

The following is an excerpt from the official meeting records of the General Assembly on March 15, 2006.

The complete transcript is available at
http://www.hrw.org/un/elections/pdfs/ga_mtg_en.pdf (English)
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Mr. Sardenberg (Brazil) (*spoke in Spanish*): On behalf of Colombia, Guatemala, Panama, Paraguay, Uruguay and Brazil, I wish to congratulate you, Sir, and co-Chairs Ambassador Ricardo Arias and Ambassador Dumisani Kumalo, on your steadfast and successful work throughout the past five months.

Since the adoption by vote of the Universal Declaration on Human Rights almost 60 years ago, States have incorporated mechanisms into their legal systems that guarantee the protection and fulfilment of human rights. That has been a major achievement and has consolidated standards for contemporary society. The progress so far attained has been a result of strenuous efforts. Nevertheless, our determination to improve standards of living and to put a stop to violations of human rights has overcome every sort of difficulties.

The establishment of the Human Rights Council to replace the Commission on Human Rights represents a watershed in the protection and promotion of human rights, but it cannot be considered an end in itself. The new Council is part of a process that began with the Universal Declaration of Human Rights. For instance, one cannot lose sight of the fact that, at the end of the day, the members of the old and often criticized Commission on Human Rights will be the very same members of the new Council. Notwithstanding, the approach of States to human rights has to be reshaped.

The negotiating process that led to the final draft resolution presented by the President of the General Assembly on 23 February was complex and sometimes tortuous. The efforts and resolve of the entire membership prevailed over obstacles and allowed the will of our heads of State and Governments at the 2005 world summit to be fulfilled. Colombia, Guatemala, Panama, Paraguay, Uruguay and Brazil firmly support the resolution adopted this morning. We reaffirm that the new Council, while preserving the positive elements of the present Commission, constitutes a step forward towards the strengthening and improvement of the United Nations human rights machinery.

The Council, as noted, is an important achievement, but there are imperfections that we hope can be corrected through the day-to-day practice of the new body. The views of our delegations were duly expressed during the negotiating process. I would stress three outstanding issues.

First, the text could have elaborated more broadly the concepts of dialogue and cooperation as instruments for addressing human rights violations. Experience shows that, as a rule, politicizing human rights tends to be counterproductive if not accompanied by positive incentives, such as cooperation and capacity-building.

Secondly, we regret that the proposal for a global report was not included in the final draft. We believe it essential for the situation of human rights to be monitored at the global level in order to allow for the mitigation of political selectivity and double standards, which have been the object of well-founded criticism of the work of the Commission on Human Rights.

Finally, we deeply regret that the representation of the Group of Latin American and Caribbean States in the Council, as compared to the Commission, has fallen by 27 per cent. We understand that regions with an increased number of countries should expand their presence, but there was no decrease in the number of countries in our region. We therefore fail to see why its representation has been reduced so drastically.

The adoption of today's resolution is long overdue. We were deeply concerned to avoid a protection gap created by a waning Commission while a new structure was still lacking. The persistence of that situation could temporarily jeopardize the United Nations system for the protection of human rights.

In closing, Mr. President, let me say that I am in agreement with what you stated in your letter dated 9 March — namely that there are other important matters on the reform agenda that will require our full attention and dedication during this session of the General Assembly. The creation of the Human Rights Council will free up the agenda, allowing delegations to consider other issues that are fundamental to the Organization, such as reform of the Security Council, revitalization of the General Assembly, management reform, reform of the Economic and Social Council, and development, an issue which is of great concern to us.