

ASSOCIATION FOR WORLD EDUCATION

Case Postale 205 – 1196 Gland – Suisse

UN Human Rights Council Review – Working Group (25-29 October 2010)

Speaker: Representative David G. Littman: Monday – 25 October 2010

General Discussion on the Work and Functioning of the Council in accordance with...Op 16... (item 3)

[The words in brackets could not be pronounced in the 2 minutes time available for speakers.]

In Memoriam – Sérgio Vieira de Mello – Adherence to International Human Rights Norms

Mr President, we are making available our documented written statement, submitted 5 years ago to the Commission's 62nd final session, as both its title and contents are still pertinent:

[E/CN.4/2006/NGO/1]: General comments on the Human Rights Commission and a future

Council: "A riddle, wrapped in a mystery, inside an enigma."

Churchill's 'enigma' could easily well be applied to the Council.

Six months ago [23/3/2010], we expressed homage for the renowned former High Commissioner Sérgio Vieira de Mello, whose bronze bust honours his memory outside the Palais Wilson.

[He was tragically killed with 20 other members of his staff in the Baghdad Canal Hotel Bombing. (19 Aug 2003)]

It was his Report to the Commission's 59th session in 2003 that stimulated an attempt to improve Human Rights mechanisms, leading to the Commission's demise & the creation of what was hoped would be a Council sensitive to Universal Human Rights rather than obsessed by "selectivity and politicization" – the criticism that former Secretary-General Kofi Annan leveled at the Commission. [HCHR statement on the "Follow-up to the World Conference on Human Rights": E/CN.4/2003/14 of February 2003.]

[We quoted from that landmark Report in a joint statement for four NGOs 7½ years ago on 21 March 2003. As Kofi Annan declared here a year later: the Commission had been undermined by allowing participation of countries whose purpose was: "not to strengthen human rights but to protect themselves against criticism or to criticize others." His chief of staff, Mark Malloch Brown, put it even more bluntly: "For the great global public, the performance or non-performance of the Human Rights Commission has become the litmus test of UN renewal." This litmus test is more evident as the Council completes its 5th year and the reputation of the whole UN human rights system is at stake.]

"Remember me!" – those words by the ghost of Hamlet's father have inspired us to remember Sérgio de Mello. His memorable message reads:

Membership of the Commission on Human Rights must carry responsibilities. I therefore wonder whether the time has not come for the Commission itself to develop a code of guidelines for access to membership of the Commission and a code of conduct for members while they serve on the Commission.

After all, the Commission on Human Rights has a duty to humanity and the members of the Commission must themselves set the example of adherence to the international human rights norms – in practice as well as in law. [Point 5 & §4]

International Human Rights cannot mean 'Cultural Relativism' nor 'Complimentary Standards'. He clearly was referring to the UN International Bill of Human Rights and nothing else. Here is de Mello's conclusion:

Without universal respect for human rights, the vision of the Charter of a world of peace grounded in respect for human rights and economic and social justice will remain an illusion. Let us vindicate the Charter's vision by being faithful to the universal implementation of human rights. In doing so we shall continue in the direction of history, rather than allowing ourselves to be diverted from the course we know to be just. [§ 55]

Mr President: *Truth is powerful and will ultimately prevail /Magna est veritas et praevalabit.*