



**STATEMENT BY**  
**SOUTH AFRICAN MINISTER OF SOCIAL**  
**DEVELOPMENT**

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**FIRST SESSION OF THE**  
**HUMAN RIGHTS COUNCIL**

**20 JUNE 2006**

**GENEVA**

Mr President,  
The High Commissioner for Human Rights, Madame Louise  
Arbour,  
Members of the Human Rights Council,  
Distinguished guests,  
Ladies and gentlemen,

On behalf of the Government and people of South Africa, we salute the United Nations Secretary-General, Mr Kofi Annan, for his vision to build a more effective United Nations system and to elevate the human rights agenda in his report entitled "In Larger Freedom".

We commend and thank the President of the General Assembly, Mr Eliasson and his two Co-chairs Ambassadors Arias and Kumalo, for successfully presiding over and facilitating the establishment of the Human Rights Council.

We congratulate the President of the Council, Ambassador De Alba and his Bureau on their election to lead the Council. We commit ourselves to the programme of work to be undertaken by the Council under their guidance and leadership. We pay tribute to the High Commissioner for Human Rights for her commitment to the promotion and protection of human rights.

South Africa is honoured to be a part of this historic first session of the Council and we thank members of the General Assembly who have placed confidence in us by voting us into the Council.

South Africa's long road to where we are today provides many lessons relating to human rights. Our history of colonial conquest and racial domination were the antithesis of human rights. South Africa's struggle against apartheid has thus primarily been the struggle for democracy, the rule of law, human rights and fundamental freedoms.

The advent of democracy in South Africa in 1994, underpinned by a Constitutional order predicated on human dignity and equality, has placed human rights and fundamental freedoms at the core of our domestic and foreign policies. The first decade of our democracy has moved us significantly closer to the attainment of our vision of a non-racial, non-sexist, democratic and free South Africa. The sacrifice of all our people but in particular, the crucial role played by the women and youth of our country towards the attainment of this vision, has been profound.

Just last Friday South Africa commemorated the thirtieth anniversary of the Soweto student uprising which took place on 16 June 1976 when many young lives were lost in the quest for the right to quality education as part of the broader array of basic human rights. Following this tragic event, the Security Council adopted a resolution on 19 June 1976 condemning apartheid as a threat to international peace and security, and consequently a crime against humanity. Thereafter, for the first time in the history of the UN, a representative of the majority of the people of South Africa was invited to address the General Assembly on 26 October 1976.

South African women have been active participants and catalysts in the struggle for the total elimination of apartheid. This was highlighted by the anti-pass campaign with more than 20 000 women demonstrating at the seat of government, the Union Buildings in Pretoria on 09 August 1956. We will celebrate the fiftieth anniversary of this historic and landmark event on 09 August 2006 to mark South Africa's National Women's Day. South Africa has made significant strides towards achieving the commitments contained in the Beijing Platform of Action and will continue to honour them.

We recall the important contribution made by the international community to our struggle. In this regard, the Government of

South Africa appreciates the significant role that the General Assembly and the Commission on Human Rights played in helping to bring about the demise of apartheid in South Africa.

Having just formally abolished the Commission on Human Rights and inaugurated the Human Rights Council, South Africa wishes to pay tribute to the Commission. In the six decades of its existence, the Commission has bequeathed us a solid record of international standards, norms and laws. It has established human rights mechanisms to monitor the promotion and protection of human rights. Today, the International Bill of Rights comprising the Universal Declaration of Human Rights and the two covenants on civil and political rights and on economic, social and cultural rights, including other conventions, constitutes the core of human rights.

Mr President,

We welcome the recent reform initiatives within the United Nations, which has culminated in, among others, the establishment of this Human Rights Council. The United Nations Secretary-General's admonition in his report, *In Larger Freedom*, that "we will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights", portrays the challenge that we face.

The elevation of the human rights agenda to the level of a Council is a positive response to the spirit of the preamble of the UN Charter and its determination "to affirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small".

As we congratulate the newly elected members of this Council, we should also bear in mind the tremendous responsibility they have to shoulder. However, this responsibility is not only that of

the members; observers and other stakeholders will also need to ensure that the Council gets off to a very good start in its approach to the advancement of the global human rights cause and the development of human rights law.

We view the establishment of the Council as representing the hopes and aspirations of those of our fellow human beings who suffer on a daily basis the denial of their basic human rights, be they economic, social, cultural, civil or political. The Human Rights Council should truly live up to its mandate by honouring the Vienna Declaration and Programme of Action, which requires that all human rights should be treated as universal, indivisible, interrelated and interdependent, and with the same emphasis.

The resolution establishing the Human Rights Council calls for cooperation and dialogue to be the guiding light of this new body. Hence human rights should not be used to address bilateral political differences or problems. We believe that human rights can only be affirmed and become meaningful through their practical enjoyment and progressive realisation.

We support the principle of a universal periodic review by which all Member States shall be subject to equal treatment and eligible for human rights capacity building, where necessary. The development of objective modalities for the review process will require careful consideration to ensure that it addresses concerns relating to politicisation and selectivity. South Africa pledges to actively contribute to the establishment of this mechanism.

Mr President,

We recognise the central role that the Office of the High Commissioner for Human Rights plays in the mandate of the United Nations to promote and protect human rights. The lack of resources that this Office has experienced over the years has

affected its work. South Africa thus welcomes the doubling of the regular budget of the Office over a five-year period. We trust that this new funding will enable the Office to fulfil its mandate to promote and protect human rights, including the provision of advisory services and technical cooperation in conjunction with the designated recipient.

Similarly, we welcome the establishment of the Women's Rights and Gender Unit in the Office of the High Commissioner for Human Rights. This will go a long way in contributing to the mainstreaming of gender within the UN system.

We must collectively strive to strengthen the human rights treaty body system. The Council should work towards the achievement of universal ratification of all the core human rights instruments. Simultaneously, measures must be put in place to ensure timeous reporting to the treaty bodies, the withdrawal of reservations, including recognising the competencies of treaty bodies to receive individual and collective complaints.

Mr President,

We should all work towards a common vision of eradicating poverty and underdevelopment, ensure the realisation of the right to development and the attainment of the Millennium Development Goals within the stipulated timeframes. The fight against the spread of HIV and AIDS, tuberculosis and malaria remains a global challenge and requires a co-ordinated response from all of us.

For this Council to be successful in its work, we must recommit ourselves with renewed political will to ensure a paradigm shift in our operations. Our previous commitments to uphold human rights and fundamental freedoms should now translate into concrete and tangible actions. The inherent weaknesses and lapses of the previous system which failed to timeously identify

and ensure appropriate intervention in the recent tragedies and genocides, should not be repeated.

In conclusion, we call on the Council members to continue the tradition of the Commission by working together with non-governmental organisations, national human rights institutions, regional organisations and civil society.

I thank you.