



**STATEMENT BY
THE MINISTER OF FOREIGN AFFAIRS
OF MALAYSIA,
THE HONOURABLE SYED HAMID ALBAR**

**High Level Segment
Fourth Session of the Human Rights Council**

**Geneva, Switzerland
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(Please check against delivery)

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

The inaugural year of the Human Rights Council will soon draw to a close. Much time and effort have been exerted to forging consensus on the structure of this strengthened human rights body.

2. In this context, the Malaysian Delegation appreciates your efforts, Mr. President, in steering the work of this Council during its formative year. Our felicitations also go to Bureau members and others, including the Office of the High Commissioner for Human Rights. We must remain committed to completing the task of institutional building, as mandated by the Council's founding resolution. My delegation will continue to contribute constructively to this endeavour.

3. Indeed, Mr. President, we have a common responsibility to seize this unique opportunity, to mould this Council into an effective and credible human rights body, befitting its enhanced status and broader mandate. The foundation we lay will impact on its future work. Our challenge is to find meaningful ways of working together, in a manner which will significantly improve human rights situations on the ground. Countless victims, still denied of their most basic human rights, look to this body for redress.

4. In this undertaking, we would do well to build on the strength of the Commission on Human Rights, while avoiding its weaknesses. In this context, our work should be guided by certain values and principles.

Mr. President,

5. A fresh beginning must usher in a more constructive approach in our dealings on human rights issues. We should be consistent in our treatment of human rights situations, and not selectively target specific countries, out of political expediency, or accord different emphasis and urgency to the implementation of Council's decisions. We do recognise that there are human rights challenges. However, we should exert utmost efforts to find solutions, and not resort to condemnation. Human rights concerns should thus be addressed through dialogue and engagement. We must focus on cooperation by assisting requesting States to build capacity, and provide financial and technical assistance, where necessary.

6. Let me reiterate that States must have the primary responsibility for the promotion and protection of human rights. At the same time, we do acknowledge that States could benefit from the expertise of other stakeholders. Accordingly, procedures and processes formulated by the Council, as an intergovernmental body, should reflect this dynamic. In the same spirit, all its subsidiary mechanisms, in discharging their respective mandates, should be made accountable to this Council.

7. In designing its processes and procedures, we should not overburden Member States. There are many other demands, particularly on developing countries, with their limited capacity, both within and outside the Council, which we should always bear in mind. Failing which, the Council's work will be counter-productive.

8. We must translate our commitment into deeds, the principles of universality, indivisibility, interrelatedness and interdependence of all human rights, including the right to development. The measure of this Council's effectiveness, for instance, would be its impact on the lives of millions who subsist in abject poverty or suffer from preventable diseases, notwithstanding available resources in ending this invidious situation.

9. Our diversity should be a source of strength for the Council, not a cause for division. We must forge common actions, without imposing our own values and mindsets. We should capitalise on our multifarious national and regional particularities. Through these approaches, the Council is better placed to meaningfully contribute towards the promotion and protection of human rights. Its decisions will then be respected and its actions, collectively supported.

Mr. President,

10. Malaysia is ready to further engage all concerned in translating these values and principles into the work of the Council. These will be consistent with our ongoing efforts in developing modalities for the institutions of the Council. In this respect, I wish to highlight some of our expectations.

11. Malaysia would strive, together with others, to enable the Council to adopt a well-structured agenda, which would ensure all human rights categories are treated on an equal footing and with the same emphasis. In the interest of predictability, accountability and effective participation of all stakeholders, such agenda should already be in place when the Council begins its second year.

12. Clearly, implementation of the Universal Periodic Review will be an important item on the agenda. Malaysia underlines the need for this intergovernmental mechanism to be manageable. It should operate as a cooperative forum for sharing best practices, as well as promoting better understanding of the challenges confronting States in meeting their respective human rights obligations. Its thrust should be collaboration and enhancing capacity building, not punitive measures.

13. In assisting the Council to discharge its responsibility, and to give it legitimacy, the special procedures would have to be streamlined to make them more objective, democratic, and in carrying out their mandates, instil mutual trust and confidence. Their recommendations should be practical, taking into account fully the complexity of a particular human rights situation, so as not to undermine the credibility of the system. We maintain that the special procedures should focus on thematic human rights issues. Creation of country-specific mandates should be a decision of last resort, and should be subjected to more stringent requirements.

14. The broader mandate accorded to the Council would necessitate greater support from the Office of the High Commissioner for Human Rights. The Council and the Office should work closely, with the latter charting the direction of its activities on the basis of Council decisions. This calls for increased engagement and dialogues between the two, with the Council exercising its supervisory role.

Mr. President,

15. The Council must not lose sight of egregious human rights violations taking place around the world. Concrete steps must be taken to address the gross and systematic violations of the rights of the Palestinians, still suffering decades of foreign occupation, under Israel. I cite the case of Palestine not out of selectivity but due to the gravity of this long-standing problem, as well as the permanent responsibility entrusted to the United Nations until this question is comprehensively and justly resolved. It is our collective duty to ensure that the Council remain seized of this question.

Mr. President,

16. Malaysia is fully committed to continue improving the human rights of its people. We are making significant strides to enhance the quality of life of all Malaysians, as reflected in the achievement of all

but one of the Millennium Development Goals, ahead of the target date of 2015.

17. Our Government is implementing policies, aimed at expanding an environment conducive for the heightened well-being of Malaysians, through the unwavering promotion of racial harmony, people-centred development and participatory processes. On the threshold of 50 years of independence, Malaysia has successfully nurtured its pluralistic communities into a harmonious society. This achievement is a source of pride for our nation. And it has been made possible because of our mutual respect and tolerance, as well as our readiness to compromise our individual rights in the interest of the larger community and the well-being of the nation.

Mr. President,

18. Realizing the highest standards of human rights for all still remains a lofty goal. We, who have been tasked with advancing this noble cause, must demonstrate political resolve and a spirit of cooperation. The victims of human rights abuses deserve no less. Malaysia is committed to working constructively with all in meeting this great challenge of our time.

I thank you, Mr. President.