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Speech by Maxime Verhagen, Minister of Foreign Affairs of the Netherlands, at the 13th session of the Human Rights Council, Geneva, 3 March 2010

‘Players on the same team: human rights for all’

Mr President, Your Excellencies, distinguished delegates,

As others before me have done, I would like to start by offering my condolences to the governments of Haiti and Chile. The earthquakes in your countries have caused great havoc and distress. My thoughts are with the many victims. I wish you great strength in rebuilding what has been lost.

Ladies and gentlemen,

There is more that connects people than separates them.

Recently in the Netherlands a theatre group began performing a piece entitled Hoyoo Ma’aan – ‘The day I became a woman’.¹ Four Somali-

¹ http://www.rotterdamswijktheater.nl/voorstelling/hooyo_ma_aan_de_dag_dat_ik_vrouw_werd/17

Dutch women tell their life stories, including the devastating effect circumcision had on their lives. It's an honest, taboo-breaking play that reaches out to women who have undergone female genital mutilation and to the parents of young girls who are now at risk of being subjected to this illegal practice.

Meanwhile, in Mali, a reggae artist is protesting against the same cruel treatment in *his* country. On Facebook, Bafing Kul wrote: 'to fight female genital mutilation is a universal fight. It is not a fight of "colours" – it is simply a human fight'.² And so there is more that connects the theatre group from Rotterdam and the reggae singer from Bamako than would appear at first glance.

They are players on the same team.

² <http://www.facebook.com/pages/Artists-for-an-END-of-Female-Genital-Mutilation-FGM/252856317097>

And this rings true for *all* women and girls who suffer violence at the hands of their families, their husbands, teachers, bosses and co-workers, soldiers, policemen and random strangers... On the eve of International Women's Day, I want to repeat again what I have said many times before, including at a side event I hosted at the General Assembly last September with Brazil and the United States: violence against women and girls is a worldwide wrong that affects women everywhere. It makes them feel degraded, ashamed and even invisible, as one of the Somali-Dutch actresses put it.

These women are also on the same team.

This is just one example of the many ways in which people around the world are connected. Here's another. You will all recall the peaceful protests by the monks in Burma. They were calling for a democratic government and respect for human rights and the rule of law in Burma. Now picture the World Press Photo of 2009: the prize-winning image of women shouting in protest from a rooftop in Tehran. You can almost hear their voices ringing through the night. How many millions before them have taken to the streets, marched on capitals, stood silent, facing their oppressors, demanding change and reform? The mass demonstrations in Burma; the demonstrations following last summer's elections in Iran, and so many others, show the resilience and inner strength that people have.

As history demonstrates, people will go to enormous lengths to alter their fate. They will never stop challenging abuses, seeking positive

change, defending human rights. Ordinary people marched on Washington D.C. to demand their civil rights; ordinary people brought down the Berlin Wall and ordinary people will eventually end oppression in Iran and every corner of the globe. The moral courage these protesters display – in their struggle for transparent and honest government, in their quest for freedom, in their cry for a dignified life – is an example to us all.

These protesters, and human rights defenders the world over, are also players on the same team.

(age of connectivity)

Ladies and gentlemen,

People all over the world are connected in more ways than we might think. They may seem isolated in their struggles, but they are not. Others are fighting the same battle elsewhere. Once people discover that they're pursuing the same goal, they can join forces and form a stronger team.

Technology is developing in their favour. This is the age of connectivity. The World Wide Web provides countless ways to access information and connect with like-minded people all across the globe. That's how the 'We Can' campaign – aimed at ending all violence against women – managed to spread from Bangladesh to other countries, including the Netherlands. It has taken on global dimensions, with over two million

women and men now registered as Change Makers. There are many more examples of campaigns that are now supported by a global constituency. Thanks to the internet, 'local' and 'global' have become two sides of the same coin. Freedom of expression has gained a new, digital dimension in the twenty-first century. Facebook has more than four hundred million subscribers. More than three hundred million Chinese citizens use Google. Twitter has proven an effective medium for protesters to communicate with each other and with the rest of the world.

I am convinced that, ultimately, there is no way that this development can be stopped. Not by censorship and not by oppression. There may be temporary obstacles, setbacks even, as we are seeing in Iran, where a strict censorship regime is being enforced. I have suggested that the European Union consider measures to counter censorship and enhance the free flow of information in Iran, for example by restricting the export of relevant expertise to Iran, by encouraging IT companies to practise self-restraint in their dealings with Iran and by increasing the capacity of Iran's civil society to withstand censorship efforts. The Netherlands has presented these proposals to Catherine Ashton, the EU's High Representative for Foreign Affairs and Security Policy.

Next month, on 19 and 20 April, the Netherlands is hosting a conference on Human Rights and New Media. We will be bringing together human rights defenders from all over the world to discuss how they can get out their message using new media, but also to make them aware of the risks – authorities seeking to restrict freedom of expression have the same new technologies at their disposal and can use them to their advantage.

(working together for human rights for all)

Ladies and gentlemen,

Now let's turn our attention to ourselves, the government representatives assembled here today. Which team are we on? Not surprisingly, my point is that *ours* should be the team that plays in the universal colours of human rights. That is why the Human Rights Council was established: to make a real difference in the lives of real people. To ensure that human rights are respected, to ensure that people all over the world can live their lives in dignity. Each and every one of them, without exception.

This is our common responsibility. And we must do it together. When Barack Obama was inaugurated as the 44th president of the United States of America, a little over a year ago, he inspired me – and many others around the world – by pointing to the need for the nations of the world to cooperate and the possibility of success. He said: ‘as the world grows smaller, our common humanity shall reveal itself’.³ A few months later, in Cairo, he talked of a new beginning, and said: ‘So long as our relationship is defined by our differences, we will empower those who sow hatred rather than peace, those who promote conflict rather than the cooperation that can help all of our people achieve justice and prosperity’.⁴

Just as there is more that connects the world’s people, there is more that connects the world’s leaders! Let us focus on what we share as nations, and how we can live together peacefully, regardless of our differences, on the basis of a number of universally shared convictions. Human rights are what bind us together in this world. We, as members of this Council, should do our utmost to ensure that they are respected.

(the Human Rights Council: stocktaking)

³ <http://www.whitehouse.gov/blog/inaugural-address/>

⁴ http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-at-Cairo-University-6-04-09

This is the fourth time that I address you from this podium. On June 18th, the Netherlands' membership of the Council will end. This is a good time to reflect a little on how far the Human Rights Council has come since its inception and what remains to be done to make it a fully functional, authoritative and respected body. This is all the more important in light of the upcoming review of the Council in 2011.

For this Council to become a champion, we will have to make more of a team effort. Think about how our national football teams are preparing for the World Cup in South Africa in June: they are practising team skills, trust and cooperation. And that's how we should work here at the Council too. Whatever the sport, the players are not meant to take issue with the independent position of their coach! We should respect the independence of the High Commissioner for Human Rights and her Office. And the players on our team, the members of the Council, should have to *qualify* to play and adhere to the rules that this Council seeks to promote universally. If their performance is substandard, they should be left on the bench. This Council should not have members whose records are not up to par. The regional groups all have a responsibility in this respect.

A lot of energy has gone into discussing organisational and procedural matters. Don't get me wrong: these issues are important, and we need to get them right. But we must also admit that at times procedural issues have distracted us from dealing with the *real* issues at stake. This is

unfortunate: there should be no taboos at the Human Rights Council. Not as far as countries are concerned; and not as far as specific rights are concerned! This Council should be able to deal with human rights violations in any country, confidently and comfortably. It will lose credibility if it is seen to be dealing with country situations in a one-sided and selective manner. I was disappointed with the outcome of the Council's special session on the human rights situation in Sri Lanka last May. The Council let down thousands of displaced people in Sri Lanka by adopting a self-congratulatory declaration that did little to relieve their plight. I am pleased to note that in its previous session, the Council extended important country mandates. The Netherlands urges the Council to establish a new country mandate for the Democratic Republic of the Congo as well. The human rights situation in the DRC absolutely merits a mandate. However, it should not be seen as a mark of distrust vis-à-vis the Congolese government. It can *assist* the Congolese government in its implementation of the recommendations that were agreed after the DRC's universal periodic review. To me, these country mandates are at the heart of the Council's mission.

In terms of issues, I think the Council's agenda does not yet reflect all the substantive issues that need to be addressed. Discrimination on the basis of descent or work, for example, is still missing from the non-discrimination agenda. There are approximately 260 million people in the world that suffer such discrimination. For these men and women, it is impossible to escape grinding poverty because the society they grew up in does not allow them to take their fate into their own hands and

improve themselves. The High Commissioner for Human Rights, Ms Pillay, recently wrote: ‘Caste is the very negation of the human rights principles of equality and non-discrimination’,⁵ and I couldn’t agree more. The Netherlands supports the efforts being made by the Office of the High Commissioner for Human Rights to come up with a set of principles and guidelines on this issue. We would like to see the Human Rights Council tackle this form of discrimination more fervently, for example by facilitating an exchange of best practices.

⁵ <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=9540&LangID=E>

Another issue that deserves our attention is discrimination on the basis of sexual orientation. As you know, this is a priority in the Netherlands' human rights policy. I am pleased that we have managed to make some good progress – 67 countries have endorsed the Declaration on Sexual Orientation and Gender Identity so far – countries from every region, I am delighted to say. This shows that we can bridge gaps that may have seemed too wide at first. That in itself is progress, and I would like to thank all the partners who have shown willingness to discuss this issue and move it forward. But there is still a lot to be done: we should strive for broader recognition that sexual orientation is not a legitimate ground for discrimination.

One area in which the Council has made tremendous progress over the past four years is the Universal Periodic Review. Here, the team spirit that we are looking for across the board has mostly prevailed. Countries have shown themselves willing to be scrutinised and questioned by their peers and have pledged to take the recommendations to heart. Naturally, they should also commit themselves to *implementing* these recommendations. The UPR should trigger an inclusive process involving the participation of a whole range of national actors, both governmental and non-governmental. The Netherlands has been happy to work with countries in the preparation of their review. It has been a highly rewarding experience.

The periodic review has also been a valuable experience for our own country, too. We faced the same challenges as others in getting all the actors on board. We had to accept that we too were vulnerable and had to come to terms with justified criticism. For example, we had not been doing enough to promote human rights education in our schools. The Dutch government has since addressed this shortcoming by initiating a more systematic approach to human rights education for Dutch students, as called for by the UN. The UPR *helped* us in this respect. Others, I believe, have gone through a similar ‘chastening’ experience. I would particularly like to compliment Colombia on the way in which it conducted its review.

Another positive development is that the Council has sharpened its focus on economic, social and cultural rights. I welcome this, as I believe that all human rights are of equal value, and no one group of rights should be dominant over the others. In that regard, I am pleased to inform you that the Netherlands signed the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights last September. The Council’s work programme should reflect the same indivisibility of all human rights.

Ladies and gentlemen,

On the whole, I believe the Council has some very good things going for it, and that it could perform better on other counts, some of which I just alluded to. What's important to me is the atmosphere, the spirit, here in Geneva. What do we want to achieve together? What President Obama called 'a cycle of suspicion and discord' will bring us no further. Instead, acknowledging that 'we share common principles – principles of justice and progress; tolerance and the dignity of all human beings' will ensure that this Council progresses in the right direction. The involvement of non-governmental organisations, which ensures that the voice of human rights defenders is heard here at the Council, is crucial in that respect.

We need to keep our eye on the ball. Every member of our team will be better off with a Human Rights Council that does what it was intended to do. This would be a real victory for all nations.

Thank you.