

ITEM 68:
REPORT OF THE HUMAN RIGHTS COUNCIL

STATEMENT

BY

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TO THE UNITED NATIONS**

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CHECK AGAINST DELIVERY

Mr. Chairman

My delegation is pleased to take the floor under this new item on the agenda of the Third Committee. We are particularly glad to note that the General Assembly, when deciding on the allocation of this new item, has established a division of work between this Committee and the Plenary which reflects the letter and the spirit of A/RES/60/251 by which the General Assembly established the Human Rights Council and its mandate. One part of that mandate is to make recommendations to the General Assembly for the further development of international law in the field of human rights. When meeting for the first time in June this year, the Human Rights Council took two such decisions recommending to the General Assembly the adoption of two new legal instruments in the field of human rights. Today the Third Committee is called upon to consider and act upon these two recommendations.

Mr. Chairman

The two recommendations before us constitute the most important achievements in the young history of the Human Rights Council and give us confidence that we will see more productive outcomes emerge from its future sessions. As an expression of our commitment to the further development of international law in the area of human rights, we have co-sponsored the two recommendations in Geneva, and we did so again in New York. We wish to emphasize, however, that the understanding reached on the consideration of item 68 makes it clear that these two texts would have automatically come before the Third Committee, without any need for them to be sponsored by any delegation.

Mr. Chairman

The draft Declaration on the Rights of Indigenous Peoples represents a milestone in the efforts of the United Nations to address the human rights challenges of our time. Respecting and promoting the rights of indigenous peoples is, without any doubt, such a challenge which the international community has to face. We are of the view that it is time for the Third Committee and the General Assembly to adopt the draft Declaration and to unequivocally reaffirm the strong commitment to the universality of all human rights.

Mr. Chairman

As is well known, Liechtenstein has been a long-standing supporter of innovative approaches to the right of peoples to self-determination in order to fully explore the potential of this concept for the promotion and protection of human rights. Such approaches take into account the fact that the

exercise of the right of self-determination cannot simply be equated with a right to independence. Viewed more broadly as entailing various forms of self-administration and self-governance, the right of self-determination can produce new perspectives on peaceful coexistence falling short of secession and independent statehood. We are therefore pleased that the provisions of the Declaration on the Rights of Indigenous Peoples dealing with the right of self-determination mark an important step forward in the way the United Nations deals with the concept of self-determination. The introduction of the right to autonomy or self-government in matters relating to internal and local affairs, including their financial aspect, offers a promising new approach which can help to genuinely address the aspirations and needs of many peoples – indigenous and others - to create an enabling environment for the full promotion and protection of human rights, without leading to strife and violence. We are convinced that such innovative concepts are particularly important for harmonious and cooperative relations between the State and indigenous peoples, but of outstanding importance in other contexts as well and an as of yet underutilized tool in the area of conflict prevention.

Mr. Chairman

We are very pleased that the draft International Convention for the Protection of All Persons from Enforced Disappearances is ready for adoption. This Convention is as crucial to the international protection of human rights today as it was when the idea of such an instrument was first brought up. It translates the political commitment of the international community to prevent enforced disappearance and to end impunity for such crime into concrete, legally binding provisions. It also stipulates the right of victims to justice and to reparation as well as the right to know the truth. The relevant provisions constitute a major step forward in international human rights law. We are particularly pleased to note that the drafters of the Convention drew on the provisions of the Rome Statute of the International Criminal Court, when elaborating the text before us today, which is yet another prove of the high quality work done at the Diplomatic Conference in Rome. In addition, the Convention establishes an innovative approach towards the mechanism for monitoring its implementation. In light of the ongoing discussions on the reform of the treaty body system and the risk of overloading that system, we welcome the provisions which foresee an evaluation of the effectiveness of the monitoring mechanism by the Conference of States Parties, entailing the possibility of a merger with other treaty bodies.

I thank you.