



---

---

**Statement by**

**H.E. Mr. Maxime Verhagen**

**Minister of Foreign Affairs  
of the Kingdom of The Netherlands**

**10<sup>th</sup> Session of the Human Rights Council**

**Geneva  
3 March 2009**

*Check against delivery*

**- CHECK AGAINST DELIVERY -**

**Statement by Maxime Verhagen, Minister of Foreign Affairs of the Netherlands, at the 10th session of the Human Rights Council, Geneva, 3 March 2009**

***Common interests, shared values:  
the need for engagement, empathy and effectiveness***

Mr President, Your Excellencies, distinguished delegates,

How great a distance is there, really, between one person and another? Naturally, there are noticeable differences between us. We look different; we speak different languages; we worship in a different way or not at all. Our trials and tribulations in life are different: too many people are struggling each day for mere survival, while others are born in luxury the world can ill afford. The circumstances we live in define our identity. But despite these many diverse identities, our nature – our *human* nature – is the same everywhere. People the world over strive to live peaceful and prosperous lives, to feed and educate their children, to protect themselves from violence and disease. Everyone worries in times of crisis; everyone rejoices in times of happiness. Fundamentally, we are not so different, whether we were born in Maputo, Manila, Medina, Miami, Montevideo or, like me, Maastricht. And we all have the same, inalienable human rights.

Even people who may feel that they are worlds apart – Sinhalese and Tamils, Kosovars and Serbs, Israelis and Palestinians – ultimately share the same hopes and the same fears. They love; they mourn; they work hard to improve their prospects. The world's citizens all long for the same basic things in life: security, prosperity and freedom. And we, as representatives of the world's governments, should do our utmost to give them precisely that: security, prosperity and freedom. In times of global crisis, we should try even harder. We cannot let our citizens down: they are bearing the brunt of the economic crisis.

The protection and promotion of human rights, both at home and abroad, is central to our task. For without respect for human rights, there will be no sustainable security or development. This is not just a moral obligation to the peoples of the world, who are

entitled to live in dignity, free from fear and oppression. Respect for human rights is also in all our interests: we all benefit from it. It will be easier to manage our affairs if human rights and the rule of law are respected. Respect for human rights creates economic opportunities, and makes lasting peace possible. Respect for human rights is thus as vital for any society as providing security and encouraging economic development. This is no less true in times of economic crisis; the fact that we are facing stormy weather economically is no reason to suddenly neglect human rights. Human rights are not a luxury that we can choose to do without; in the long run, our economic future and global stability depend on respect for rights. We should therefore stick to our commitments. A safer, more prosperous world in which human rights are respected is in our true common interest.

Yet despite this common interest, the world is more often than not portrayed in terms of divisions. Especially with the global power shift we are witnessing today, and the uncertainties of the global economic crisis, the world's nations seem at times to be drifting apart rather than working more closely, as they should be doing, to shoulder today's challenges together. I sometimes observe a 'West against the rest' mentality at the United Nations. It is as if Huntington's infamous 'clash of civilisations' were unfolding on the UN's main stage, though subtly. The very concept of human rights is a bone of contention. Sixty years after the adoption of the Universal Declaration of Human Rights, that guiding document is regarded by some as merely a Western invention that does not concern them – a set of one-sided impositions rather than a reflection of universal values.

I am worried by these developments. I strongly believe that we can only meet the challenges of the 21st century *together*. It is obvious to me that emerging powers should have a greater say in the world's affairs and in envisaging solutions to today's problems. Their representation should be improved, first and foremost in the UN Security Council, so that they can make their voices heard and take on more responsibility, in line with their standing. *Even* if this means that the West has to sacrifice some of its vested interests. The Netherlands is a staunch supporter of inclusive reforms, both at the UN and at the international financial institutions.

However, I strongly disagree with the notion that human rights are a new form of colonialism. The fallacy in this argument deeply disturbs me. Human rights apply to all

people, in all places, at all times. The nations of this world may have their political disputes, they may disagree on many things – but they should not fight their battles at the expense of millions of people worldwide whose rights are being trampled on. Human rights violations deserve our full attention, and the people who suffer these violations deserve our full protection, no matter who they are or where they come from. The human rights of our fellow citizens should matter more to us than scoring points for eloquence and jockeying for position.

The Human Rights Council has been in operation for almost three years now, and will be reviewed in two years' time. It has already achieved some meaningful results; the Universal Periodic Review mechanism is one of its most notable successes. However, in order to tip the balance firmly to the positive side, we still need to do better. 2009 will be a crucial year in this respect. We need to make some changes now, while we still have two years left to improve our record prior to the review in 2011. It is our joint responsibility to do so.

All too often, we find ourselves at a standstill, unable to proceed because we are crouching in our trenches, hiding behind our respective group positions. But the Human Rights Council should not be a battleground on which regional blocs settle their scores. We should not allow the Council to degenerate into a politicised and ineffective body. If this is the outcome of the review in two years' time, we will have badly failed the peoples of the world. I believe that a number of changes are called for, mainly in the way in which we UN member states operate.

First of all, we need **engagement**. All of us should invest in making the world a better place. From the outset, the Netherlands has tried very hard to make the Human Rights Council a success, so that human rights can be put on an equal footing with security and development, as world leaders foresaw at their Summit in 2005. And we are still firmly committed to that objective. I always encourage all my opposite numbers to engage energetically and constructively in the Council's work. And now is really the time to take a step forward, if we wish to see the Human Rights Council succeed. People all over the world were moved by Barack Obama's election as President of the United States. Now that a new administration is in place in Washington – an administration that has clearly signalled a break with the recent past – expectations for US involvement are running high.

I therefore warmly welcome the United States' decision to engage with the Human Rights Council. I feel strongly that the US *belongs* here, as a traditional human rights defender with the capacity to inspire the world.

Secondly, we need **empathy**. At the beginning of my statement, I reflected on the similarities between people: on how we all want the same things in life. And yet we often fail to understand each other, because we are so engrossed in our own way of thinking. We should *reach out* to one another more than we do.

For example: I share the concerns that many members states have expressed about double standards at the Council. I have repeatedly stated that there can be no double standards when it comes to the protection of human rights; everyone's rights are of equal value. That means that we should not always lash out at the same countries, while choosing to ignore others. We should be guided by the scale of the violations: no one, friend or foe, should get away with gross atrocities.

Another example: I agree that the Human Rights Council should not just devote itself to defending political rights. It should also focus on economic, social and cultural rights. As I outlined in the Dutch human rights strategy, human rights are indivisible: freedom from want is as important as freedom from fear. There is no need to create artificial barriers between our countries. The special session on the food crisis that the Council held last May is a good case in point, as is the recognition of the right to water as a human right. These initiatives deserve our full support, and the Netherlands stands ready to provide such support.

Reaching out to one another does not mean we will always agree. It is safe to say that we will continue to have our differences. And that is legitimate. What is not legitimate is holding the entire UN human rights system hostage to those differences. Take the Durban Review Conference as an example. The Netherlands is firmly committed to eliminating racism and related forms of intolerance. We would like to report on our progress in implementing the Durban Declaration and Programme of Action. But I am deeply disturbed by the turn this event is taking. The way in which the preparatory process for this review conference has been proceeding suggests that it is unlikely to be a useful exercise, a meeting that will really assist in reaching our shared objective: abolishing

racism. I therefore fully understand why some countries have decided not to participate in these proceedings any longer. For the Netherlands, too, the draft outcome document is not acceptable in its present form. It does not focus on the main challenges to address the problem of racism. Instead, the thematic world conference is used by some to try to force *their* concept of defamation of religions and *their* focus on one regional conflict on all of us. To all the delegates who doubt the Netherlands' intentions, I say this: we *do* want to participate and work together on a useful outcome – but not at any price. We cannot accept any text, which would:

- put religion above individuals;
- not condemn discrimination on the basis of sexual orientation;
- condone anti-semitism;
- or single out Israel.

These are clear red lines for the Netherlands. That is certainly not what I have in mind when I call for a more empathetic approach.

Finally, we need **effectiveness**. There are many ways in which we can still improve our record here. I would like to reach out to other regional groups and build cross-regional coalitions of member states that hold human rights in high esteem. However, we will not succeed in doing so if we always attach ourselves immovably to group positions, committing ourselves irrevocably to a predetermined outcome and foregoing the flexibility to engage with others. The Netherlands will challenge the usual regional blocs and standard coalitions, within and beyond the European Union, and strive for new allies and coalitions in promoting human rights. We are happy to work with *all* countries that are committed to promoting respect for human rights, not just with those within our own regional group.

What we absolutely do need in order to be effective is impartial information – this is the basis for our deliberations and decisions. An independent Office of the High Commissioner for Human Rights is a necessary condition for effective action. I would like to thank the High Commissioner and her staff, as well as the Special Rapporteurs and independent experts – the Council's eyes and ears – for their work. I trust that we will allow them to maintain their high standards.

Ladies and gentlemen,

I believe that if we are all guided by these three principles – engagement, empathy and effectiveness – we can make the Human Rights Council function better. There will always be countries that have no intention of making the Council a success, because they wrongly believe that they can infringe the human rights of their citizens with impunity. There is a quotation from Samuel Johnson that sums up very nicely an important lesson for those governments. As early as the eighteenth century, Johnson said, ‘No government power can be abused long. Mankind will not bear it. There is a remedy in human nature against tyranny.’

The many human rights defenders around the world are living proof that Johnson’s words still ring true today. Like him, I am convinced that human rights defenders will eventually be victorious; in the end, freedom will prevail. We should help these human rights defenders where we can, and not side with the tyrants of this world. After all, the Human Rights Council was created to make a real difference in the lives of real people. Let us work shoulder to shoulder towards that noble goal.

Thank you.