

CHECK AGAINST DELIVERY

**STATEMENT DELIVERED BY MINISTER NC DLAMINI ZUMA
MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF
SOUTH AFRICA**

**STATEMENT BY MINISTER OF FOREIGN AFFAIRS, DR NC
DLAMINI-ZUMA AT THE 10TH SESSION OF THE HUMAN
RIGHTS COUNCIL, GENEVA SWITZERLAND: 04 MARCH 2009**

Mr. President,

The President of the General Assembly, H. E Mr Miguel d'Escoto
Brockmann

High Commissioner for Human Rights, Judge Navanethem Pillay

Dignitaries, Ministers & Deputy Ministers present

Your Excellencies,

Ladies and Gentleman,

Let me take this opportunity on behalf of the Government and people of the Republic of South Africa to extend our sincere congratulations to the President of the Human Rights Council, Ambassador Martin Uhomoibhi and the members of his Bureau for their excellent stewardship over the affairs of this Council. May I take this opportunity to also express my government's appreciation to Ambassadors Luis Alfonso de Alba of Mexico and Doru Costea of Romania for their guidance and leadership over the affairs of the Council during its challenging formative years. The Council's Institution Building measures negotiated during this period have given more depth and substance to its methods of work and approach to its agenda.

The international community celebrated the 60th anniversary the Universal Declaration of Human Rights last year. This universal document which serves as the common standard encapsulates the noble principles of non-discrimination, equality and dignity for all

humanity. Our collective desire should be to work for the practical enjoyment of all the rights enumerated in this instrument.

My government firmly believes that human rights violations and the question of their practical enjoyment are the legitimate concerns of the international community. Human rights are universal, indivisible, interdependent and interrelated, they must therefore be treated on an equal footing and with the same emphasis. In this regard, we note with concern that despite the Beijing Declaration and Programme of Action, women's rights are still not treated as human rights. They still occupy the lowest rung of the ladder. Many children and people with disabilities, in particular, still live in conditions of debilitating poverty and hunger. Access to proper health care, illiteracy, unemployment and the food crisis still plague developing countries despite more than six decades of UN work on the global eradication of poverty.

No country in the world seems to have reached the level where all citizens enjoy all the human rights, as enumerated at the Vienna World Conference of Human Rights. Human rights are still a challenge both to the developed and developing world in varying degrees.

When the International Community through the United Nations General Assembly Resolution 60/251 of April 2006 conceived the Council that replaced the Commission for Human Rights we collectively felt the urgent need to pay greater attention to the issues of promotion, protection and fulfilment of human rights and fundamental freedoms globally. My government would like to urge the Council to maintain its uniqueness and constructively represent

a value addition to the work of the United Nations. It has to rise to the challenge of its mandate, namely: to protect and promote all the universally recognised human rights and fundamental freedoms. It therefore becomes imperative for the Council to concretely and genuinely assist all States to overcome their human rights challenges, to heed the plight of all the victims of human rights violations and denials as well as to ensure that victims are provided maximum protection, adequate remedies and to combat impunity for all violations.

Mr President,

At the Millennium Summit in 2000 and also during its Review Summit in 2005 we all committed to redouble our efforts to achieve the MDGs and respect for human rights, including the right to development. We must therefore make the realisation of the right to development a reality for all.

Since we joined the international community 15 years ago, South Africa has played an active role in the United Nations. This has been informed by our belief in the importance of the multilateral system of governance as the best way to manage the various challenges facing the world. As South Africa enters its 15th year of democracy and prepares for its 4th general democratic elections, our country is taking stock of many of the accomplishments, challenges and lessons learnt.

We have listed some of South Africa's accomplishments in the statement that has been distributed.

Despite our achievements, as a young democracy we still battle with a number of challenges including the outbreak of xenophobia which suddenly visited South Africa in May 2008. The government deplores and regrets the loss of life, destruction of property and displacement of people. The experience has encouraged on our authorities who are currently engaged in a process to ensure the smooth reintegration of those affected. Our law enforcement agencies are striving to ensure that there is no impunity for those responsible for these inhumane acts. Inspired by the fundamental tenants of our Constitutional democracy, we will not tire in our quest to build an inclusive society, promoting social cohesion, and achieving a national identity which will make us uniquely South African.

South Africa like other countries of the developed world, for the first time find itself as the receiving state of a disproportionately high number of economic refugees, asylum seekers and migrants which have stretched our service delivery almost to breaking point.

South Africa still experiences sporadic general incidents of racism at various levels of the society.

Mr. President,

The South African government is looking forward to the 2009 Durban Review Conference and strongly urges all member states to positively adhere to the decisions of the United Nations General Assembly and the Durban Declaration and Programme of Action. As it would be recalled we all agreed by consensus to adopt the Durban Declaration and Program of Action (DDPA) as an

instructive instrument for combating all forms of racism, racial discrimination, xenophobia and related intolerance. We also undertook individually and collectively to apply the measures and strategies in the DDPA. The government of South Africa will always be convinced of the immense contribution of the NGO Forum.

South Africa came under review in terms of the Universal Periodic Review Mechanism (UPRM) of this Council on 15 April 2008. Although we are generally satisfied with the Review process, we believe that with improved planning prior to the implementation of the UPRM process; we could achieve more with this instrument while at the same time ensuring optimal resources management. Our preference is to address all human rights issues within this Council which has been specifically mandated to deal with such issues, whereas other UN structures have no equivalent mandate.

We are appealing to you Mr President and all other members of this body to critically reflect on how best this Council should relate to the United Nations General Assembly. It is our observation that the Third Committee of the General Assembly is increasingly becoming another human rights forum which poses serious financial consequences for states with limited resources not to mention the undue duplication that such an approach brings about. The efforts of the United Nations Secretary General to ensure a System-Wide coherence may also be undermined by this approach.

Mr President,

We are gathered here against the background of the worst financial crisis in decades, which has impacted negatively on the economies of the world, in particular, it has led to the shedding of jobs at unprecedented levels, and further worsened the global food and fuel crisis. The implications of the crisis for the promotion and protection of human rights, especially economic, social and cultural rights, will negatively impacts on the achievement of the Millennium Development Goals (MDG's).

The continuing Middle East crisis has inflicted untold suffering on the victims of the violence. We acknowledge and praise the convening of the 9th special session of the Human Rights Council to address the situation in the Occupied Palestinian Territory. In this regard, we welcome the appointment of members of the fact-finding commission to investigate the recent systematic and gross violations of the Palestinian People's human rights and international humanitarian law in the Occupied Palestinian Territories, in particular, the occupied Gaza Strip, which have led to massive loss of lives and destruction of infrastructure.

In conclusion, Mr President, it is hoped that this session will make a meaningful contribution in advancing the Council's noble mission of ensuring the protection, promotion and fulfilment of human rights and fundamental freedoms for all humanity as vital contributing factors towards global security and development. It is our obligation to ensure that better and effective strategies are put in place to effectively address global poverty.

I wish you success in the negotiations during the coming weeks of the Human Rights Council.