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### HUMAN RIGHTS COUNCIL

Fourth session

#### SUMMARY RECORD OF THE 29th MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 29 March 2007, at 10 a.m.

<u>President:</u>	Mr. BURAYZAT (Vice-President)	(Jordan)
later:	Mr. De ALBA (President)	(Mexico)

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In the absence of the President, Mr. Burayzat (Jordan), Vice-President, took the Chair.

The meeting was called to order at 10.10 a.m.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251 OF  
15 MARCH 2006 ENTITLED “THE HUMAN RIGHTS COUNCIL” (continued)

Interactive dialogue with the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Special Representative of the Secretary-General on human rights defenders (continued) (A/HRC/4/28 and Add.1-3, A/HRC/4/35 and Corr.1 and Add.1-4, A/HRC/4/37 and Add.1 and Add.2, A/HRC/4/74; A/HRC/4/NGO/1, 9, 11, 33, 46, 54, 108, 112, 113 and 147)

1. Mr. CHLADEK (Observer for Austria) asked the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health to indicate which aspects of the right to health should be included in human rights training courses for health professionals and to give practical examples of issues pertaining to the right to health that might arise in their daily work.
2. His delegation welcomed the comprehensive compilation of case law contained in the Special Rapporteur’s report (A/HRC/4/28). The Special Rapporteur had stressed the importance of establishing independent, effective and accessible accountability mechanisms within States, and he wished to know what role the Human Rights Council could play in that regard.
3. Mr. KIM Pil-woo (Republic of Korea) said that although human rights defenders played a key role in the promotion and protection of human rights, they were often subject to repression, insecurity, enforced disappearance, torture and inhumane treatment. Defenders of the economic, social and cultural rights of indigenous peoples and minorities were particularly vulnerable. The absence of an adequate legal framework or redress mechanisms and the persistence of impunity hampered their activities. The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms and the mandate of the Special Representative of the Secretary-General on human rights defenders therefore remained relevant.
4. Ms. TALIWAKU (Observer for Uganda) thanked the Government of Sweden for its support for Uganda’s health sector strategic plan II and said that her Government continued to explore all avenues for providing health care to its citizens, sometimes under very difficult circumstances. Given the many diseases afflicting Ugandans, that task was enormous. The Government focused its efforts on improving health care for women and children, and an integrated approach was being taken to address neglected diseases. Community participation was strongly encouraged.

5. Mr. KOTANE (South Africa) said that the right to access to health-care services was guaranteed in the South African Constitution. The Government was doing its utmost to ensure the progressive realization of that right, within available resources, and to address the undue disease burden faced by the country, with special attention paid to the needs of the most vulnerable segments of society.
6. His delegation shared the concern of the Special Rapporteur on the right to health at the intolerable health situation of some 2 million internally displaced Iraqis and another 2 million Iraqi refugees. He further concurred with the Special Rapporteur's conclusion that the withholding of Palestinian Authority funds by Israel and the withholding of donor funds as a result of sanctions was having a highly adverse effect on the delivery of health services to Palestinians. He called on all parties, and donors in particular, to consider how inconsistent their action in the Middle East was with their human rights approach to assistance in other parts of the world. The Council should address the health crisis faced by displaced Iraqis and by Palestinians as a matter of urgency.
7. Ms. BRITO (Observer for Portugal) commended the Special Representative of the Secretary-General on human rights defenders for focusing on violations of the human rights of defenders of economic, social and cultural rights, whose work was often less well accepted than that of defenders of civil and political rights. She was pleased to note that the Special Representative's report had shown the importance of contributions from non-governmental organizations (NGOs) to the realization and enjoyment of economic, social and cultural rights.
8. Ms. MELO (United Nations Population Fund (UNFPA)) said that the Special Rapporteur on the right to health had contributed significantly to the advancement of reproductive health standards at the national and local levels, especially among vulnerable and marginal segments of society. She welcomed his continuous emphasis on the importance of sexual and reproductive health, and his efforts to make the associated rights more specific, accessible, practical and operational.
9. Promoting reproductive health was often difficult, and the human rights-based work of the Special Rapporteur had thus been an invaluable tool for UNFPA field staff as they advocated the integration of reproductive health in national and local political agendas. Health personnel and human rights workers must join forces to ensure the achievement of the highest attainable standard of health. Joint efforts by the human rights community, bilateral partners and the United Nations system were required to provide universal access to reproductive health, and UNFPA would continue to rely on the reports of the Special Rapporteur in its work.
10. Ms. TIMBERLAKE (Joint United Nations Programme on HIV/AIDS (UNAIDS)) said that many special procedures had integrated HIV/AIDS into their mandates. Given that an estimated 39.5 million people were currently living with HIV, including 4.3 million persons who had been newly infected in 2006, and that only a quarter of the estimated 6.5 million people who needed antiretroviral treatment received it, the continued engagement of special procedures was critical. Governments had consistently recognized the importance of a human rights-based response to HIV and in 2006 had agreed, by means of the Political Declaration on HIV/AIDS, contained in General Assembly resolution 60/262, to achieve universal access to HIV prevention, treatment, care and support by 2010. Those commitments had built on the important

work of the Commission on Human Rights, which had been strongly supportive of the major human rights achievements in the response to AIDS. Universal access was intrinsically linked to the human right to health and required the full engagement of the Human Rights Council.

11. Accordingly, the Council should: promote accountability for the commitments to universal access through the universal periodic review mechanism; help special procedures mandate-holders to integrate HIV in their work; help the Office of the United Nations High Commissioner for Human Rights (OHCHR) expand its capacity to provide relevant technical assistance; and engage with civil society and persons living with and affected by HIV.

12. Mr. JAZAÏRY (Algeria) endorsed the statement made by the representative of South Africa on the health situation in the Occupied Palestinian Territory and Iraq. The Special Rapporteur on the right to health had referred to millions of displaced Iraqis, the Iraqi Minister for Human Rights had described the grave human rights situation to the Council during the current session, and the Secretary-General himself had expressed concern about the shocking daily toll on civilian lives. It was difficult to see why that situation had received so little attention from the Council.

13. The sanctions imposed by donors had also had a detrimental effect on the health situation of the population in the Occupied Palestinian Territory. It would be interesting to learn whether they were the same donors who advocated human rights. He also wondered whether the Special Rapporteur on the right to health could explain the unusual silence of the international media and certain habitually articulate international NGOs on that subject.

14. He was pleased to note that the Special Representative of the Secretary-General on human rights defenders had finally begun to address urgent appeals through the diplomatic channel. Greater caution should be exercised in the use of the urgent appeal procedure; addressing such appeals when police dispersed unauthorized demonstrations or verified the identity of demonstrators seemed excessive. In drafting a code of conduct for special procedures mandate-holders, the Intergovernmental Working Group on the review of mandates should provide a clear definition of grave situations justifying recourse to urgent appeals, for if the concept of “urgent appeals” was brought into disrepute, it would become ineffective in saving human lives.

15. Ms. OVERVAD (Observer for Denmark) said that the work of the Special Representative of the Secretary-General on human rights defenders had been crucial to the protection and support of human rights defenders around the world and should be continued. She would be interested to learn how the Special Representative’s own experience as a female human rights defender had influenced her implementation of the mandate.

16. Mr. CONCHA (Observer for Colombia) said that the activities of illegal armed groups and the illicit crops through which they financed their criminal activities posed a serious risk to Colombian democracy. The Government resolutely addressed both challenges by implementing domestic legislation and honouring its international commitments with support from the United Nations Office on Drugs and Crime.

17. As the Vice-President of Colombia had noted during the high-level segment, the Human Rights Council was not competent to address the issue of aerial spraying of illicit crops and its

alleged impact on border populations in neighbouring Ecuador. Similarly, while the work carried out by the Special Rapporteur on the right to health was commendable, the issue of aerial spraying did not fall under his mandate. The two Governments concerned had agreed to establish a bilateral commission to conduct an in-depth scientific analysis of the matter.

18. Mr. BARNES (Indian Council of South America) said that his organization was pleased to note that the report of the Special Representative of the Secretary-General on human rights defenders (A/HRC/4/37) recognized indigenous peoples involved in struggles over land and natural resources as human rights defenders. Despite the long-standing international recognition of indigenous rights, indigenous peoples defending those rights were often subject to discrimination, vilification, threats or violence.

19. Juana Calfunao Paillalef, a tribal leader and campaigner for the rights of her community, had been imprisoned and allegedly tortured in Chile. That situation was particularly embarrassing, given that the Ambassador and Permanent Representative of Chile was Chairperson of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action. He therefore urged the Chilean Government to address the situation mentioned in paragraph 88 of the Special Representative's report. Urgent action was required to protect indigenous human rights defenders from arbitrary arrest, torture and extrajudicial killings.

20. Mr. FATTORINI (Movement against Racism and for Friendship among Peoples), speaking also on behalf of Centre Europe-Tiers Monde, the World Federation of Trade Unions, the International League for the Rights and Liberation of Peoples and the Women's International League for Peace and Freedom, said that transnational corporations were civilly and criminally responsible for human rights violations, and it was therefore crucial to establish enforcement mechanisms and introduce corresponding sanctions. Although transnational corporations could be charged as accomplices, actors, co-actors or instigators of human rights violations, according to the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, they were not directly subject to international law. The Special Representative had suggested that the most appropriate solution would be for States, in cooperation with businesses and civil society, to develop soft law standards and initiatives based on international instruments. However, there was ample evidence of the ineffectiveness of voluntary codes, self-monitoring and "independent" monitoring by civil society representatives.

21. Accepting the pre-eminence of economic power over political institutions was tantamount to consenting to the subversion of representative democracy. Re-establishment of the principle that all individuals and legal entities were equal before the law was necessary to ensure that economic power came under the control of national and international public law institutions. The Norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights were currently the only comprehensive international legal instrument that could help States prevent and punish human rights violations committed by transnational corporations.

22. Mr. NAVARRO (Centrist Democratic International) said that Falung Gong religious activists and other human rights defenders in China had been arbitrarily detained, disappeared or summarily executed, while in Cuba, the wives and family members of political prisoners had

been attacked by a pro-Government mob and threatened with reprisals if they travelled to Havana. Young Cuban activists who promoted freedom of expression and academic freedoms had reported a violent escalation of repression and arbitrary arrests. In the Sudan, China and Cuba and elsewhere, human rights defenders suffered terror and even death for their ideas and activism: the Human Rights Council could not stand by and watch in silence.

23. Mr. HOWEN (International Commission of Jurists), speaking also on behalf of Amnesty International, the International Network for Economic, Social and Cultural Rights, Human Rights Watch and the International Federation for Human Rights, said that the report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises rightly recognized that the expansion of global markets had not been matched by the development of adequate protection for victims of corporate human rights abuses. The Council's deliberations on business and human rights should incorporate a victims' perspective. In order to conduct a comprehensive analysis of the problem and identify solutions, the Council needed to understand the nature and scale of such abuses.

24. States often either failed to understand fully their duty to protect against corporate human rights abuses or were unwilling to comply with that obligation. Business conduct was often inadequately regulated insofar as human rights were concerned, and victims had little access to meaningful justice. In order to comply with their international obligations, States must enhance their legislation and provide access to justice. While voluntary and multi-stakeholder initiatives were important, they were limited in scope and lacked adequate reporting or monitoring criteria, mechanisms to address non-compliance, and accountability mechanisms.

25. He wished to know how the Special Rapporteur, should his mandate be extended, intended to analyse patterns of corporate abuse and their impact on individuals and communities, and whether he would incorporate a victim's perspective in his programme of work.

26. Ms. HOCTOR (Front Line) said that while the Council discussed the situations in the Islamic Republic of Iran and Uzbekistan behind closed doors, human rights defenders on the ground risked imprisonment, torture and even their lives. On 4 March 2007, three women had been arrested in Tehran for having taken part in a peaceful protest against discriminatory legislation. Some of the women had allegedly been ill-treated in prison. Fariba Davoudi-Mohajer, a prominent Iranian writer and human rights defender, had been persecuted for years on account of her actions and criticisms of the Government.

27. Human rights defenders in Uzbekistan continued to be subjected to psychiatric ill-treatment. Mutabar Tajibaeva, one of the country's most prominent human rights defenders, had been arrested when travelling to the Third Dublin Platform for Human Rights Defenders in October 2005. She had been transferred to the psychiatric section of a women's prison for speaking out against prison conditions and the treatment of detainees; there she had been beaten, subjected to psychological abuse and repeatedly placed in isolation.

28. Ms. PARKER DE LA ROCHEFORDIÈRE (World Organization Against Torture) said that the Observatory for the Protection of Human Rights Defenders, a joint programme established by her organization and the International Federation for Human Rights, had

recorded 98 assassinations or attempted assassinations of human rights defenders worldwide and 334 cases of arbitrary detention in 2006. Trade union rights were flouted in many countries, especially in Asia and the Middle East, and trade union leaders were often subjected to violence. Defenders of the rights of indigenous peoples, land rights and environmental protection rights had been particularly targeted. Reprisals had frequently been taken against organizations that defended the rights of sexual minorities and against women human rights defenders. She asked the Special Representative of the Secretary-General on the situation of human rights defenders whether States treated human rights defenders working in the field of economic, social and cultural rights differently because of the rights they championed and whether States cooperated fully with her mandate when she denounced reprisals against such defenders. She also asked what proposals the Special Representative would make to ensure the fullest participation by human rights defenders in the work of the Council. Lastly, she asked whether any more information had been received on the situation of human rights defenders in Brazil and whether the Special Representative had any country visits planned for 2007.

29. Mr. VOULE (International Service for Human Rights) said that many United Nations mechanisms depended on information obtained on the ground by human rights defenders. He therefore wished to know what specific measures the Special Representative of the Secretary-General would suggest to ensure that human rights defenders could participate more fully in the Council's work. Secondly, in view of the commendable efforts made by the Special Representative to champion human rights defenders at particular risk, such as women human rights defenders, defenders of indigenous people's rights and defenders of the rights of sexual and other minorities, he wished to know how her pioneering work could be enhanced further. He also asked what measures the Council could take to promote States' cooperation with the special procedures, given that only 40 out of 78 had replied to her communications concerning violations of the rights of human rights defenders. Lastly, he wondered how her previous experience as a human rights activist had helped her in carrying out her mandate and what qualities future holders of the mandate should possess.

30. Ms. FRUZZETTI (Amnesty International) welcomed the support given by the Special Rapporteur on the right to health to Amnesty International's plans to treat maternal mortality as a human rights issue. She asked whether the Government of Peru had provided information on measures to implement the Special Rapporteur's recommendations and whether the progress of the health and human rights movement on a global scale should be documented by traditional human rights organizations, the World Health Organization, academic bodies, Governments or by organizations yet to be established. She wondered whether some neglected health rights should be given higher priority by human rights organizations than others.

31. She asked the Special Representative of the Secretary-General on the situation of human rights defenders what measures could be taken to make it clear that individuals and organizations that promoted economic, social and cultural rights were engaged in human rights work and to facilitate the creation of alliances with other parts of the human rights community. Lastly, she asked whether the Special Representative had received any information to suggest that States were acting to ensure that their national legislation was in conformity with the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

32. Ms. SACKSTEIN (International Alliance of Women) said that 95 per cent of deaths in childbirth occurred in Africa and Asia, and most could be avoided. The fact that there was no cause of death for men on that scale revealed sharp discrepancies between the sexes' enjoyment of sexual and reproductive health. Maternal mortality exposed profound inequalities and must be regarded as a human rights issue that violated women's rights to life, health and non-discrimination. A concerted effort to fight maternal mortality could become a powerful vehicle for improving health systems that were accessible to all, thus providing an entry point for the implementation of the right to health and all related rights. It would also help integrate the women's rights perspective in the implementation of economic, social and cultural rights for special groups, such as minorities, indigenous peoples, children and migrants.

33. Mr. RUGGIE (Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises) said that, as some Governments and NGOs had recognized, his mandate was seeking a new way forward on what was a complex issue. He could nevertheless point to a number of achievements: the analysis of patterns of human rights abuse by corporations and the available remedies was under way, and the discussion in his interim report (E/CN.4/2006/97, paras. 20-30) on the worst forms of abuse by companies had sparked an interesting debate. Moreover, although the Commission on Human Rights had envisaged his mandate as one involving only desk-based research, he had done his best to go into the field. He had spoken to persons who had been adversely affected by the activities of corporations, including the leaders of 10 indigenous people's groups. He had visited industrial sites in Peru and Colombia, where he had sought the views of affected groups. If his mandate was continued, as he hoped, he would welcome assistance from NGOs, which often knew the field best.

34. There were currently relatively few remedies at the international level to address violations of human rights by transnational corporations. As to the recommendations he intended to make, he conceded that no final decision had been reached. The question of prioritization was under consideration. The United Nations Global Compact had never been intended as a substitute for national policy or regulation. One of its achievements, however, was that it had attracted a significant number of companies from developing countries that felt that the Compact's United Nations context offered a safe space within which such issues could be raised. However, as the representative of Brazil had noted, the United Nations lacked the institutional capacity to deal with the question of business in human rights, even though it was a crucial topic that affected the lives of countless people.

35. Mr. De Alba (Mexico) took the Chair.

#### Related debate

36. The PRESIDENT invited Council members and observers to make further comments on any of the issues raised in the reports that had been introduced from the 23rd meeting onward, without being limited to the contents of the reports.

37. Mr. CERDA (Argentina), speaking also on behalf of Algeria, Azerbaijan, Brazil, Cameroon, Canada, Djibouti, Finland, France, Gabon, Germany, Guatemala, India, Japan, Malaysia, Mali, Mexico, Morocco, the Netherlands, Pakistan, Peru, the Philippines, the Republic of Korea, Sri Lanka, Switzerland, the United Kingdom, Uruguay and Zambia and the observer



delegations of Andorra, Armenia, Australia, Austria, Belgium, the Bolivarian Republic of Venezuela, Chile, Costa Rica, Denmark, Estonia, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, New Zealand, Nicaragua, Norway, Portugal, Slovakia, Slovenia, Spain, Sweden, Thailand and Turkey, said that the promotion of gender equality and the rights of women and girls was crucial to the achievement of peace and security, development and human rights. Mainstreaming a gender perspective in the work of the United Nations was essential, but it was a long-term process and required constant attention and commitment. The initiative taken by the High-level Panel on United Nations System-wide Coherence in the Areas of Development, Humanitarian Assistance, and the Environment to address the question and make recommendations for improvements in that area was therefore welcome. The Council must be at the forefront of efforts within the United Nations to promote gender equality and the rights of women and girls. The institution-building phase of the Council provided an invaluable opportunity for renewing efforts to integrate gender mainstreaming in human rights work. The Beijing Platform for Action and the Convention on the Elimination of All Forms of Discrimination against Women must be implemented in full, women's perspectives and needs must be systematically considered as well as men's, and human rights issues that disproportionately affected women must be fully addressed.

38. In designing a strategy for gender mainstreaming and mechanisms for its implementation, the Council must ensure consistency with wider gender reform and cooperate closely with the Economic and Social Council, the General Assembly, the Commission on the Status of Women and the Committee on the Elimination of All Forms of Discrimination against Women, as well as the Secretariat and the specialized agencies. A first step would be to allocate adequate space in the agenda or programme of work for a discussion of the rights of women and girls and the question of mainstreaming a gender perspective into all the Council's work.

39. Mr. STEINER (Germany) said that 48 countries had aligned themselves with the statement he was about to deliver on behalf of the European Union. He expressed deep concern at the disturbing recent developments in Zimbabwe, including the violent suppression of peaceful demonstrations on 11 March 2007 and the subsequent arrest and brutal treatment of members of the opposition party, Movement for Democratic Change. He called upon the Government of Zimbabwe to launch a sincere and constructive dialogue with opposition parties and members of civil society at once with a view to resolving the problems facing the country. Regional efforts to promote such dialogue were welcome, as further difficulties in Zimbabwe could have a significant impact on regional security and prosperity. The Government should refrain from any action that would lead to a further escalation of the situation. It should repeal legislation curtailing freedom of expression and association and should provide space for the exercise of legitimate political rights. He welcomed the commitment by the High Commissioner for Human Rights to monitor the judicial proceedings against the leader of the Movement for Democratic Change, Mr. Tsvangirai, and his colleagues. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression should visit Zimbabwe and report back to the Council, and he called on the Government of Zimbabwe to ensure that those visits took place as soon as possible.

40. Mr. VAN EENENNAAM (Netherlands) said that the action by the Government of Zimbabwe to prohibit and forcibly terminate peaceful demonstrations and to use violence

against opposition members and human rights defenders should cease immediately. The authorities should act in accordance with the rule of law, refrain from violence, respect all human rights and act for the good of the people of Zimbabwe. The southern African region was currently playing an important role through mediation, good offices and silent diplomacy, but the wider international community could also contribute. The High Commissioner for Human Rights was in an excellent position to support the restoration of the rule of law, and the special procedures could help the Government identify priorities for the promotion and protection of human rights and ensure accountability. To that end, the Government should allow the Special Rapporteur on the question of torture and the Special Rapporteur on the right to freedom of opinion and expression to visit the country, which it had thus far refused to do. His delegation also deplored the recent decision of the Zimbabwean authorities to refuse entry into Zimbabwe of the Netherlands human rights ambassador, whose visit was aimed at deepening his country's understanding of the current crisis.

41. His delegation was also deeply concerned about the continued lack of political rights enjoyed by the citizens of Belarus, about the restrictions, frequent arrests and persecution to which independent NGOs and human rights defenders were subjected in that country and about the fate of at least four nationals of Belarus who had disappeared seven years earlier. The presidential elections of March 2006 had failed to meet the standards of the Organization for Security and Cooperation in Europe (OSCE). Before and after the elections, political opposition members and human rights defenders had faced continuous persecution by the authorities. He called on the Belarusian authorities to cooperate with an international investigation into the fate of Viktor Gonchar, Yury Zakharenko, Anatoly Krasovsky and Dmitry Zavadsky and to cooperate with all the special rapporteurs.

42. His delegation was concerned about the recent arrests of and allegations against 33 women human rights defenders in the Islamic Republic of Iran and the recent closure of several human rights organizations there. He called on the Government to respect the right to freedom of assembly and expression.

43. Mr. THORNE (United Kingdom) said that the human rights situation in Zimbabwe was deteriorating. The right to freedom of expression and opinion was severely curtailed, and his delegation had already expressed its concern, in the strongest possible terms, at the use of violence against peaceful demonstrators gathering to pray for change on 11 March. At least one person had been killed and activists were still being arrested and beaten throughout Zimbabwe. Only the day before, the premises of the Movement for Democratic Change had been surrounded by riot police and staff had been arrested.

44. The Government should listen to its people and change its policies. It should repeal legislation curtailing freedom of expression, opinion and association and allow Zimbabweans to live their lives without harassment and under the protection of the rule of law. Zimbabwe's neighbours were feeling the effects of the growing humanitarian and economic crisis. His delegation therefore welcomed efforts to promote constructive dialogue between the Government, the opposition and other interested parties. His Government was doing what it could to alleviate the suffering in the country by providing food and humanitarian assistance. The Council and OHCHR were uniquely placed to take action, and he welcomed the expressed commitment of the High Commissioner to monitor the situation of Mr. Tsvangirai. If Zimbabwe failed to respond, the Council should take appropriate action.

45. Mr. VOSGIEN (France) said that his delegation attached great importance to the obligation of all States to cooperate with the special procedures. It was unacceptable that the Special Rapporteur on extrajudicial, summary or arbitrary executions or the Working Group on Arbitrary Detention, for example, had not been given access to certain countries. His Government scrupulously respected its obligations, since it believed that the special procedures contributed to the protection and promotion of human rights in France.

46. Measures to combat terrorism should be in conformity with international law and international human rights instruments. The right of asylum must be maintained. In implementing the United Nations Global Counter-Terrorism Strategy, OHCHR should cooperate with other international organizations, as it had done with the OSCE Office for Democratic Institutions and Human Rights or the United Nations Office on Drugs and Crime.

47. His delegation wished to pay a special tribute to human rights defenders, who usually acted anonymously under difficult conditions, often at risk to their lives, to promote human rights. The European Union had drawn up guidelines to protect human rights defenders, and France adhered to them scrupulously. Diplomatic missions around the world were instructed to develop contacts with human rights defenders, monitor their situation, identify possible risks they faced and support their activities by developing cooperation programmes with them. Every year, the National Advisory Committee on Human Rights awarded a prize to five organizations active in the defence of human rights. The media interest generated by the prize helped to raise the profile of human rights defenders and their cause.

48. France was deeply worried by recent events in Zimbabwe, which had led to the death of a peaceful demonstrator and the imprisonment of several political and trade union leaders. The rights of opposition, assembly, freedom of expression and to a fair trial were fundamental rights on which there could be no compromising. Dialogue must prevail over violence. It was therefore to be hoped that the Government of Zimbabwe would hold discussions with the opposition at the earliest opportunity in order to break the current deadlock and that Zimbabwe would comply with its obligation to cooperate with the Special Rapporteur on the question of torture and the Special Rapporteur on the right to freedom of opinion and expression.

49. Ms. ROVIROSA PRIEGO (Mexico) said that it was necessary to consolidate the system of thematic mandates on the basis of the Universal Declaration of Human Rights and other relevant international instruments. In the process, the mandate of the Working Group on Arbitrary Detention should be extended to cover conditions of detention.

50. Mexico stood ready to pursue the discussion of measures to combat discrimination, since it was one of the root causes of violence and intolerance. When reviewing the Durban Declaration and Programme of Action it would be advisable to analyse existing mechanisms' contributions to the cause of non-discrimination with a view to enabling the international community to tackle the latest forms of racism and racial discrimination, namely xenophobia and related forms of intolerance, while also giving fresh impetus to the implementation of existing standards. To that end, it was necessary to foster a spirit of dialogue conducive to the greater understanding and bridge-building that would foil racism and related phenomena and advance the work of the Council. That task was of crucial importance not only for human rights, but also for the Organization's other central objectives: development and peace.

51. Ms. BERSET KOHEN (Switzerland) said that violations of human rights based on sexual orientation or gender identity were a matter of concern. In many countries sexual relations in private between consenting adults of the same sex were regarded as a crime subject to draconian punishments or even the death penalty. Her delegation therefore invited the special procedures concerned to continue their efforts to counter such discrimination and to provide States with guidance on harmonizing their national laws with their obligations under human rights treaties. Treaty-monitoring bodies should likewise include the consideration of human rights violations based on sexual orientation and gender identity in their activities and should formulate general comments on that subject.

52. The Yogyakarta Principles, adopted in November 2006, affirmed the binding standards of international human rights law relating to sexual orientation and gender identity. Her delegation invited the High Commissioner for Human Rights, the Human Rights Council, its special procedures and United Nations treaty-monitoring bodies to refer to those principles in all their future deliberations. She further proposed that the Council should hold a debate on human rights violations based on sexual orientation and gender identity in the near future.

53. Mr. BAAH-DOUDU (Ghana) said that despite the difficulty he had in commenting openly on issues that showed other African countries in a bad light, and notwithstanding Ghana's close relations with Zimbabwe and respect for that country's sovereignty, he nevertheless wished to express his Government's concerns about recent developments in Zimbabwe. Africans should be the first to speak on African issues, especially when human rights were involved, or else they would have no moral right to criticize human rights abuses elsewhere.

54. Although the African Union aspired to build a new Africa firmly anchored in human rights and the rule of law, the development of nations did not always follow the straight and narrow path. Ghana had experienced its own period of turbulence when citizens' human rights had been extensively and systematically violated. However, the country had turned a new page in 1992; since then, on the recommendation of the National Reconciliation Commission, some of the victims of past abuses had received compensation. Accordingly, his Government fervently hoped that no other African country would tread the same path, but would realize that respect for human rights and the rule of law was of cardinal importance for national development. He urged the Government of Zimbabwe to continue to work with members of the opposition towards national unity and reconciliation.

55. The media reports coming out of Zimbabwe were embarrassing, and it was to be hoped that all Zimbabweans would strive to banish negative developments from their beautiful country. His delegation joined in the appeal to the Government of Zimbabwe to refrain from taking any action that might muddy the waters further. Ghana hoped that all Zimbabweans, whether in the Government or in the opposition, would be treated fairly and equally, and it therefore welcomed the convening by the Southern African Development Community (SADC) of a meeting in the United Republic of Tanzania to consider the situation in Zimbabwe.

56. Mr. FUJISAKI (Japan) said that his Government was also concerned about the situation in Zimbabwe. It therefore appreciated the African Union's efforts to help that country.

57. Turning to the right to health, he said that although leprosy was a curable disease, patients and their families had often been mistreated or neglected because of ignorance. Such discrimination was a serious violation of their human rights. Although the number of leprosy patients in the world was falling, many people still suffered from that illness in Asia and other regions. The Sub-Commission for the Promotion and Protection of Human Rights had produced a valuable working paper on discrimination against leprosy victims and their families (E/CN.4/Sub.2/2005/WP.1), which deserved the Council's special attention. He therefore proposed that leprosy should be considered separately from other infectious diseases.

58. Mr. REYES RODRÍGUEZ (Cuba) said that the Bush Administration's policy of hostility, embargo and aggression against the Cuban people had intensified with the adoption in May 2004 of a plan to annex Cuba by destroying the constitutional order and restoring the colonial regime. The declared aim of the plan was to hasten regime change. On 10 July 2006, extra funding had been pumped into the plan in order to: step up the recruitment of anti-Cuban mercenaries; mount campaigns against Cuba in various international forums, including the Council; persuade international actors to take part in anti-Cuban activities; adopt new measures to escalate the economic blockade and war against Cuba; and undermine plans for planned political succession.

59. Between 2004 and 2006, US\$ 59 million had been earmarked for the plan, and the State Department had appointed Caleb McCarry to a post with functions equivalent to those of an imperial proconsul. In order to achieve the plan's objectives, Mr. McCarry had violated even such fundamental rights as respect for the emotional ties that bound Cubans living in the United States of America to those in Cuba. In July 2006, the hostile and conspirative nature of the plan was made clearer when many of the methods it employed were classified as secret for "reasons of national security". The United States Government thus had a free hand to employ the dirtiest tricks against the Cuban people.

60. The growing economic and financial pressure exerted on Cuba was now being accompanied by efforts to maximize its extraterritorial effect. Increased financial support in the amount of US\$ 80 million had been allocated not only to mercenary organizations, but also to the dirty radio-electronic war being waged against the Cuban people, with annual increases of US\$ 20 million budgeted as from 2008.

61. The plan sought to return property nationalized by the revolution to North American transnational corporations and members of the former Creole oligarchy, who harboured a deep hatred of the country and most of whom had acquired United States citizenship. However, those in Washington and Miami who intended to drag the Cuban people back into a past characterized by evictions, deprivation and dispossession were deceiving themselves if they thought that that could be done without any resistance from millions of Cubans who would fight to the last.

62. Cuba sought to uphold the right of its people to have the truth recognized. The end of the spurious anti-Cuban human rights polemics of the United States in the defunct Commission on Human Rights was not only a vindication of the Cuban people's right to justice and respect for its dignity, but also a powerful means of addressing a key element of the Bush plan to annex Cuba.

63. Mr. KOTANE (South Africa) said that the Double Troika of SADC had met at the ministerial level in Lesotho on 22 March to discuss the events that had taken place in Harare, Zimbabwe, on 11 March, while the Heads of State of SADC were scheduled to meet in the United Republic of Tanzania on 28 and 29 March to discuss the situation in Zimbabwe. It was therefore evident that neighbouring countries, including South Africa, were involved at the highest political level in efforts to assist Zimbabwe resolve the issue.

64. South Africa was trying to foster a climate conducive to a solution to the current political and economic challenges faced by the people of Zimbabwe. It had consistently held that dialogue among the main political protagonists was the only way to arrive at a lasting solution.

65. Mr. JAZAÏRY (Algeria) said that SADC was the most appropriate forum for addressing Zimbabwe's current problems. Moreover, it was chiefly up to the African Union to deal with problems that arose in member countries: African problems required African solutions. Consequently, the Human Rights Council should not prejudge the action of regional and subregional organizations, which should be trusted and supported.

66. Mr. BERG (Observer for Sweden) said that the widespread and systematic violations of human rights in Zimbabwe, including the growing violence directed against the civilian population, the political opposition and civil society, were a matter of deep concern that fell within the mandates of several special procedures, especially those of the Special Rapporteur on the question of torture, the Special Rapporteur on the right to freedom of opinion and expression, the Working Group on Arbitrary Detention, the Special Rapporteur on the right to health and the Special Representative of the Secretary-General on the situation of human rights defenders.

67. The Council must not turn its back on the people of Zimbabwe, a country in which the very rights the Council set out to protect and promote were being denied and violated through the selective application of the law. Leaders of political parties and civil society groups had been arbitrarily arrested and then assaulted and tortured while in detention. Meanwhile, the right to an adequate standard of living, recognized in article 11 of the International Covenant on Economic, Social and Cultural Rights, was being violated as the vast majority of the people struggled to survive.

68. Sweden urged the Government of Zimbabwe to restore the rule of law, to stop the use of violence and the practice of impunity, and to fully respect all human rights of all Zimbabweans. The Special Rapporteurs he had just mentioned should visit Zimbabwe and report back to the Council as soon as possible.

69. Mr. KAVANAGH (Observer for Ireland) said that Ireland was deeply concerned about the human rights situation in Zimbabwe, especially after the events of recent weeks. The breaking up by the police of a protest on 11 March had contravened the universally recognized rights of freedom of speech and of assembly. Reports of the ill-treatment of opposition activists held in police detention after a church-sponsored rally were most disturbing, as was the news that a Member of Parliament had been injured after his arrest. Such appalling ill-treatment of persons in custody was unacceptable because it infringed both United Nations human rights standards and the African Charter on Human and Peoples' Rights.

70. His Government's concern was heightened by news of the ongoing harassment of Mr. Tsvangirai, the leader of Zimbabwe's main opposition party. Such attacks on well-known public figures created an atmosphere of intimidation and violence and showed ordinary people that they could not count on the protection of the rule of law in their daily lives.

71. Ireland urged the Government of Zimbabwe to discharge its responsibility to ensure the safety and well-being of detainees and respect for the fundamental rights of its people. It called for a return to the rule of law and to full adherence to democratic standards of governance. It warmly welcomed the leadership demonstrated by countries of the region which had advocated a reversal of Zimbabwe's current tragic course.

72. Mr. CHIPAZIWA (Observer for Zimbabwe) said that his Government regretted the loss of one life and the serious injuries sustained by some political leaders and police officers on 11 March at an illegal political rally which had been disguised as a prayer meeting. It was, however, also regrettable that police intervention aimed at protecting human lives and property had been characterized as political repression. Many of the rioters who had been arrested had subsequently appeared in court - a normal procedure in Zimbabwe. It might surprise some people that a real prayer rally had actually taken place in another part of Harare.

73. The harshness of life in Zimbabwe was due not to poor governance but to the economic sanctions which had all but extinguished foreign direct investment, development assistance and trade finance, mainly at the behest of the European Union. The purpose of those measures was to effect a regime change. The freely expressed will of the electorate who had returned the same political party to power since independence was termed irresponsible. The real source of the so-called crisis was the rejection of foreign domination championed by the United Kingdom and the United States of America. Those two countries funded the opposition Movement for Democratic Change and would not countenance any outcome other than the installation of their protégés in power.

74. In 1980, Zimbabwe had won its independence from the United Kingdom, which was now trying to tell the world that Zimbabwe was anything but free. Never had hypocrisy been so blatant. No wonder that, faced with such double standards, developing countries were choosing to determine their own paths. The Government of Zimbabwe had in fact been holding a dialogue with a number of special rapporteurs to determine when they might be invited to visit the country, and he urged Council members not to heed unjustified calls by the European Union and its friends. Zimbabwe was determined to resist such interference in its internal affairs.

75. Mr. MARTABIT (Observer for Chile) said that the authorities of his country were very concerned about a Chilean case mentioned in the report of the Special Representative of the Secretary-General on the situation of human rights defenders (A/HRC/4/37). Although the Special Representative had been informed of the background to the events she described in her report, she had not taken that information into account. His Government had expressed its willingness to cooperate with the special procedures.

76. Like other Council members, Chile was concerned about the human rights situation in Zimbabwe and called on the Government of that country to put an end to human rights violations and abide by democratic principles. It was to be hoped that the difficulties facing the country could be overcome in a spirit of constructive dialogue and in keeping with the rule of law.

77. In view of the important work on gender mainstreaming done by the Commission on Human Rights, the gender perspective should inform all items on the Council's agenda. Moreover, women's rights should be included as a separate topic on the Council's programme of work in order to ensure that sufficient time was devoted to its consideration each year. In that connection, his delegation intended to submit a draft resolution on the integration of women's rights in the work of the United Nations.

78. Ms. MILLAR (Observer for Australia) said that since her Government shared the international community's deep concern at the serious and deteriorating human rights situation in Zimbabwe, it welcomed all regional efforts to promote a constructive dialogue between the Government of Zimbabwe, the opposition and civil society.

79. Zimbabweans continued to suffer from political oppression and an economic catastrophe. The recent arrests and savage beatings of members of the opposition and of civil society demonstrated the lengths to which the Government of Zimbabwe was prepared to go to silence dissent. Its failure to govern the country could not be more evident: unemployment stood at 80 per cent, inflation was expected to exceed 5,000 per cent in 2007 and life expectancy had plummeted from 61 in 1990 to under 35 in 2007.

80. Australia supported the call by the European Union for the Special Rapporteur on the question of torture and the Special Rapporteur on the right to freedom of opinion and expression to visit Zimbabwe and to report to the Council at its sixth session. It likewise supported the call for the Government of Zimbabwe to expedite responses to outstanding requests for visits from other special rapporteurs. Zimbabwe must cease human rights violations and meet its international human rights obligations. Impunity must be ended, the rule of law restored and democratic practices established. The freedom, prosperity and security of the people of Zimbabwe, who had endured much suffering, was dependent upon change.

81. Ms. TÓTH (Observer for Hungary) said that her Government was seriously concerned about recent developments in Zimbabwe. The deteriorating human rights situation, especially violations of the freedom of expression and freedom of assembly, was deplorable. The news of the violent break-up of a peaceful, church-sponsored rally and the subsequent arrest of many participants, including the opposition leaders Morgan Tsvangirai and Arthur Mutambara, was alarming, as was the report of the arrest and brutal treatment of Nelson Chamisa, a Member of Parliament who had been on his way to attend a meeting in Brussels. The intimidation of political opponents, threats against farmers and the destruction of districts where poor people lived were totally unjustified. A sincere and constructive dialogue with opposition members and civil society must be launched to resolve the problems facing the country. Human rights and democratic principles must be scrupulously respected in order to prevent any further escalation of violence.

82. Mr. ŠTEFÁNEK (Observer for Slovakia) said that the worsening human rights situation in Zimbabwe was a matter of great concern. The violent break-up of the peaceful prayer meeting on 11 March 2007, the death of one of the participants and the arrest and beatings of opposition and civil society leaders were all deplorable. Slovakia endorsed the African Union's call for the scrupulous respect for human rights and democratic principles in Zimbabwe. It likewise supported the call for a visit to Zimbabwe by the Special Rapporteur on the question of torture, who should report on the situation in that country to the Council at its sixth session.



83. Mr. PEREIRA MARQUES (Observer for Portugal) expressed deep concern about the clashes between the police and opposition activists and the brutal treatment of the political opposition and civil society leaders by law enforcement officers in Zimbabwe. He called on the Government of Zimbabwe to respect the human rights of all Zimbabweans, especially their right to freedom of expression and association as enshrined in international and regional treaties to which Zimbabwe was a party. He also encouraged the Government to start a meaningful dialogue with political parties and civil society with a view to resolving the crisis.

84. Portugal deeply appreciated the action taken by Zimbabwe's neighbours to promote good governance, the rule of law and the protection and promotion of fundamental human rights, without which there could be no sustainable development anywhere in the African Union.

85. Mr. FEYDER (Observer for Luxembourg) said that his Government was concerned about the detention and ill-treatment of opposition leaders in Zimbabwe. The brutal suppression of a peaceful demonstration and the imprisonment of persons who were demonstrating peacefully and lawfully to protest against the policies of President Mugabe must be strongly condemned. All political prisoners should be released immediately and unconditionally.

86. His Government condemned the ongoing violations of the freedoms of expression, opinion and assembly and called on the Government of Zimbabwe to engage in an open and constructive dialogue with all political actors and civil society. It supported neighbouring African countries that were encouraging the restoration of the rule of law in Zimbabwe and the creation of a climate in which all political actors could work together to find a lasting solution.

87. Mr. OUVRY (Observer for Belgium) said that freedom of expression and of peaceful assembly were prerequisites for democracy and the rule of law. Belgium was therefore deeply concerned about recent developments in Zimbabwe. His delegation had noted that similar concerns had been expressed recently by African countries and welcomed the regional diplomatic initiatives that had been taken to address the situation. He called on the Government of Zimbabwe to cooperate with the Council and its special procedures with a view to clarifying the circumstances of recent developments such as the violent suppression of peaceful meetings and improving the human rights situation in the country.

88. Developments in the Democratic Republic of the Congo had demonstrated the importance of an open democracy that tolerated a responsible and constructive opposition. The people had recently shown their determination to espouse democracy, the rule of law, human rights and stability. As Belgium had welcomed the free elections and the establishment of democratic institutions, it was particularly concerned about the outbreak of violence on 22 and 23 March, which had claimed many victims in Kinshasa. He urged the Congolese authorities to carry out an investigation in cooperation with the United Nations Mission in the Democratic Republic of the Congo (MONUC), especially in view of the allegations of summary executions. Human rights defenders should also be allowed to play a role in that undertaking. He called on the international community to continue supporting the country's nascent democracy and commended the role played in that regard by the MONUC human rights unit and the Council's special procedures.

89. Ms. MERCHANT (Observer for Norway), speaking also on behalf of Denmark, Finland, Iceland and Sweden, said that numerous special procedures had documented violations of the human rights of lesbian, gay, bisexual and transgender persons, including the use of the death penalty and torture. Some 80 countries prohibited sexual relations between consenting adults of the same sex, and in seven of those countries homosexuality was punishable by death. The death penalty undoubtedly violated international human rights standards when the sentence was grossly disproportionate to the offence. The prohibition of torture was absolute. Neither the existence of national laws nor the prevalence of custom could ever justify attacks on or the abuse, torture or killing of persons because of who they were or who they were perceived to be.

90. Article 1 of the Universal Declaration of Human Rights stated that all human beings were born equal in dignity and rights. The Council must speak out against human rights violations, wherever and for whatever reason they were taking place. At the national level, countries had a legal duty to investigate and prosecute all instances of violence and abuse without distinction. The Council's special procedures should continue to focus on such violations and provide guidance to Governments.

91. Mr. DIAGONOV (Observer for Bulgaria) expressed concern about the recent suppression of peaceful demonstrations and the subsequent arrest of members of opposition organizations in Zimbabwe. Bulgaria had learned from recent experience that the best way to solve problems was through open dialogue between the Government, the opposition and civil society activists. Any Government committed to the democratic development of society must provide space for the exercise of the freedom of expression and association and allow peaceful assembly. Legislation that curtailed legitimate political rights constituted an impediment to economic and human development. He welcomed regional efforts to promote national dialogue in Zimbabwe and expressed the hope that the Government would cooperate fully with United Nations human rights mechanisms and abide by international human rights standards.

92. Mr. TICHENOR (Observer for the United States of America) said that harassment continued unabated in Zimbabwe, as evidenced by the recent raid on the headquarters of a political party and the renewed arrest and release of Morgan Tsvangirai and other opposition leaders following the violent suppression of a peaceful prayer meeting on 11 March 2007. On 18 March 2007, unknown assailants had attacked the spokesperson for the Movement for Democratic Change as he attempted to board a flight to Brussels to attend the Joint Parliamentary Assembly of the African, Caribbean and Pacific (ACP) States and the European Union.

93. His delegation was seriously disappointed that the statement by the European Union and associated States was the strongest action that the Council could take in response to the events in Zimbabwe, since those events constituted exactly the kind of situation involving gross and systematic human rights violations that the General Assembly had referred to in its resolution 60/251. His Government believed that the Council could have addressed the events more effectively through a formal resolution. Nevertheless, his delegation continued to support the concept of a primary United Nations human rights body that could address country situations in which human rights were seriously threatened, and it fervently hoped that the Council would be able to fulfil that mandate some day. It called on all current and candidate members to take firm positions in defence of human rights and fundamental freedoms.

94. Ms. VADIATI (Observer for the Islamic Republic of Iran) said that it was disappointing that a well-known group of countries had again tried to impose their political agenda on others, focusing at the current session on Zimbabwe. The Islamic Republic of Iran believed that problems in Africa should be solved through African mechanisms.
95. The countries that were attacking Zimbabwe were apparently unconcerned about human rights violations under foreign occupation in Palestine and Iraq, the situation in Guantánamo Bay, rendition flights and the existence of secret places of detention as well as the problems of migrants, human trafficking and racial segregation in the Netherlands. Instead they diverted the Council's attention from its main task of institution-building by naming and shaming.
96. Lastly, she suggested to the representative of the Netherlands that his delegation should update its information regarding recent developments in the Islamic Republic of Iran.
97. Mr. MARUPING (Observer for Lesotho) said that Lesotho and its neighbours in the Southern African Development Community (SADC) shared a commitment to democracy, basic freedoms and human rights. Recent events in Zimbabwe had immediately come to the attention of the SADC leadership, and the Chair of its Organ on Politics, Defence and Security Cooperation - the President of the United Republic of Tanzania - had rushed to the scene to obtain a first-hand impression of the situation on the ground. At a subsequent meeting of the SADC Council of Ministers in Lesotho, the SADC Double Troika had taken up the matter, and a summit meeting of SADC Heads of State and Government would be held that very day in the United Republic of Tanzania.
98. SADC had thus taken timely action and should be given a chance to address the matter, since it shared the Council's ideals of freedom, peace, security and human dignity. He was confident that the SADC leadership would engage all parties involved in Zimbabwe so that they could work out a consensual and lasting solution.
99. Mr. KASSAJA (Observer for the United Republic of Tanzania) expressed support for the statements that had acknowledged the action currently being taken by SADC to deal with the situation in Zimbabwe. Over the past decade, Zimbabwe had assumed a prominent place on the Western agenda, and the international media had lashed out repeatedly against that country's Government. His own country, which had been closely associated with Zimbabwe's historical evolution, knew of the immense contribution that Zimbabwe and its leaders had made to the region. There were indications that the unrelieved litany of criticism levelled at Zimbabwe's leaders had been exaggerated or unfair, since it had obscured some of Zimbabwe's valid grievances. Many of the root causes of the country's hardship were of foreign origin. Ever since independence, the elected Government had been a target of ridicule and continued to wrestle with unresolved fundamental issues. He therefore urged the Council to adopt a constructive approach to the situation in Zimbabwe, taking into account the problems inherited from colonial times and those encountered during the post-independence period, including an assessment of the extent to which the international community's failure to honour its commitments and obligations had been responsible for the current desperate situation.
100. Ms. OVERVAD (Observer for Denmark) expressed concern about recent developments in Zimbabwe, particularly the violent crackdown on the peaceful church-sponsored rally and the arrest and ill-treatment of opposition politicians. Those actions were infringements of the rights

to freedom of opinion and peaceful assembly and other basic human rights. Her delegation urged the Government of Zimbabwe to focus on resolving the country's many problems through a dialogue with all political actors that would benefit the long-suffering population.

101. She welcomed the undertaking by the High Commissioner for Human Rights to monitor the judicial proceedings in Zimbabwe against Mr. Tsvangirai and other opposition politicians and looked forward to receiving her report at the Council's sixth session. She urged the Special Rapporteur on the question of torture and the Special Rapporteur on the right to freedom of opinion and expression to visit Zimbabwe and report back to the Council. She further strongly encouraged the Government to respond positively to pending requests for visits by United Nations special procedures.

102. Denmark welcomed the recent statements by African leaders on the situation in Zimbabwe and regional efforts to promote a constructive dialogue between the opposition and the Government in that country. She hoped that those efforts would produce tangible results in the near future, as the detrimental effects of the crisis in Zimbabwe on the region as a whole could not be overestimated.

103. Mr. VARELA QUIRÓS (Observer for Costa Rica) said that his delegation was also concerned about reports of serious violations of human rights in Zimbabwe, particularly political rights and the right to freedom of expression. He urged the Government to honour its regional and international human rights obligations.

104. His delegation hoped that the Council would soon be able to undertake an objective examination of the situation of human rights in all countries under its universal periodic review mechanism, adopting an approach that was free of politicization and double standards.

105. Mr. DIBA (Observer for the Central African Republic) said that the Central African Republic had been the victim of a series of attacks launched by its enemies in 2006 and early 2007 with the support of well-known foreign Powers. As the Government and people focused on reconstructing their shattered country, the aggressors had struck again, occupying the north-eastern part of the country. The repeated attacks had resulted in considerable loss of life, thus violating human rights and international humanitarian law in addition to the territorial integrity of a sovereign State.

106. Prior to March 2003, his country had absented itself from international human rights meetings, and its reports under international human rights instruments were chronically overdue. In 2006, however, the Central African Republic had submitted initial and periodic reports to the African Commission on Human and Peoples' Rights and the Human Rights Committee. The Council could thus rely on his country's cooperation in the future, and the Central African Republic hoped in return to be able to count on the Council's support in its efforts to consolidate democracy, security, peace and development.

107. Mr. LAZAREV (Observer for Belarus) said that the representative of the Netherlands was clearly ill-informed regarding the disappearances to which he had referred in his statement. The competent Belarusian bodies had worked tirelessly to clarify the fate of the persons concerned

and had regularly communicated the results of their investigations to the competent human rights mechanisms, including the Working Group on Enforced or Involuntary Disappearances. The Netherlands was intentionally taking individual facts out of context and giving them a political slant.

108. Belarus cooperated constructively with the Council's thematic procedures, providing them with exhaustive information regarding the situation in Belarus and inviting them to visit the country. He suggested that the delegation of the Netherlands should check its facts more carefully before displaying its incompetence to the Council in a public discussion. Everybody knew that the situation of human rights in the Netherlands was far from ideal; accordingly, that country should first put its own house in order and address the problems of prostitution and human trafficking.

109. Ms. AL-HAJJAJI (Observer for the Libyan Arab Jamahiriya) said that Zimbabwe was once again being targeted by the Europeans and a group of countries that thought Rhodesia still existed. Her country obviously did not condone human rights violations in Zimbabwe or in any other country. However, it did believe that focusing on Zimbabwe in the current circumstances was simply an attempt to take revenge for the past and force the people of Zimbabwe to pay the price. Otherwise, how was one to explain the Council's failure to address human rights violations occurring in other parts of the world? The Council would maintain its credibility only if it addressed all human rights violations, regardless of the identity of the perpetrators or the victims.

110. Mr. MUTOMB MUJING (Observer for the Democratic Republic of the Congo) said that Zimbabwe was currently experiencing economic and political difficulties, and the countries of the region, especially the States members of SADC, were seeking ways of containing the crisis and restoring economic and political stability. The Government of Zimbabwe, aware of its responsibilities, had engaged in a dialogue with civil society. Unfortunately, a number of political agitators had taken advantage of the situation to foment unrest in Harare. The consequences of the subsequent police intervention were well known to all. A democratic opposition should know its role and play it in accordance with generally accepted rules; it should not stir up unrest but act through official institutions and other appropriate channels. In general, a cautious approach should be adopted to the question of Zimbabwe; otherwise, the Council ran the risk of succumbing to the same pitfalls as the defunct Commission on Human Rights, namely politicization, selectivity and double standards.

The meeting rose at 1.05 p.m.