



# **NORWAY**

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PERMANENT MISSION OF NORWAY TO THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANISATIONS IN GENEVA, 35BIS AVENUE DE BUDE, 1202 GENEVA. TEL. +4122 918 04 00

## **4<sup>th</sup> SESSION OF THE HUMAN RIGHTS COUNCIL**

**STATEMENT BY**

**H. E. RAYMOND JOHANSEN  
STATE SECRETARY  
NORWEGIAN MINISTRY OF FOREIGN AFFAIRS**

**Geneva, 12 March 2007**

**Check against delivery**

Mr Chairman,  
Excellencies,  
Ladies and gentlemen,

I would first like to pay tribute to the work of the High Commissioner and her office for the lead role they are playing in meeting the challenges to the realization of all human rights and in preventing human rights violation throughout the world.

The challenges are daunting. The world leaders at the World Summit resolved to strengthen the Office to better enable it to effectively carry out its mandate, including through the doubling of its regular budget over five years. Now the Member States of the UN must continue to follow up the commitment in New York, and ensure that sufficient resources are allocated to the Office and its staff for the next budgetary biennium.

A key priority of the Plan of Action by the High Commissioner is a heightened focus on implementation of human rights. Norway supports greater country engagement as an important action point in order to achieve this end.

In this respect we welcome the major achievements by the office in Nepal since 2005. The Office has stood by the people of Nepal in their persistent and peaceful struggle for democracy and respect for human rights. The recent peace agreement directly confers to the Office's mandate to monitor Nepal's human rights obligations. In this critical phase of transition building lasting peace and an inclusive democracy will be vital. We encourage the Office to continue its valuable assistance to the people of Nepal.

The main responsibility, however, is vested in the government of Nepal and the parties to the peace agreement. Continued violence in the Terai region gives reason for concern. We call on all parties to act on their commitments, end discrimination, abuses and a culture of impunity, and to ensure appropriate representation at all levels.

We welcome the decision to make the Office of the High Commissioner of Human Rights the lead agency on transitional justice. The commitment and high competence of the Office in the field of human rights and rule of law makes it well placed to give advice to states in transition to ensure that peace and justice go hand in hand.

We are particularly concerned about the situation in Afghanistan where impunity for international crimes seems to be put into system. Amnesty for war-crimes or crimes against humanity can at no point be accepted.

Mr. Chairman,

One of the reports in front of us is the report of the Special Rapporteur on the human rights situation in the Occupied Palestinian territory pursuant to resolution 3/1 of the Human Rights Council. Norway regrets that the fact-finding mission was unable to carry out its mandate as a result of the Government of Israel's failure to consent to the mission.

Norway supports the efforts of president Abbas to find a peaceful political solution to the conflict with Israel and to engage peacefully with Hamas. The agreement signed by Fatah and Hamas in Mecca last month and the prospect of a government of national unity gives hope of

stability in the Palestinian territory, renewed momentum in the political dialogue with Israel and a normalisation of the international donor community's relations with the Palestinian government. We, the international community, should welcome and support this important development, as well as the moderate forces behind it, if we want to see an improvement on the ground in the Palestinian territory.

Norway is deeply concerned about the deteriorating security situation in all three states of Darfur. Escalating violence, fighting and attacks on villages have a devastating impact on the civilian population in the region. The seriousness of the situation is regularly and well documented by the African Union Mission in Sudan, the Secretary General of the UN and the High Commissioner for Human Rights. Ongoing efforts to protect and assist the civilian population are threatened by lack of access and obstacles to the operations of humanitarian organizations, including harassments and frequent attacks on humanitarian workers as well as on the African Union Mission in Sudan. The Government of Sudan must assume its responsibility to protect the lives of its citizens, and all parties must ensure unimpeded humanitarian access to all those in need in Darfur.

Only a credible political process can provide sustainable solutions to the crisis in Darfur. The political track to bring all the parties onboard must be enhanced. The AU- and UN-lead process together with the Eritrean and Libyan initiatives holds possibilities that should be pursued. National reconciliation through a Darfur-Darfur process with broad participation is also critical in order to achieve sustainable peace.

Norway welcomes the decision by the chief prosecutor of the International Criminal Court to present evidence to the Court regarding alleged war crimes and crimes against humanity in Darfur. Peace in Darfur cannot be founded on impunity.

The Human Rights Council should remain seized of the situation in Darfur. A first step in this regard, is concrete and credible action on the report of the High-level Mission.

Mr. Chairman,

The situation of human rights defenders is of critical importance to the promotion and protection of human rights. Today they continue to be at risk. This is clearly demonstrated in the reports of the Special Representative of the Secretary General, Ms. Hina Jilani. Both defenders and members of their families are being physically attacked, kidnapped, tortured and even killed. Violations are perpetrated both by states and by non-state actors.

Defenders from indigenous groups are amongst the particularly vulnerable. According to the report, in the large majority of the cases where defenders from indigenous or minority groups have been attacked or killed, no investigation has been carried out by the authorities.

Norway attaches great importance to the adoption by the Human Rights Council of the UN Declaration on the Rights of Indigenous Peoples at its first session in June last year. We were deeply disappointed when action on the Declaration was deferred by the 3<sup>rd</sup> Committee of the General Assembly. We are of the opinion that a final adoption of the Declaration will strengthen the protection of the rights of indigenous peoples worldwide. Once adopted it can serve as a comprehensive framework for partnerships between states and indigenous peoples. It is therefore of utmost importance that the GA lives up to its commitment to take action on the Declaration before the end of its sixty-first session.

Norway is deeply concerned about the ongoing human rights violations based on sexual orientation and gender identity. The Human Rights Council has received extensive evidence of such violations, and should pay due attention to them.

Violence against women is universal. It affects the lives of countless women and is an obstacle to the achievement of equality, development and peace in all continents. The recommendations in the Special Rapporteur's report on violence against women constitute a clear strategy for making measurable progress on preventing and eliminating violence against women and must be followed up.

Mr. Chairman,

Violence against children constitutes serious violations of human rights that rightly are at the forefront of the deliberations during this session. The High Commissioner, the Council, its special procedures, the independent expert on violence against children and all other relevant parties of the UN, must work together to end violence against the most vulnerable of all.

Mr. Chairman,

We all agree that preventing acts of terrorism remains necessary in order to secure the civilian population from potential random violence. But the fight against terrorism must not become a pretext for deviating from the fundamental principles of rule of law and fair trial guarantees. The prohibition against torture and other cruel, inhuman or degrading treatment or punishment is absolute. Any person who perpetrates such acts must be brought to justice. In the report of the Special Rapporteur on torture he states that impunity is one of the main reasons for the widespread practice of torture in all regions of the world. The existence of secret detention facilities where detainees are kept in a legal vacuum is not in conformity with international law. It may facilitate the perpetration of torture or in itself constitute torture or other cruel, inhuman or degrading treatment.

Freedom of expression is a fundamental and a universal human right. Restrictions on the right to freedom of expression can have far reaching consequences for other fundamental human rights such as freedom of religion or belief. How we exercise freedom of expression while respecting the diversity of our multicultural world is a challenge to all of us. Entering into dialogue is not to give up conflicting principles or values. Dialogue is about finding ways to manage fundamental differences. The Human Rights Council should play its part.