

**STATEMENT DELIVERED BY THE MINISTER OF JUSTICE, LEGAL
AND PARLIAMENTARY AFFAIRS OF THE REPUBLIC OF ZIMBABWE,
HON. PATRICK, A. CHINAMASA (MP) AT THE HIGH LEVEL
SEGMENT OF THE HUMAN RIGHTS COUNCIL,
GENEVA 12 - 13 MARCH 2007**

President of the Human Rights Council,

Ambassador Luis Alphoso De Alba;

Madam Louise Arbour, High Commissioner for Human Rights,

Honourable Ministers,

Excellencies,

Ladies and Gentlemen.

My delegation joins those who have spoken before me in congratulating you, members of the Council and the Bureau for the efficient and dignified manner in which you have steered the Human Rights Council in its inaugural year. Indeed, few have had the honour to lead such august organizations during their seminal periods. You have the full support of my delegation as you lead us in carrying forward the vision of the founding fathers of the United Nations.

Mr. President,

When I took the floor to address this august Council at its inaugural session last year, I emphasised the need for the Council to break from the tradition of the Human Rights Commission, the politicisation of its work. My delegation notes with concern that this culture of politicization and selectivity has continued to manifest itself into the work of the nascent Council. I call upon members of the Human Rights Council to remain vigilant and guard against being used as ventriloquists by those nations who have traditions of using human rights issues as tools for

their foreign policy goals. You have my delegation's full support in this imperative to exorcise this poisonous ghost of abhorrent politics from the work of the council.

Mr. President,

Like others before me, I too reaffirm the indivisibility, universality and interdependence of all human rights. My delegation would once again reiterate the need for the Human Rights Council to strike a balance between civil and political rights on one hand and economic, social and cultural rights including the right to development on the other. It is indeed disappointing to note that 20 years since the UN declaration on the Right to Development, nothing tangible has been achieved on the ground. We should all strive to rescue the Right to Development from its current status as a victim of a strident and sterile hemispheric debate which remains the unacceptable impediment to the realization of development in all its forms through the release of the requisite resources.

Mr. President,

My delegation notes that there has been little progress towards reaching consensus on the issue of the mechanisms for the Universal Periodic Review (UPR). We do however recognise the need for wide consultations on the issue since the UPR is set to become the most far-reaching innovation of the Human Rights Council. In the same vein, we need not overemphasize the need for the UPR to be carried out in an efficient and effective manner, with appropriate follow-up and the genuine cooperation of the states concerned. This implies that it must abide by the highest standards of objectivity and impartiality and is free from high-handed political interference if we are to avoid falling into the pitfalls of the

former Commission on Human Rights. My delegation believes that with the establishment of the UPR, all country mandates of the former Human Rights Commission except those on Palestine should be done away with since they were the bedrock on which thrived politicisation and selectivity.

Distinguished Delegates,

My delegation also wishes to underline its preference for the election of all mandate holders by members of the Human Rights Council as well as the adoption of a code of conduct for such office bearers. This democratic process would remove lingering misgivings and engender a sense of ownership in the Human Rights Council by all UN member states. Only in such a manner will the Council be able to remove the cultural biases which have hamstrung the functioning of its predecessor bodies. We also join other delegations in supporting the proposal for a code of conduct for these mandate holders, as this is the surest way of ensuring that they abide by the strictures of their mandates. Human rights work should not be a field for adventure seekers bent on accomplishing utopian ideals.

Mr. President,

Zimbabwe has for the past eight years fallen victim to such machinations concocted by its detractors with the aid of some NGOs and international media houses which are bent on effecting a regime change agenda. However, despite all these machinations my government has demonstrated its commitment to uphold and promote human rights by acceding to the African Charter on Human and Peoples Rights as well as several United Nations Conventions. Moreover, the Zimbabwe Bill of

generation

Rights recognises all the first ~~general~~ rights contained in international instruments such as the Universal Declaration of Human Rights of 1948.

Currently, negotiations are underway with all stakeholders in our country for the setting up of a National Commission on Human Rights, which ~~as~~ will serve as a neutral national human rights watchdog. This will complement the work that is currently done by the Office of the Ombudsman as well as keep our constitution abreast with changing patterns in international human rights best practices.

Mr. President,

Let me conclude by once again reiterating my country's commitment to contribute to the Council's efforts to uphold the promotion and protection of human rights. If we will speak with the same language, humankind will be the ultimate winner. We need not over-emphasise the fact that the success of the Human Rights Council will depend heavily on the willingness of all member states of the United Nations to operate within the strictures of international human rights law and international humanitarian law. The notion of sacred cows, who commit acts of aggression with impunity and who place themselves above international laws and standards when it comes to the observance of international human rights and standards, should never be allowed to creep into the agenda and work of the Human Rights Council. Those with these "holier-than-thou" attitudes can count on our steadfast deafness. But, we stand for cooperation and the advancement of all human rights without fear or favour.

Thank you and wish you all the best for the remainder of your tenure.