

# Speech to the UN Human Rights Council

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*Speech by Federal President Joachim Gauck to the UN Human Rights Council on 25 February 2013 in Geneva/Switzerland:*

Kofi Annan, the man who initiated the Human Rights Council, once said that “the true test of the Council’s credibility will be the use that Member States make of it”. These words are forever present in this room. They articulate the hopes that many people pin on this institution – and they also hold sway, I hope, over your hearts and minds. The Human Rights Council is a locus where responsibility lies, a responsibility that I feel is also mine. It is an honour and pleasure for me to be here with you today.

The international community has entrusted you with the protection of the greatest good known to mankind, a good that is so susceptible to injury. You have been charged to act, and act you must on behalf of all humanity, if states do not live up to their human rights commitments and their duty to protect their citizens. The Human Rights Council provides a venue where specific and sometimes controversial issues are addressed in the event that people’s basic rights are violated. You have demonstrated here that you will not tolerate behaviour which flies in the face of human dignity. The Commission of Inquiry on Syria established to investigate the conflict in Syria is a case in point. More could conceivably be done in this direction – and I think it should be done.

Those who strengthen human rights should not fear public accountability. It is vital that the UN Human Rights Council review respect for human rights in all countries without distinction. It is a good thing that human rights defenders and non-governmental organizations are heard by the Council in order to bring abuses to light. And the fact that your work is conducted transparently is a significant step forward. Your debates and their outcomes can be viewed online at any time.

This is all the more important as we have seen that in many countries human rights are enshrined in law, and are furthermore a moral postulate, yet in reality they are far too often violated or ignored. Think of the death penalty, whose abolition I strongly support. Think, too, of torture, violence against women, arbitrary arrest, disappearances and the intimidation of human rights defenders. Think of the persecution of people on the basis of their affiliation to a religious group or discrimination on grounds of colour or origin. These are not issues of the past. They are bitter reality today. But they can and must become history!

The history of human rights is above all the story of the struggle for their enforcement. All over the world there have been and still are countless courageous individuals who have fought for basic freedoms and human rights.

I myself once knew what it meant to be deprived of basic freedoms. I lived in East Germany, and it was – like other Communist regimes in central and eastern Europe – a country that had signed up to human rights on paper, but in practice trampled them underfoot. I know how important and encouraging it is for those who bear the brunt of human rights violations when the international community calls their home countries to account. I remember well the impact of the Helsinki Declaration in 1975. Even if the Helsinki Final Act was not a legally binding agreement under international law, but “just” a voluntary commitment by a number of states, it had still been signed by the Communist regimes of central and eastern Europe. And at last we citizens could invoke those rights that our leaders had promised the world they would uphold. And even if the powers-that-be always argued that they were under no obligation to us, even if they cited the West’s hegemonic aspirations, the East-West confrontation or overriding national interests to support their arguments, we could see the uncertainty and sometimes even fear in their eyes when we stood up for our rights – the fear of losing power.

In light of my past, I would like to ask you, when doing your work, to always remember the people who suffer under inhumane regimes. You are their advocates, you give them strength in their fight for human rights and fundamental freedoms.

The fear that I just spoke of can be seen today in many places. To all rulers who seek to discredit the insistence on universal human rights as “Western imperialism”, let me say – to each and every one of you – that these rights are rooted in the diverse cultures of our world. They also rest on binding universal declarations and agreements. Moreover, the language of human rights is well understood by the people of your country – by people everywhere, in all countries around the globe.

Twenty years ago the international community of states adopted the Vienna Declaration, in which they clearly reaffirmed their commitment to human rights. I believe this is the subject of the next panel discussion. And yet time and again attempts are made to justify human rights violations by referring to “cultural conventions” and “traditional values”. Wherever people learn about their individual rights and their right to physical integrity, they will not however accept “tradition” as an excuse. It makes no difference what culture a person belongs to – torture wounds and kills. It is never acceptable. Censorship of the press and restrictions on freedom of opinion are not acceptable. Forced marriages are not acceptable; female genital mutilation is not acceptable. Nelson Mandela, that magnificent fighter for freedom in South Africa, was right when he said: “To deny people their human rights is to challenge their very humanity.” Respect for human dignity – that should be the paramount principle guiding the work of this Council.

Culture is always man-made. It is constantly being advanced and altered by people. I am greatly encouraged by the public debates under way in India and Egypt and other countries which are broadening women’s rights, and by the debates on equal rights for homosexuals being conducted in more and more states around the world.

In Germany, too, these debates and developments took their time. But our society was prepared to overturn outdated conventions in the light of universal human rights. We want to encourage others to do the same.

Societies in transition are at the forefront of my mind here. They need to change step by step, but comprehensively, abandoning authoritarian forms of rule and embracing democracy. I am convinced that wherever the people have more rights of participation, respect for human rights will grow. I very much support these debates, for they challenge rulers by reminding them of universal agreements and the binding norms and values enshrined therein!

And something else is important to me as well: not only are human rights universal, they are also indivisible. Economic, social and cultural rights cannot be separated from political and civil liberties.

The fulfilment of basic needs such as the need for food and water, for health and shelter is a prerequisite to human dignity, but human dignity also requires a say in political life, freedom of speech, freedom of religion, freedom of assembly and the effective protection of people’s legal rights. It is completely unacceptable to play such rights off against each other, to say, for example: we are going to satisfy the hunger for bread now, later we will satisfy the hunger for freedom of speech and the hunger for equality.

The story of the enforcement of human rights has many chapters – and will never end. For even where human rights have been achieved, it is necessary to safeguard them. As a friend of democracy and human rights, I believe that democracies, too, must ask themselves whether they are treating human rights as relative, be it for foreign policy, economic, or other reasons.

I believe that the credibility of a country’s human rights advocacy is to be measured by that country’s readiness to let others scrutinize its achievements with a critical eye. This year our country will take part in the Universal Periodic Review for the second time. The

questions we are asked by others help us improve our own record.

Our Germany is a very diverse country. We want our people to respect one another, regardless of where we come from or what our beliefs are. Wherever improvements are needed in this regard, I want to help. A few weeks ago, I visited a centre for asylum seekers near Berlin and spoke with children and adults there. Our country upholds the humanitarian agreements on the right to asylum and the protection of refugees. Perhaps you know that several years ago a series of racially motivated murders took place in Germany. For a long time they were not recognized as such. The murders have stopped, but the debate continues over how we can come to terms with them in our country. Recently I invited the families of the victims to speak with me, and I said to them that all those living in our country must be able to count on the protection of our state.

Ladies and gentlemen,

You can be sure that Germany will always support your work, the work of the Human Rights Council, and will particularly promote understanding between regions. I am certain that your work, the work done here in this room, can lend impetus to the fight for justice and freedom and against hunger and poverty that will be taken note of around the globe. Four guiding principles are especially important to me and my country:

- I ask that you speak openly about human rights violations without sparing anybody's feelings regardless of a country's size and importance, even if that sometimes means criticizing neighbours and friends. All members of the Human Rights Council should set a good example in this.
- I also ask that you intervene quickly to prevent human rights violations. Your important function as an international "early warning system" should be expanded.
- I ask that you encourage governments to investigate any human rights violations which have occurred, and to take appropriate action. The best witnesses to the fact that this is possible are the people from Europe's formerly communist countries, from South Africa and from the countries of Latin America. It is often a painful process. However, successful reconciliation can only be achieved by working through the history and accepting accountability. That is the only way for peace to take root within a society and for freedom, security and prosperity to flourish.
- And lastly, I ask that you see non-governmental organizations as partners and not as adversaries. Human rights organizations expose deficiencies; they advise governments and raise awareness of the value of human rights. Citizens active in this field contribute to the positive development of all states, just as free media and the rule of law do.

I am therefore very pleased that representatives from human rights organizations are present here today. I would like to express my heartfelt thanks for your courage and your commitment! Human rights need protectors. Human rights need defenders.

Governments may at times reject criticism, but that does not give them the right to intimidate critics, to abuse or even kill them. A country that suppresses criticism will either remain or become an unjust country.

Ladies and gentlemen, in my opinion, human rights remain the foundation of all human society. They are the prerequisite for using mankind's amazing capabilities to change our lives for the better.

My visit here today is thus the start of a series of visits to human rights institutions. In April I will travel to the Council of Europe in Strasbourg and then on to the International Criminal Court in The Hague. I will also raise the issue of human rights in Germany and seek to engage people there in dialogue.

Respecting human rights, implementing human rights – that is a continuing project, one that I have made my own both as a citizen and Federal President of my country. The magnitude of this task should not cause us to lose heart. Together with many others, I have seen how seemingly powerless people managed to bring down an omnipotent and inhuman state, an entire regime, an empire. It has been my personal experience that together we can make a difference and make the world a more humane place. It has been my personal experience that whoever ignores the call of human rights will sooner or later be on history's losing side.

I wish the Human Rights Council lasting success in its efforts to ensure that everybody around the globe comes into the enjoyment of human rights – the greatest good that can be enjoyed in any society.