



**PERMANENT MISSION OF THE REPUBLIC OF INDONESIA
TO THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS**

16, Rue de Saint-Jean · 1203 Geneva · Tel. (022) 345 33 50

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**STATEMENT
BY
THE MINISTER OF
LAW AND HUMAN RIGHTS,
H.E. MR HAMID AWALUDDIN**

**HIGH-LEVEL SEGMENT
4TH SESSION OF THE HUMAN RIGHTS COUNCIL**

Geneva, 12th March 2007

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Mr President,
Madam High Commissioner,
Excellencies,

It gives me great pleasure to address this High-Level Segment at this very important juncture. Indeed, it reminds me, as a Minister of Law and Human rights, of the long-time importance of Geneva as a source of inspiration on the promotion and protection of human rights. Not only has it been the headquarters of the Commission on Human Rights since 1946, the standards and norms elaborated and established by the Commission have inspired the efforts undertaken by countries all over the world ever since that important day in the aftermath of World War II.

I am therefore heartened by the decision taken by the international community, within the wider context of the reform of the United Nations, to improve the status of human rights as one of the three main pillars of the Organisation, together with development, and peace and security, in which UN works are grounded.

This crucial decision has not only shown the determination of the international community to make the promotion and protection of human rights the subject of constant improvement. It also reflects a deeply-felt need to improve the image and performance of the Commission on Human Rights through its transformation into a Council that is expected to be a more effective forum in addressing and managing the problems related to this promotion and protection.

Thus, the Council is expected not only to provide new human rights norms and standards, but also to provide enhanced support, assistance and technical co-operation with a view to developing greater awareness, capacity building, and implementation in the international community.

In this regard, it is worth remembering that even though the Vienna Declaration and Plan of Action is universally accepted, there is still frequent contention on the way it is applied, including the notion of the indivisibility of all human rights – civil, political, social, economic and cultural. This can contribute to politicisation and selectivity. Accordingly, one of the tasks of this Council will be to continue to work on perceptions and concepts, through a commonality of interpretation of and priorities on the notion of “right”.

In order to guarantee this commonality of perception of the notion of right, it is very important, I believe, to give the two main groups of rights – civil and political rights on the one hand, and economic, social and cultural rights on the other – equal value. These two sets of rights must be treated on a par. If we omit to do this -- either accidentally or deliberately -- we hobble the core concept of human rights, including the fundamental notion of the interrelationship between all human rights. This is a principle that Indonesia considers fundamental, as exemplified in the simultaneous ratification by the government of the two Conventions on Civil and Political Rights, and on Economic, Social and Cultural Rights, in 2006.

Likewise, another important conceptual notion is that of non-derogable rights, which should continue to be at the heart of the Council’s philosophy and work through its mechanisms. In this regard, perhaps I should recall that Indonesia was one of the first signatories of the Convention Against Torture, one of the core human rights conventions and a quintessential non-derogable right.

Having experienced a transition towards a democratic Indonesia, we are now seriously engaged in the efforts for the promotion and protection of human rights at the national level. The practical application of this process is reflected in the two successive National Plans of Action (1998-2003, and 2004-2009) that we have initiated with the beginning of the reform era. Within this time frame, Indonesia has ratified several human rights conventions.

We are currently party to 6 core Conventions and will be ratifying further conventions in the near future, among others the Convention on Migrant Workers. Indonesia is also going to sign the Convention on the Rights of Persons with Disabilities and the Convention against Enforced Disappearance. Furthermore, Indonesia has recently enacted its new Citizenship Law No. 12 of 2006. This new law is a landmark for providing equal citizenship rights for all Indonesians highlighting non-discriminatory approach towards the citizenship of women and children. As a State Party to

the Convention on the Elimination of Racial Discrimination, Indonesia is in the process of formulating a draft bill on anti-discrimination which is expected to become law in October this year.

In another aspect of this philosophy, we have invited a number of Special Rapporteurs to visit Indonesia as we believe their input is valuable in strengthening our own human rights institutions and domestic promotion and protection mechanisms. This willingness, I hope, demonstrates our full support for the human rights mechanisms, as well as our desire to fulfil the pledges and commitment we have undertaken in this regard.

The reforms that we have undertaken in the framework of this National Plan of Action in recent years, and the pledges that we have undertaken in respect of its implementation have, I believe, convinced the international community of our strength of purpose.

Mr President,

This issue of institution building is currently at the core of the Council's work since it will determine the way the Council will function. Indeed, Indonesia believes in the institution building process of the Council as the basic framework through which the precepts of the Universal Declaration of Human Rights can be implemented.

We want the Council to be good at unleashing the home-grown strengths of countries in order that they may develop their own capacity and fulfill their human rights obligations. We want it to be effective in pre-empting human rights crises through education and assistance and by enhancing local awareness and commitment.

The Government of Indonesia therefore supports the building of strong institutions for the Council, a process whose various stages it is following closely. This collective and consensual effort, as the very foundation of any institution that stands united, will bolster the existing structures and help ensure Member States have the necessary capacity to meet their human rights obligations.

In this regard, the government would like to wish all stakeholders involved in this important exercise well as they strive to complete their task of giving the Council's structures and mechanisms their final form, in accordance with the timeframe stipulated in the founding resolution 60/251. Indeed, the time when the institution is fully operational is eagerly awaited by the

international community as the confirmation that the Human Rights Council, the world's leading human rights body, is ready to break new ground in the promotion and protection of human rights.

For the Council, Mr President, has a dual role. On the one hand, it must forge ahead with its normative work, remaining vigilant and innovative in respect of the societal issues that keep emerging as a result of man's progress on the planet. Indeed, technological change, medical advances and sundry other issues and their applications are always liable to threaten man's fundamental freedoms, wellbeing or survival. And on the other hand, the Council must continue to attend to the major existing issues that have yet to be resolved. Among these, violations of important civil and political rights such as human trafficking, torture, extra-judicial killings, enforced disappearances, or violence against women and children, must remain at the forefront of its preoccupations and efforts.

Among some of the strategic objectives that the Council must keep in its sights, poverty must surely rank as one of the most pressing. Attainment of the Millennium Development Goals remains a crucial key to the fulfilment of the basic human rights of millions of the world's poorest, yet so much more ground still needs to be covered before we can claim to have truly reached our goal. Indonesia looks to the Council and its mechanisms to approach this problem in a holistic manner since extreme poverty is the mainspring of most of the worst human rights abuses.

In this regard, economic, social and cultural rights have a big part to play. I therefore want to call upon the Council not to exclude these rights and the right to development from its deliberations. We know that there is a close correlation between development and poverty and that to neglect this aspect is to jeopardise the capacity to promote and protect human rights effectively.

Another of our visions for the Council is to see it spearhead efforts to promote a more systematic dialogue between different cultures and religions. Indonesia, for its part, is and will continue to be actively engaged in interfaith dialogue with various stakeholders at national, regional and international levels, since we believe that there are many unexplored avenues for greater understanding in this respect. We hope to work closely with the Council in expanding this idea.

The government also puts great emphasis on dialogue in the spirit of partnership that the Council wants to foster with member states. Where

there is genuine dialogue, there is progress. In this regard, we look forward to expanding and strengthening our co-operation and dialogue with the Council's various human rights mechanisms. The new Universal Periodic Review concept, which places all states on the same footing, is one that we support for its egalitarian approach in encouraging a more constructive and co-operative dialogue between governments and the Council, represented by its members.

Mr President,

I should like to conclude by praising the efforts that the various actors in this critical preliminary stage of the Council's work have undertaken so far to build this institution into a credible, impartial and effective body, in line with our shared vision. I trust that we, the governments, civil society and all the other stakeholders who compose the international community will maximise this vision.

A strong institution is one that is built on consensus, and consensus in turn is built on trust, solidarity and co-operation. Let us build upon these precepts and create a world that is united beyond mere token rhetoric phrases but one that truly lives and breathes them daily.

Thank you.