all of us in our work at this Commission.

Ireland's membership of the Human Security Network of states underpins these principles. Human security begins with human rights.

To be effective in advancing the cause of human rights we must also be effective in other areas - conflict prevention and crisis management, peacekeeping, humanitarian assistance, economic reconstruction, and development cooperation.

It is already widely acknowledged that it is impossible to guarantee the full enjoyment of human rights without development, but it is increasingly being recognised that it is also impossible to achieve sustainable development without respect for human rights.

We need to keep foremost in our minds the fact that the lives of millions of people are still blighted by poverty, hunger and disease. The Millennium Development Goals, which we have all set ourselves, represent an important first step towards making the world a better place for all.

Later this year, we will review the international community's progress to date in meeting these MDGs. It is clear that there is a strong connection between the achievement of individual human rights and the potential for human development as set out in the MDGs.

Good governance and respect for the rule of law are essential to the creation of conditions whereby everyone may enjoy the fullest range possible of human rights. Furthermore, strong democratic institutions are an important basis for poverty eradication.

This concept has been explicitly recognised by this Commission which has adopted resolutions which link good governance to the enjoyment of human rights.

The notion was reinforced by the international community in the Millennium Declaration when member states of the United Nations resolved to create an environment - at the national and global levels alike - that is conducive to development and the elimination of poverty.

In Ireland's Development Cooperation priority programme countries, good governance is recognised in all programmes and strategies as a key area of engagement.

Ireland expresses this strong commitment to strengthening good governance through support for:

- Democratic systems of government;
- Public Sector Reform initiatives;
- Strengthening the rule of law;
- Enhancing respect for human rights; and
- Improving transparency and accountability;

Support for good governance represents a significant area of expenditure in Ireland's Development Aid budget, amounting to over €80 million in 2003.

Mr. Chairman,

Another critical aspect of Ireland's engagement relates to conflict prevention and resolution which have such obvious benefits in the human rights domain. In this connection, as I mentioned, I will shortly be travelling to Darfur to see how Ireland's assistance to those affected by the conflict in that area may be made more effective.

This tragic conflict has left large numbers of civilians dead and forced up to two million people to flee from their homes.

Ireland provided €6.38 million in support to the Darfur region in 2004.

This includes support for human rights activities, because we recognise that promoting and protecting human rights is an integral part of protecting vulnerable people in conflict situations, such as that in Darfur. In addition almost €4 million was provided for the work of Irish non-governmental organisations in other parts of Sudan.

The international community has an important role to play in bringing about a speedy political settlement to this conflict and addressing its consequences.

Ending impunity and bringing to justice those guilty of serious human rights violations is also essential. I therefore welcome the report of the UN's International Commission of Inquiry on Darfur, which was published during February. While stopping short of a finding of genocide, the Commission established that serious and systematic abuses of human rights and violations of international humanitarian law have been committed.

The Commission recommended that its report be referred by the UN Security Council to the International Criminal Court (ICC), so that those responsible can be brought to justice. Ireland is a strong supporter of the ICC and we fully agree that it would be the most appropriate body to try those accused of these dreadful crimes. I hope that the Security Council will take a speedy and positive decision on the Commission's recommendation.

Mr. Chairman,

This session of the Commission takes place in the year in which we mark the sixtieth anniversary of the foundation of the United Nations. The Major Event which will take place in New York in the autumn will be an occasion of celebration, but it should also give us pause for reflection.

Like any organisation, the United Nations needs to be capable of adapting to changing circumstances. In this context, Ireland welcomed the recent report of the Secretary General's High Level Panel on Threats, Challenges and Change.

We are pleased that the overall thrust of the Panel's recommendations on human rights matters is to strengthen the UN human rights system and to integrate the human rights dimension into the overall UN system. This acknowledges that human rights violations are a major threat to peace and security in the world.

One of the central recommendations in the human rights area was, of course, the proposal to make membership of this Commission universal. This is a very interesting idea which merits a great deal of careful consideration. Whatever the outcome, the effectiveness and credibility of the Commission should be enhanced.

While no state has a perfect human rights record, we believe that the Commission's credibility would benefit greatly by having members whose track record is one of positive engagement with the Commission and the UN human rights framework in general. It is important also, to ensure that any changes which may be made to the structure of the Commission should not limit the access of NGOs, who make an invaluable contribution to the work of this important body.

We strongly support the recommendation that there should be more interaction between the High Commissioner for Human Rights and the Security Council. This would be an important step in the direction of what, I think, everyone here would like to see, namely a strengthening of the UN human rights system. The establishment of a Human Rights Council, as recommended in the report, is certainly worthy of further exploration.

In terms of the funding available to the Office of the High Commissioner, the Panel pointed out the clear contradiction between a regular budget allocation of only two per cent for the Office and the obligation under the Charter of the United Nations to make the promotion and protection of human rights one of the principal objectives of the Organisation.

Ireland is committed to doing what it can to ensure that the Office of the High Commissioner for Human Rights is adequately resourced to fulfil its tasks, both in terms of supporting an increased allocation from the regular UN budget and by way of national voluntary contributions.

In 2004 Ireland, in terms of voluntary contributions, was the largest donor per head of population. We are committed to maintaining our high level of support for the Office and, in this context, I am happy to announce that in 2005 we will contribute €2.92 million, an increase of 15% on last year.

Mr Chairman,

Threats to, and violations of, human rights are a major source of insecurity in the world today.

Membership of this Commission brings with it special responsibilities which all members must live up to in addressing these challenges. We must make sure that this Commission focuses, impartially and on their merits, on the many human rights situations that it will have before it at this session.

All states must co-operate with the Special Rapporteurs and other human rights mechanisms and procedures to enable them to carry out their mandates.

There is no part of the globe which is absolutely free from human rights abuses. None of us is without fault. The establishment of an independent national human rights institution, as we have done in Ireland, is one way to ensure effective monitoring of human rights standards.

The international community cannot ignore gross human rights abuses wherever they occur and by whomever committed - such as extrajudicial killings, torture, arbitrary arrest or detention. Neither can we turn our eyes away from suffering, want, fear and hunger.

Mr. Chairman,

I know that the Commission will this year address several important thematic questions. In this context, I want to say a word or two about the issue of corporate social responsibility. None of us can deny that, in today's world, some big businesses have unprecedented power and wealth, and can have as much of an impact on the lives of people as States.

It is true that international human rights law places legal obligations on States and that States have, and should continue to have, the primary responsibility for the promotion and protection of human rights. At the same time, it is important that businesses are conscious of the effects of their actions on people. They must be, where necessary, obliged to ensure that their actions conform to certain standards.

There are many ways in which this can be done - for example, it is important for states to engage with business at a national level. National legislation regulating business practices is often a very, if not the most, effective way of ensuring that such practices are in accord with international human rights, labour rights and environmental legal standards.

I think that we should also recall the strength of the consumer in this regard. In Ireland as elsewhere we have seen how consumer activism can encourage more ethical trading and greater respect for labour standards. The same principle applies in relation to support of ethical investment funds which have established a market niche on the basis of their respect for human rights.

I believe that when companies realise the marketing benefits that can accrue from being able to show that they respect human rights, we will see a move to greater corporate social

responsibility. Increased transparency and improved information to consumers has a definite role to play in this regard also.

I think that we should look carefully at all of the potential approaches to the matter and I hope that the Commission will set in motion a process to do this.

Mr. Chairman,

I would like to pay tribute today to the countless men and women who conscientiously and courageously carry out their responsibility as human rights defenders throughout the world. The importance of their role has been recognised by the appointment of a Special Representative of the United Nations Secretary General on human rights defenders, Ms. Hina Jilani. I wish to commend Ms. Jilani, whom I had the honour of meeting during her visit to Dublin some months ago, on her work.

I am glad to inform the Commission that one of the main human rights achievements of Ireland's recent Presidency of the European Union was the adoption last June of EU guidelines on the protection of human rights defenders. These Guidelines aim at enhancing the Union's actions in support of individuals, groups, and organs of society that promote and protect universally recognised human rights and fundamental freedoms.

At this Commission on Human Rights, and at other United Nations fora, we must seek to build a world based on the recognition of the inherent dignity and on the equal enjoyment of human rights by all members of the human family as the foundation of freedom, justice and peace. The peoples of the United Nations, in whose name we are gathered here, deserve no less from us.

Thank you, Mr. Chairman