



PAKISTAN

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Statement

By

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At the

**High Level Segment
of the Fourth Session of the Human Rights Council**

**Geneva
12 March, 2007**

Mr. President, Excellencies, Ladies and Gentlemen,

We have full confidence, Mr. President that, under your leadership, we will lay solid institutional foundations of the Council.

We are at a crucial stage in the rebuilding of the human rights machinery. The establishment of the Human Rights Council marks a new chapter in our collective endeavours to strengthen the human rights system. We have an opportunity to build on previous accomplishments and to rectify shortcomings that had become disturbingly apparent.

Fairly intense discussions have already taken place on institution building in pursuance of UN General Assembly resolution 60/251. It is important that we use this session of the Council to give clear guidance to our delegations on the direction that they should take in their further deliberations.

The starting point for any meaningful institutional reform should be a simple question. Why has the human rights system failed to prevent widespread violations? Why are large numbers of our fellow human beings denied basic human dignity, through wars, xenophobic and racist practices, religious intolerance or foreign occupation? Reinforcement of failures is not an option.

The traditional response to this question is that this is due to ineffective application of human rights standards. And, the suggested remedy is that we need to strengthen the mechanisms of implementation. This approach is only partly correct. It ignores a number of fundamental issues.

Firstly, it implies that the existing standards are adequate; that all standards are given proper weightage, and that standards are equally equipped with effective provisions for their operationalization. In many critical cases this is not so. Economic, social and cultural rights continue to be denied parity with civil and political rights. There is an obstinate resistance to accept the Right to Development as a right, let alone to equip it with effective implementing mechanisms.

Secondly, the existing standards do not effectively address some of the main threats to human dignity in present times. They appear to be premised on the notion that human rights violations are largely a product of evil or despotic individuals and that the remedy lies in bringing such persons to international justice. This simplistic view, which unfortunately has widespread currency, completely overlooks the fact that most human rights violations stem from existing global economic and political structures. Poverty, armed conflicts, refugee flows and foreign occupation are most often the result of inequities and unjust policies emanating from the manner in which inter-state relations are organized. And, yet, there is a deplorable lack of rights based scrutiny of inter-state institutions and relations. For instance, why is there not a systematic assessment of the impact of international trade agreements on the right to health,

right to education, and even the right to have subsistence livelihoods? The Human Rights Council in its embryonic stage should develop effective mechanism to redress the obvious negative effects of some of these agreements on fundamental human rights?

We must realize that human rights do not exist in a vacuum. These are to be realized within given economic and political contexts. In present times, the overall context is provided by the process of globalization. The institutions, the agreements and the regulatory environment which underpin globalization directly affect the possibilities of the enjoyment of all human rights. But, existing standards and enforcement mechanisms appear remarkably inadequate in addressing the challenges posed by globalization.

Thirdly, the chronic failings of the human rights machinery- politicization, selectivity and double standards continue to threaten any new edifice that we may construct. The less than full engagement of some with the issues raised in Special Sessions of the Council on Palestine provided a disturbing display of selectivity. A number of States, which in other instances are tireless in espousing human rights, chose to minimize the seriousness of the issues being discussed. And, subsequently, there was the abysmal lack of follow through on the outcome of those Sessions.

The consistent efforts by some to dilute and even set aside the core principle of the right to self determination are another manifestation of attempts to undermine and subvert the fundamental structure of human rights- merely because this principle causes acute discomfort to some consistent violators. This is despite the fact that the right to self-determination is given primacy not only in the Charter of the UN but also forms the subject of Articles one of both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Mr. President,

It is in this context that we are being challenged to build more effective institutions and mechanisms for the promotion and protection of human rights. How are we to respond to this challenge? What specific principles should we agree upon?

One, ensure that all human rights, economic, social, cultural, civil and political are given equal attention in the work of the Council and the OHCHR.

Two, develop effective mechanisms for the full realization of the Right to Development.

Three, have in place effective mechanisms to assess the impact of measures under-pining globalization and to redress any negative consequences of these measures for the enjoyment of human rights.

Four, strict adherence to the rights included in the Covenants particularly the right to self-determination.

Fifth, a resolute unflinching application of human rights standards in all cases of foreign occupation with human rights situations in Palestine and Occupied Jammu & Kashmir being best cases of our resolve to apply these standards in a principled and non-selective manner.

Sixth, address effectively the recent phenomena like Islamophobia and the need for all states to continue international efforts to enhance dialogue and broaden understanding among civilizations, cultures and religions.

Seventh, ensure that Universal Periodic Review will meet the objectives of eliminating politicization, selectivity and double standards, by allowing scrutiny of the human rights records of all countries, irrespective of their size or political influence.

Eighth, continue to support human rights special procedures and strengthen them through eliminating overlap and duplication among them and with treaty bodies.

Mr. President,

I would like to take this opportunity to share with you some recent steps to further improve the human rights situation in Pakistan. These include:

- Political empowerment through effective devolution of power at the grassroots level. 6,458 local governments are presently operating with financial and administrative autonomy.
- Enhanced representation of women in all levels of governance and in the National and Provincial legislatures. Thirty percent seats in local bodies have been allocated for women- 36,000 women councilors are working at all tiers of governance. Nearly 20% parliamentary seats are occupied by women.
- Enhanced employment and entrepreneurial opportunities for women, inter-alia through micro credit.
- Legal reforms for providing relief and protection to women including the enactment of the Protection of Women's Act 2006.
- Joint electorate has been established in addition to separate electorates for minorities in response to their demand.

I thank you Mr. President.