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**Statement by the German Federal Govern-  
ment Commissioner for Human Rights Policy  
and Humanitarian Aid, Günter Nooke**

**at the 7<sup>th</sup> Session of the United Nations  
Human Rights Council**

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Mr. President, Madam High Commissioner, Excellencies, Ladies and Gentlemen,

It is a great honour for me to speak today on behalf of the German government before the Human Rights Council. I wish to fully align myself with the statement made by Foreign Minister Rupel of Slovenia on behalf of the European Union. I would also like to take this opportunity to thank you, Mr. President, for your very able stewardship of the Council, and to express our appreciation and esteem for the valuable work undertaken by Madame Louise Arbour, High Commissioner for Human Rights, and her staff. We are also indebted to the numerous Non-Governmental Organizations that take it upon themselves to attend and enrich this Council, making it a living –and lively– body.

Last June, this Council, by adopting a comprehensive Institution-Building package, formalised the results of a year-long negotiation process on its structure and modalities. This package was subsequently endorsed by the UN General Assembly, and I am happy to say that the Council is now equipped with the tools and procedures required to enable it to fulfil its role as an efficient and credible centerpiece of the UN's human rights protection system. The Council has also started to devote less time to organisational matters and more time to issues of substance, as shown by both its substantive plenary discussions and resolutions adopted during the last sessions. Several Special sessions, such as those on Darfur and Myanmar, have also demonstrated the Council's emerging ability to quickly respond to current situations that bear witness to flagrant human rights violations.

Yet, there remain concerns, and not all objectives have been met. Firstly, the Council remains divided on a number of both procedural and substantive issues, and we witness a continued tendency of states to see themselves as belonging to various political, regional and sometimes even intellectual 'camps'. The School of Cultural Relativism is but one of those 'camps' threatening to undermine the very idea that should unify the Council: the concept of universal human rights, as contained in the Universal Declaration and affirmed in the 1993 Vienna World Conference.

If this Council is to stand up for the promotion and protection of human rights and to live up to the expectations placed in it, we should be bold enough to work together

for the realisation of this common purpose. I would therefore encourage delegates to this Council to see themselves as beacons, radiating both in the Council as well as on their home front. In this context, I would like to express my country's appreciation for the recent statement made by Pakistan on behalf of the Organisation of the Islamic Conference before the Council on 10 December 2007, stressing the importance of the Universal Declaration of Human Rights and underlining that this Declaration constitutes customary international law.

Mr. President,

If the Human Rights Council is the centerpiece of the UN human rights system, then the Universal Periodic Review is a centerpiece of the Council. My delegation, throughout the Institution-Building process, has been actively engaged in the creation of a credible and transparent UPR procedure, and we are looking forward to participating in the first UPR round due to take place next month here in Geneva. It is of the essence that the same standards apply to all when the human rights situation in a particular country is under review. It is when the Council decides on the conclusions and recommendations that different conditions and levels of development in each country must be taken into account.

As the UPR mechanism has been designed from the beginning to counteract frequent claims that human rights work at the United Nations is selective and "politicized", we have been somewhat dismayed by the continued efforts of some to raise obstacles and to delay the process. Let me therefore re-iterate: Universal acceptance of the UPR can be attained only if the same standards and procedures apply to all. To ensure this will be a central task of the Troika members.

We are all in the same situation, and we share an equal responsibility in making the UPR a success. At the same time, there is no need to over-regulate the process before it has even begun, as we will have to allow room for the evolving practice of the UPR, for a "UPR culture". In our view, the ingredients of such a culture are clear: adherence of all states to the General Guidelines, a well-structured documentation, a constructive and fair dialogue, and an outcome document that identifies areas of

both concern and progress. As Germany, we will do our best to live up to those criteria.

Mr. President,

As this Council embarks on its noble mission, it will have to contribute its share to system-wide-coherence within the UN. In a globalizing world, cross-cutting issues are the rule, and human rights are no exception to this. This is particularly true in the field of economic, social and cultural rights, the realization of which has all too often been conceived primarily from an angle of economic development. But over the years, we have learned of the importance and added-value of a firm rights-based approach on these matters. One such issue to which my country continues to give particular attention, is the field of drinking water and sanitation. I therefore take pleasure in announcing that Germany, together with Spain, will introduce at this session an initiative aiming at the establishment of a mechanism fostering access to safe drinking water and sanitation as a component of the right to an adequate standard of living and the right to health. It is my sincere hope that this initiative will provide much-needed added value to one of mankind's most pressing issues.

German Human Rights Policy rests on firm belief and conviction. At the same time, as in the past years, Germany stands ready to act as an active bridge-builder in this Council, looking forward to working jointly and openly with all delegations.

Thank you, Mr. President.