

Human rights – fight against discrimination

Vice Chancellor,
Vice Principal,
Deans,
High Commissioner for Human Rights,
Advocate Bizos,
Excellencies,
Ladies, gentlemen
And last but far from least,
graduates

[Intro]

- It is an honour and a pleasure to be back at the University of Pretoria, and among recognized human rights academics, practitioners and defenders; especially today as we celebrate International Human Rights Day.
- It is also a privilege to be here as a donor, a role I take very humbly – and allow me to recognise fellow donors represented here.
- I am particularly honoured to share this graduation ceremony with two human right promoters of today, Ms Navanethem Pillay (UN High Commissioner for HR) and Ms Edna Adan. Their contribution to the realisation of human rights is recognised worldwide.
- But we are here to celebrate the future defenders of human rights, a future that is represented by you, young human rights lawyers-to-be. I am sure that you will spare no effort to promote human rights in Africa, and beyond.

[South Africa]

- The motto of this year's Human Rights Day is "Embrace diversity, end discrimination". These four words **capture a lot of South Africa's history** and indeed its current challenges.

- South Africa's **democratic transformation** in 1994 and the subsequent process of reconciliation have often been described as a "miracle".
- But as the latest South African Reconciliation Barometer, compiled by the Institute for Justice and Reconciliation and released on Wednesday has shown: **ending discrimination and embracing diversity remains a huge challenge**. And these divisions must be tackled. I salute Professor Jonathan Janssen for having re-launched a debate on race; happening from the bottom up and not top down. The national healing process within South Africa will continue to take time, continuous efforts and vigilance from both government and civil society. The fight against discrimination is a daily, never-ending struggle, not only here in SA, as many of you know well.
- Also the **situation of foreigners** is something to be closely monitored, as recurrent xenophobic attacks have shown. The EU stands ready to support the South African government in this endeavour. We will for example finance a 16 Mio Rand project, starting in February next year, to help manage in-migration and integration of foreign citizens, inter alia the reintegration of migrants from the central Methodist church in Johannesburg.

[EU] 3 short points on Europe

1. Of course, **in the European Union we have challenges too** which require determined attention: the protection of the human rights of migrants, many coming from Africa, and of the EU's largest ethnic minority, the Roma community.
2. **The Treaty of Lisbon** – which entered into force 10 days ago - should help us push the fight against discrimination and the human rights agenda further.
 - The Treaty integrates the Charter on Fundamental Rights, which will hence become EU "primary legislation". The Charter clearly condemns discrimination on grounds such as sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Charter will now be binding upon the great majority of member states [opt-outs from UK, Poland and Czech Republic].
 - The entry into force of the Lisbon Treaty also paves the way for a possible accession by the EU to the European Convention of Human Rights.

3. Two days ago on 8 December, the European Union adopted conclusions on Human Rights and Democratisation in third countries. While we underline the importance of integrating human rights aspects into all our policies areas, we also commend the crucial work of human rights defenders worldwide, who often act at risk of their own safety and the safety of their families.
- The EU also strongly believes that **investing in young people**, in their education, is the **right approach** to promote a universal human rights culture and to ensure sustainable and effective results with a long term vision. Among many EU human rights programmes, I like to recall the Erasmus Mundus and Nyerere programmes, a successful initiative aimed at enhancing quality in higher education through scholarships and academic exchanges between Europe and SA.

But back to Tuks!

- The Master of Law (LLM) in Human Rights and Democratisation in Africa – a programme which the European Commission has been contributing to develop since 2004 – contributes to the strengthening and consolidation of partnerships between African Universities, which is vital from both an academic and social standpoint. Our current financial support will end in 2009. A new call for proposals aimed at financing Regional Human Rights Masters in Africa was launched last week and will be open until the 2nd of March 2010. I encourage the Centre for Human Rights of the University of Pretoria to participate in this call and let me add, on a personal note, that I hope it will be successful.

[Common challenges]

- Today, there are important challenges ahead of us, challenges you as future lawyers will be dealing with:
 - I mentioned the debate on **race** earlier on.
 - The recent introduction of **discriminatory legislation** in several countries is another one. As the European Union we have for example raised our concerns over the recent introduction of homosexuality in the Penal Code in different African countries, such as Burundi and Uganda. In 2006, South Africa has led by example, being the first African country to legalize same-sex marriages. Now, we should speak out together and push jointly for the eradication of all forms of discrimination.
 - More broadly speaking let me also mention the future of the **international human rights architecture**. It is the EU's belief that

it not only the right, but the duty, of the UN General Assembly and the UN Human Rights Council to express itself on human rights abuses in specific countries. It is also the EU's belief that the International Criminal Court is not about choosing between peace and justice, but – on the contrary - about marrying both concepts.

- The European Union and South Africa do not always see eye to eye on some of these issues. But the European Union and South Africa, as Strategic Partners, have a duty to tackle them upfront, together.

[Conclusions]

- To conclude, let me give a more personal message to the new graduates: I am confident that you are about to embark upon a promising professional career. In the coming years, you might face critical challenges and personal adversities in pursuing and promoting the respect of human rights. It is a goal worth fighting for!

Thank you.