



REPUBLIC OF BOTSWANA

STATEMENT

BY

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MINISTER OF DEFENCE, JUSTICE AND SECURITY
OF THE REPUBLIC OF BOTSWANA**

DURING THE

19TH SESSION OF THE HUMAN RIGHTS COUNCIL

**27 February – 23 March 2012
Geneva, Switzerland**

**Madam President,
Madam High Commissioner for Human Rights,
Excellencies,
Distinguished Delegates,**

1. It is with a high sense of honour and responsibility that I am addressing this 19th Session of the Human Rights Council, especially as Botswana became a Member of this Council in June 2011.
2. Botswana's decision to join the Council was inspired by our strong believe and commitment to the principles of inviolability and universality of all human rights; and above all, the importance, of this global body – the Human Rights Council – in the promotion of human rights and fundamental freedoms.
3. For us, the Council remains the perfect platform for genuine dialogue and cooperation between nations, to advance the universal vision of effectively addressing human rights violations, as well as in promoting universal respect for human rights and fundamental freedoms.
4. Botswana reaffirms its strong support for the work of the United Nations human rights system, and continues to actively participate in all its activities within the Human Rights Council and at the General Assembly. To this end, Botswana has consistently been firm and unequivocal in its stance against impunity, gross violation of human rights and crimes against humanity wherever and whenever they occur.

5. **Madam President,** The preceding year has been particularly engaging as the Council has been seized with a number of serious human rights challenges from many parts of the world. Of note, are North Africa and the Middle East, which have been going through unprecedented political transformations. Some parts of Sub-Saharan Africa were not spared. Some of the challenges are ongoing as we speak.

6. As we noted yesterday during the Urgent Debate, the eyes of the international community are fixed on the escalating and worrisome humanitarian and human rights situation in Syria.

7. I wish to reiterate that Botswana remains deeply concerned about the plight of the Syrian people, as that country's authorities appear determined to bring untold suffering and misery on its people. We will, therefore, continue to add our voice in strongly condemning the flagrant disregard for human rights and fundamental freedoms, as well as the ruthless and senseless killing of civilians in that country.

8. We have pledged our support for all measures at the international level to bring pressure to bear on the Government of Syria.

9. In this regard, we commend the Arab League for initiating a Peace Plan, which we view as a viable way of ending the Syrian conflict. The significance of the Arab League's initiative goes beyond the dire and urgent need to bring peace to Syria. It is a step of courage and leadership, and a demonstration of constructive measures which friends and neighbours owe to each other.

10. We also welcome other initiatives, including the Friends of Syria Contact Group, and the recent appointment of Mr. Kofi Annan as the United Nations and Arab League Envoy to Syria.

11. Solidarity is not about Governments, but rather about values which place people at the centre of everything Governments do.

12. We urge this Council to remain seized of the situation in Syria. We continue to express our disappointment over the Security Council's continued failure on its primary mandate of maintenance of international peace and security. No amount of explanation can justify another day of carnage, another day of missed opportunity.

13. **Madam President,** May I also take this opportunity to commend efforts by the Government of Sri Lanka to find peace, justice and reconciliation. In that regard, we welcome the report of the Lessons Learnt and Reconciliation Commission.

14. It is our fervent hope that the Government of Sri Lanka will, in earnest and speedily, implement the constructive recommendations of the report, as well as fulfill its obligations to address serious allegations of violations of international human rights and international humanitarian law.

15. **Madam President,** I have no doubt in my mind that you will all agree with me that impunity is unjustifiable. Therefore, it is within this realm that all those responsible for committing atrocities and serious violations of human rights, in any part of the world, must account and be held accountable.

16. In this regard, we welcome the decision by the Council at its last Session in September, last year, to establish a mandate of a Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.

17. We encourage all States emerging from internal conflicts to work with this Special Rapporteur. This would assist in ensuring that the policies and measures they put in place to address gross human rights and international humanitarian law violations, are able to prevent the recurrence of crises and future violations of human rights. It would also assist in ensuring social cohesion, nation-building, ownership and inclusiveness at the national and local levels, as well as to promote a meaningful process of reconciliation.

18. Allow me, **Madam President**, to also commend the Government of Myanmar for the process of reforms they have put in motion toward democratisation and national reconciliation. The release of Ms. Aung San Suu Kyi from house arrest, and the general amnesties of more than 200 political prisoners are indeed significant milestones in the right direction.

19. However, a lot still remains to be done. Reports that the Government still monitors the political lives of the former political prisoners are seriously disturbing. Even more troubling are the uncertainties of more than 1,600 political prisoners not yet released. We strongly call upon the Government of Myanmar to make good its promises of genuine reforms in order to facilitate a meaningful process of recovery and national reconciliation.

20. **Madam President**, Botswana is also concerned by the situation in the Democratic People's Republic of Korea. Some of the major issues of concern include the abduction of foreign nationals by the security agents of North

Korea; the absence of civil and political rights for the people of North Korea; and the dire humanitarian situation, particularly the shortage of food in that country.

21. We remain hopeful that the new leadership in North Korea will see the need to work with the international community, especially the Special Rapporteur on the situation of human rights in North Korea, other special mandates of the Human Rights Council and other UN agencies, to identify practical solutions to the human rights and humanitarian situation in that country.

22. **Madam President,** The High Commissioner has, on a number of occasions, raised a number of other issues. One of them is a recurring theme – that the increasing number of resolutions, panels, unfunded mandates, Commissions of Inquiry, requests for assistance from member States, collectively exceed the capacity of her Office.

23. The High Commissioner is correct in asking the Council to keep things in balance, without abandoning its primary responsibility. It is about making difficult priority choices – the Human Rights Council cannot be an exception.

24. **Madam President,** Last year, the Human Rights Council successfully concluded the first cycle of the implementation of the Universal Periodic Review (UPR) mechanism.

25. Through the UPR, the Council clearly demonstrated the pivotal role for independent international assessment of human rights in all States. We witnessed unparalleled cooperation by all States under review, thereby

rendering the UPR one of the most successful tools available to the Council for the promotion and protection of human rights in all parts of the world.

26. The High Commissioner, in informing us of the various activities which her office undertook, also touched on the right to development – specifically, the need to move from theory to practice. That the right to Development, amongst other rights, may arguably be more difficult to realise, does not make it less urgent. In-fact, delays in its realisation, undermines all other efforts on the human rights agenda.

27. Since member States here are also member States in other parts of the international system (multi and bilateral), complimentaries must be found and pursued. Otherwise even the realisation of MDGs is put in jeopardy.

28. The High Commissioner also noted, amongst others, the resurgence of racism and xenophobia. The Council must find this repugnant and there should be no prevarication. The world is fully aware of the bankruptcy of racial supremacy. The Council must continue to show equal readiness to tackle the scourge, as it does other human rights concerns.

29. **Madam President**, There will always be developments which may require the Council's attention. Exchange of views, not prescription and/or imposition, may prove more profitable in certain circumstances. Sexual orientation is one such subject. We remain ready to engage in the dialogue.

30. I am happy, **Madam President**, to inform that Botswana looks forward to the beginning of the second cycle of the UPR later this year. We do so with a renewed sense of focus and commitment to discharging our

responsibility to our people, and to the international system, in the promotion and protection of human rights and fundamental freedoms.

31. We are currently engaged in a process of follow-up and implementation of the recommendations, which the Government agreed to under the UPR.

32. Botswana has further committed herself to the full implementation of all international human rights treaties to which we are party.

33. To achieve this noble objective, we have strengthened the Inter-Ministerial Committee on Treaties, Conventions and Protocols – which is charged with the specific mandate of overseeing the processes of ratification, implementation and follow-up of the various commitments arising out of the different international instruments to which Botswana is party.

34. Through this Committee, the entire Government system is working cohesively to follow-up on the recommendations Botswana received from the UPR session and treaty bodies.

35. Allow me, **Madam President**, to conclude by reiterating Botswana's firm belief in the universality, interdependence and inviolability of all human rights and fundamental freedoms.

36. We are committed to contributing positively to the work and institutional development of the Human Rights Council, so as to ensure that it remains a credible and effective body that can spur international cooperation in the promotion and protection of human rights. We all should.

37. Remaining indifferent to the suffering of fellow human beings will never be an option. We all owe it to humanity to put our heads together, now, here at the Human Rights Council, at the General Assembly, and most importantly, at the Security Council – to ensure the promotion and protection of all human rights and fundamental freedoms in any part of the world.

38. The High Commissioner and her staff deserve our gratitude for their valuable contribution to the overall effort.

39. I humbly pledge my country's continued political will and cooperation to this end.

Thank you!