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Third Committee

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Item 71 (c): Human Rights Situations

Statement by Dr Andrew Southcott Parliamentary Adviser to the Australian Delegation to the United Nations

(Check against delivery)

Mr Chairman

Australia is intent on ensuring that UN human rights mechanisms deliver practical outcomes in addressing serious human rights situations around the world. Our contributions to deliberations before and since the UN Summit reflect this practical focus. A critical Summit outcome was the decision to strengthen UN human rights machinery by strengthening the Office of the High Commissioner for Human Rights, improving the effectiveness of the human rights treaty bodies, and integrating the promotion and protection of human rights into national policies.

The Australian Government will remain closely engaged in carrying forward these initiatives, in particular to ensure that the new Council will address serious human rights abuses when they occur.

We welcome a number of positive developments as some countries make steady steps in their transition to democratic government or enter into peace agreements to bring an end to civil conflict. However, Mr Chairman, despite this progress, the world is far from free from human rights abuse which underlines the need for the Council to be able to deal with the most pressing of human rights challenges, to hold to account Governments that do not respect the human rights of their people.

Mr Chairman, Australia warmly welcomes the signing of the historic agreement to end hostilities between the Government of Indonesia and the Free Aceh Movement. We also welcome President Yudhoyono's renewed commitment to resolve the problems of Papua by August 2006. We encourage

the Indonesian Government to ensure freedom of worship as permitted under Indonesian law and to prosecute those who commit violence against people of faith (regardless of religion).

We are also encouraged by the agreement with Timor Leste to establish a Truth and Friendship Commission to take forward justice processes relating to past human rights abuses.

We value China's constructive approach to our bilateral human rights dialogue and note that China appears increasingly aware of the need to improve its human rights practices. We encourage China to press ahead with reform, including in relation to the death penalty and reform of the reeducation through labour system. We urge China to allow its citizens greater freedom of expression, association and assembly and freedom of religious practice. We continue to urge China to ratify the International Covenant on Civil and Political Rights as soon as possible.

We welcome the Philippines Government's commitment to negotiate a peace settlement with the Moro Islamic Liberation Front (MILF) and commend Malaysia's role in facilitating this process.

Australia welcomes the success of Israel's withdrawal from Gaza and the renewed opportunity this represents to take the Middle East peace process forward. Following Israel's withdrawal, it is vital that the Palestinian Authority continue to reject violence and control terrorist activities so that a lasting peace can be built. We urge all sides to sustain their efforts towards a two state solution involving an independent, democratic and viable Palestinian state which respects Israel's security and right to exist.

We welcome further progress in Iraq's transition to a free and democratic society. By turning out for the Constitutional Referendum in large numbers, and by voting in the face of intimidation by a small but violent minority, Iraqis once again demonstrated their great courage and their determination to take control of their country's future. We condemn continuing terrorist attacks.

We welcome Afghanistan's progress towards becoming a viable democratic state following National Assembly and Provincial Council elections. By voting in the face of intimidation the people of Afghanistan demonstrated their will to take the political future of the country into their own hands and embrace the democratic process.

We welcome the King of Nepal's call for general elections to be held before mid-April 2007 and encourage all political parties to embrace the opportunity to return to multiparty democracy. We call on all parties to avoid actions which could worsen the situation and support efforts which promote peace and stability for the people of Nepal.

There have been some encouraging developments in Sudan. The Comprehensive Peace Agreement to end the civil war appears to be holding, the Government of National Unity is starting to function and some of those displaced during the conflict are returning to the south. The Government of Sudan must reign in pro-government militias and prosecute those responsible for crimes against humanity.

Mr Chairman, Australia is deeply concerned about the situation in Burma and we strongly urge the Burmese Government to commit to a peaceful and inclusive democratic transition and national reconciliation, and to deal with international concerns regarding the deteriorating humanitarian situation. The regime has failed to ensure that basic standards of human rights are met in accordance with its international obligations. Australia continues to support the work of Special Envoy Razali and Special Rapporteur Pinheiro.

We urge the DPRK to reconsider its decision to end the in-country humanitarian operations of multilateral organisations by the end of 2005; and to address international concerns over alleged human rights violations, including the arbitrary detention and execution of political prisoners, severe restrictions on the movement of people and on religious freedoms. It is critical that the DPRK provide access to the country by the Special Rapporteur on human rights.

Australia remains deeply concerned about Zimbabwe's human right record. Having countries like Zimbabwe elected to the Commission for Human Rights does nothing but diminish its credibility as a body whose primary purpose is to promote and protect human rights. The Government's widely condemned clean-up campaign that has displaced and left thousands homeless is a further example of its disregard for the welfare of its most vulnerable people. We continue to condemn the systematic use of state sponsored violence, intimidation and harassment, anti-democratic legislation and the use of food as a political tool.

Australia remains concerned by the human rights situation in Iran, including ongoing suppression of freedom of expression, discrimination against women and minority groups (including the Baha'i community, Christians, Jews, and Kurds) and deficiencies in the administration of justice. We have been particularly concerned about the execution of minors, including for what are considered morality crimes. We urge Iran to engage further with the United Nations and the international community on human rights issues.

Mr Chairman, the comments by the Iranian President calling for Israel to be 'wiped off the map' are completely unacceptable and in contravention of the UN Charter under which all UN members have undertaken to refrain from the threat or use of force against the integrity or political independence of any state. The comments do nothing to reassure the international community that Iran is prepared to be a responsible international citizen.

In concluding, Mr Chairman, let me take this opportunity to reaffirm Australia's commitment to working constructively with the United Nations and with all governments to bring about real improvements in human rights for all peoples.