

MEXICO



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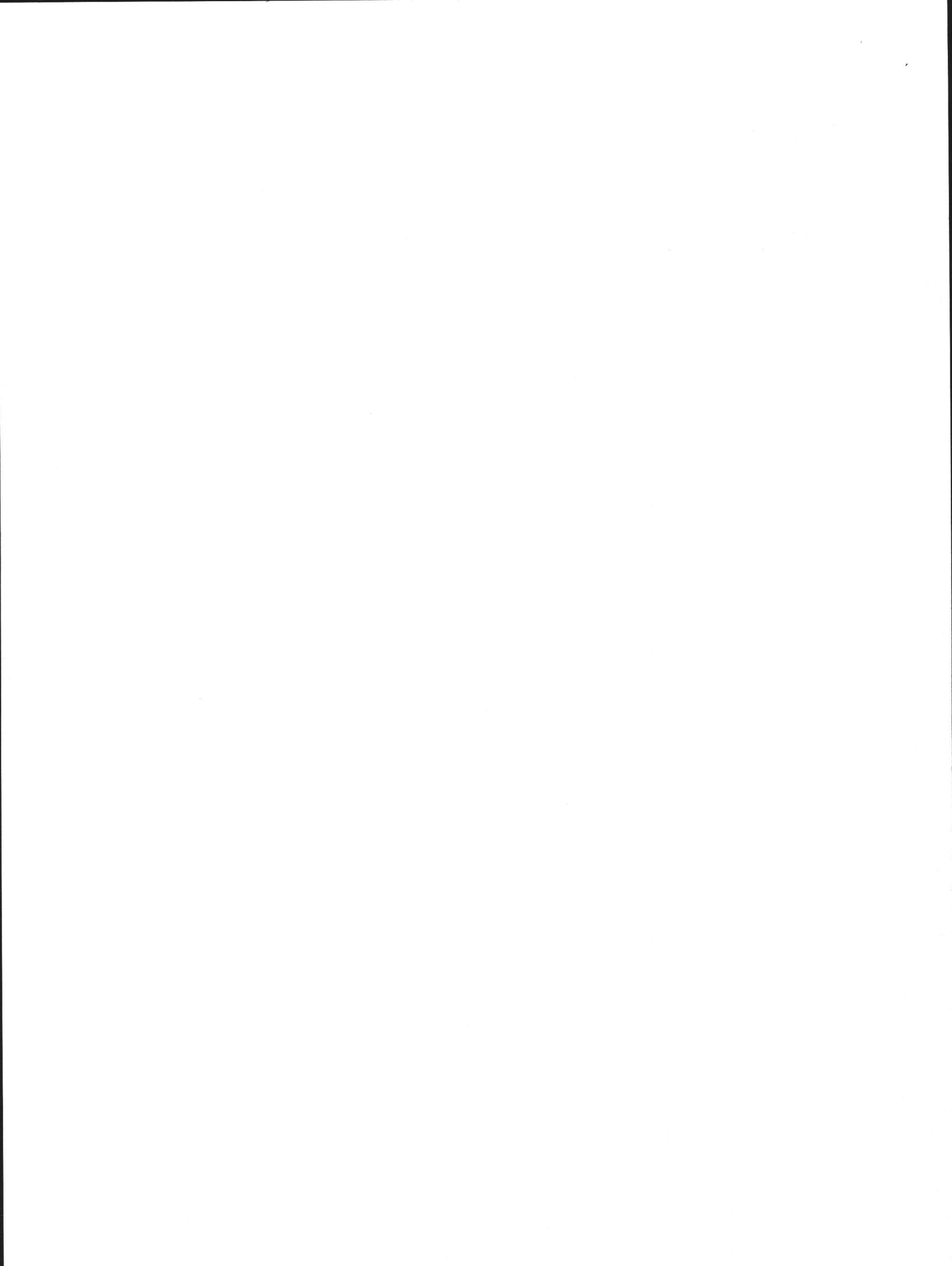
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UNOFFICIAL TRANSLATION

Statement by Deputy Foreign Minister for
Multilateral Affairs and Human Rights
Patricia Olamendi

High Level Segment
61st session of the UN Commission on Human Rights

Geneva, March 15th, 2005.



Mr. Chairman,

I would like to congratulate you on your election as Chairman of the Commission on Human Rights. We are aware of your extensive multilateral experience, therefore, we are confident of the success of this session. Please count on the active support of the Mexican delegation.

I also would like to welcome Ms. Louise Arbour, United Nations High Commissioner for Human Rights, in her first session of the CHR and to reiterate to her the unconditional support of my Government. We welcome her statement insofar as it compels us to rethink the work of this Commission and the need to transform it into an instrument which is truly able to prevent human rights violations and to protect the victims of such violations. A transformation of this nature would contribute to an authentic human development, a fundamental requirement to strengthen international peace and security, objectives that are desired by all.

Yesterday, the High Commissioner put forward fundamental questions that all States Members of this body are bound to answer.

These reflections are not only necessary but also specially opportune within the current process of reform of the multilateral system. It has become evident that the protection of human rights must be a central part of the reform, otherwise, these changes will be meaningless and will not be successful. Our aim is not only to guarantee the security of States before new challenges, but also to ensure the well-being of individuals.

In this context, we welcome the process of reflection and discussion aimed at a comprehensive reform of the United Nations, initiated by the Secretary General Kofi Annan through the establishment of high level panels and commissions that will allow him to present a set of proposals to the High-Level Plenary meeting of the 60th session of the General Assembly.

Mexico actively participates in this process and therefore promoted, with the support of other States, the establishment of the Group of Friends for the U.N. Reform. The Group has generated proposals with the idea of finding a consensus on the best way to advance towards a reform.

The Group has presented 14 non-papers, including one on the reform of the human rights area, to the UN Secretary General and to the President of the General Assembly.

In respect specifically to human rights, we consider that any reform should be oriented to the system as a whole and should ensure a human rights perspective in all areas of the work of the Organization. It should also emphasize the importance of the promotion and protection of human rights as key elements for preventing conflicts.

We are open to studying proposals such as those aimed at including all State Members of the United Nations in a new Commission on Human Rights, as long as the increase in membership is not an end in itself, but rather a means to transform the Commission into a body with more authority and presence in the system. We are also analyzing the

possibility of the preparation by the High Commissioner of a global report on the human rights situation, which would take into account all available sources, and would help to strengthen the preventive capacity of the system and facilitate timely decision-making.

We believe that the reform in the human rights arena is not limited to this Commission, on the contrary, it must involve all UN bodies, as well as a deep revision to perfect and strengthen the so-called special mechanisms or procedures and measures to fortify, budgetary and administratively, the Office of the High Commissioner.

Mr. Chairman,

In the same way, at the regional level we have to develop initiatives to build consensus on common values and objectives. Mexico is convinced of the commitment of Latin America and the Caribbean to the respect and defense of human rights. Because of that, we are promoting spaces for dialogue and discussion, exchange of experiences and best practices, cooperation and joint action.

More than 500 million people living in the region demand governmental actions to ensure non discrimination, combat of torture, trafficking of human beings and violence against women, as well as the implementation of policies and laws to guarantee the respect of human rights.

Mr. Chairman,

The Government of Mexico is deeply convinced that democracy, the rule of law and the respect of human rights are not rhetoric of a political statement; they are a group of values, actions, and principles that must be respected on a daily basis in order to guarantee the well-being of the people. The goal of the current government has been to develop a State policy that extends beyond one administration and which allows people to be aware of and defend their rights by means of governmental institutions that serve and promote those rights.

Today, we can affirm that we are on this path; we have ratified the vast majority of human rights instruments. We have institutional mechanisms to apply those treaties, legislative reforms have been proposed, there is a wider participation of civil society and we now count on the National Program of Human Rights as the public policy tool required to implement these actions.

We would like to thank the collaboration and support we have received from the Office of the High Commissioner as well as from the *Rapporteurs* who have visited Mexico; their recommendations are being implemented day by day. We are also grateful to non governmental organizations for their assistance in the implementation of different international instruments, making special mention of the instruments related to combating torture.

International norms contain a clear prohibition of torture under any circumstance. There is no room to reinterpret these obligations. Any attempt to do so undermines the

international system of protection of human rights, but most importantly, it goes against human dignity.

Mexico has ratified the Optional Protocol of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. At present, we are implementing domestic regulations that make it compulsory for the prosecutorial organs to apply the Istanbul Protocol that establishes medical examinations to all possible victims of torture.

Mexico celebrates the decision by various States not to apply the death penalty to minors or those who were minors when committing the crime. We are convinced that the imposition of the death penalty is not only contrary to human rights, but also constitutes a measure whose efficiency and utility are highly questionable.

Ten years after the Beijing Conference in which States committed to defend the human rights of women, we are now facing a new opportunity not only to reaffirm those rights but also to work towards their full implementation. Violence is the main obstacle to this objective. In order to address it, the government of President Vicente Fox promoted the establishment of a follow-up mechanism to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, "Convention of Belem do Pará". Mexico is committed to complying with the Convention and is the first country who has requested the Organization of American States to be evaluated by such mechanism.

Mr. Chairman,

The Government of Mexico is firmly committed to the fight against terrorism, but at the same time, it is highly concerned of ensuring respect for human rights in this effort. It is essential that we have strong laws and that we prosecute and punish those involved in terrorist acts -we want them in jail- but by no means, let us we allow them to harm the international system for the protection of human rights that we have built with so much effort. In the face of intolerance and barbarism, there should be a strict application of the law.

The unjust international economic order places millions of human beings at the margins of development. Migration is a global phenomenon of people searching for better opportunities and better standards of living, which also benefits host societies. Because of this, ensuring respect for all human rights of migrants, regardless of their migratory status, must be a priority. Mexico has insisted, and will continue to do so, in the need to fully respect the dignity of all migrants, as well as guaranteeing their right of non-discrimination. In consequence, we call on all States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and in doing so, becoming part of the group of States that have ratified the seven fundamental instruments on the promotion and protection of human rights.

No person or group must be left out of the system of protection of their rights, particularly those that constitute vulnerable groups. That is why the international community is working on a Convention to promote and protect the rights of persons with

disabilities. We require the full support of the human rights' protection system in this endeavor, in order to achieve, as soon as possible, a comprehensive instrument that vindicates their right to live without discrimination. We call the High Commissioner to actively join this effort.

Mr. Chairman,

Mexico participates in this Commission convinced of the need to strengthen the respect of human rights in the world, through the whole of the United Nations System. We require policies for their promotion and protection that address the legitimate demands of our peoples. This is our commitment.

Thank you very much.