



# NORWAY

General Assembly  
Agenda Item: 71 (b)  
Human Rights questions, including alternative  
approaches for improving the effective  
enjoyment of human rights and fundamental freedoms

Check against delivery

## STATEMENT

by

**H.E. Ms. Mona Juul**  
**Ambassador**  
**Deputy Permanent Representative**

**New York, 31 October 2005**

Mr Chairman,

Our work on human rights has been criticised – some times rightly so – for being politicized, selective and ineffective. This time we have the opportunity to make a real difference – by acting on the clear directives given to us by the High Level Summit. We must succeed in according human rights their rightful place in the work of the UN. This will be our single most important task in the weeks ahead.

Norway welcomes the agreement by the Summit to further mainstream human rights. Promotion of human rights must be pursued in planning, programming and decision-making at all levels of the Organisation to ensure that respect for human rights is permanently intertwined with the other core objectives of the UN: peace and security, and economic and social development.

We welcome the Summit's commitment to double the regular budget of the High Commissioner for Human Rights. It is vital to strengthen the High Commissioner's ability to respond adequately to crises and to deal with the increasing workload assigned to her office. We call on Member States to ensure that the Summit's commitment is honoured in the Fifth Committee.

Norway supports the decision to establish a human rights council to strengthen and elevate human rights in the work of the UN. We are taking active part in the negotiations aimed at establishing a legitimate and effective council. It is vital that the council is made a standing organ, with the possibility to address emerging and ongoing human rights situations throughout the year. The council could, in our view, be set up as a subsidiary organ of the General Assembly, while retaining the possibility of making it a principal organ. Its mandate should be broad and should build on the strengths of the Human Rights Commission. The special procedures should be retained in recognition of their significant role in implementing human rights. We must retain and improve the current role of civil society. The council must be given sufficient autonomy and be mandated to deal effectively with crises. The council should be entrusted with thematic issues and mainstreaming, and should be expected to contribute to capacity-building and technical co-operation. As a thematic forum, it should concentrate on emerging and topical issues. It should focus on implementation, and thus move away from repetitive annual debates.

In order for us to find common ground, the composition of the council must strike the balance between representivity and effectiveness. This objective will best be met by a number of members not significantly lower than that of the Commission. While we favour an inclusive council, the legitimacy of its membership could be ensured through pledges, or by subjecting members to non-selective reviews, provided that a feasible and time-effective format can be found.

In elaborating the council's mandate we should look into its relationship with this committee, so as to avoid duplication. We must arrive at practical and clear-cut transitional arrangements.

In terms of process, we support the view that the main features of the council should be determined this year, while certain details may be left for a limited time period, or to the council itself to determine. It is vital, however, that satisfactory solutions are found on the

issues of status, mandate, functions, composition and the role of civil society before we move to let the council replace the Commission on Human Rights.

Mr Chairman,

The urgency of our efforts is made clear by the fact that this session is yet again taking place against the backdrop of widespread human rights violations. Poverty and malnutrition affect billions. Civilians in the midst of conflict suffer abuse and violation of fundamental rights. People are being discriminated against on grounds of gender, ethnicity, belief and sexual orientation. The absolute nature of the prohibition of torture is frequently challenged, leading to the erosion of this peremptory norm. Detainees are being kept in secret confinement without access to justice. The freedom to assemble, organise and speak out is under pressure.

Attempts are made to justify some of these violations by the fight against terrorism. While it is both necessary and legitimate to take effective measures against terrorism, we underline once again that this fight must take place within the boundaries of international law, in particular international human rights and humanitarian law. Our civilisation is founded on these principles. If we fail to uphold them under pressure, we risk losing our moral authority and our ability to withstand those who want to rule by fear.

Mr Chairman,

The report on human rights defenders reveals that many of these individuals and groups face difficult and life-threatening conditions. Their voices are silenced through restrictions in the freedom of opinion and expression. They are frequently victims of disappearances, torture, arbitrary arrest and even extrajudicial executions. We note with concern the recent trend of adopting legislative provisions aimed at restricting non-governmental organisations, which are frequently the platform from which human rights defenders operate.

The role of human rights defenders in oppressive societies can not be overestimated. Their visible presence instils hope and courage in many who are oppressed. They shed light on wrongdoings not meant for the public eye. Their plight is a reliable indication of worsening human rights situations. For all of these reasons, we find that efforts in support of human rights defenders yield an incomparable dividend. Norway will once again present a draft resolution on defenders. We hope for your support for this important text and for the draft resolution on the protection of internally displaced persons, of which we are main sponsors .

Mr Chairman,

Fighting poverty is also about promoting human rights. The quality of life of an individual and what he or she is able to achieve depends on both political liberty and economic opportunity. Access to health care and education is essential in order to realise the individual's right to physical integrity and freedom of expression. Empowered individuals are powerful agents of change. Time and time again we see that oppressive regimes do not foster sustainable development.

Mr Chairman,

Norway remains strongly opposed to the use of the death penalty. It is inherently inhuman, irreversible and has no deterrent effect. We welcome the global trend towards its abolition and

commend states that have taken steps in this direction. However, we are concerned about the large number of executions that are still carried out.

Mr Chairman,

The adoption of a comprehensive normative framework of human rights conventions is to be counted among our successes. We have, however, fallen short in the implementation of these rights. Without implementation, the ratification of international human rights instruments and historic declarations like the one made at the recent Summit have no meaning. They are just empty promises.

If we are to succeed in improving the effectiveness of the human rights machinery and thus enhancing the protection of all rights, we must leave behind past differences. We must go forward on the premise that equal emphasis must be given to economic, social, cultural, civil and political rights, and that promoting all of these rights is in the interest of developed and development countries alike. The ongoing work aimed at considering options for an individual complaints mechanism to the Covenant on economic, social and cultural rights is important in this regard.

Mr Chairman,

The fundamental premise of our reform efforts is that the enjoyment of human rights by all is vital for creating conditions that are conducive to political stability and social and economic development. In short, safeguarding human rights is essential for a safe and prosperous world. This is how important our work is.

Thank you.