



PAKISTAN

PERMANENT MISSION TO THE UNITED NATIONS

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STATEMENT

BY

**AMBASSADOR ZAMIR AKRAM
PERMANENT REPRESENTATIVE OF PAKISTAN**

**ON THE "RIGHT TO SELF DETERMINATION"
UNDER AGENDA ITEM 3**

**DURING THE
13TH SESSION OF THE HUMAN RIGHTS COUNCIL**

**Geneva
12 March 2010**

**Statement by Ambassador Zamir Akram, Permanent Representative of Pakistan,
on the “Right to Self-Determination” under Agenda item 3 during the 13th
Session of the Human Rights Council, Geneva, 12th March 2010**

Mr. President,

I am making this statement in my national capacity on a peremptory norm of international law - the “right to self determination”.

Exercise of a people’s right to self determination is an essential pre-requisite for the genuine exercise of all other human rights and freedoms. Only when self determination has been achieved can a people take the measures necessary to ensure human dignity and full enjoyment of all other rights without discrimination.

It is the most basic and collective right of peoples and nations, and the indispensable foundation of all individual human rights. It was the universal recognition of this right that led to the independence and creation of the majority of today’s UN Membership.

Its universal acceptance has made it a cornerstone right of the United Nations system, well established by core international instruments including the Charter of the United Nations, the two Covenants on Civil and Political and Economic, Social and Cultural rights and the declaration adopted by GA resolutions 1514 and 2625.

Though well established, following principles need to be reiterated and reaffirmed:

- It is a living right of the peoples, which cannot be outdated or expire.
- This right can only be exercised by the peoples without coercion or repression.
- Since this right can only be exercised by the peoples freely, it is but logical that it can’t be exercised under conditions of foreign occupation.
- At the same time, this right cannot be substituted by rigged elections, which in any case, cannot be a substitute for an internationally monitored referendum.

Given its unquestioned legitimacy, it is an obvious conclusion that breach of an obligation arising out of recognition of the right of peoples to self determination, constitutes an international crime that gives rise to an international responsibility towards states, which infringe their legal duties in the matter. This Council, being the principle UN body on human rights, has the responsibility to actively pursue this fundamental collective human right of peoples.

Legitimate struggles for self-determination cannot and must not be misrepresented by equating them with terrorism. The international community continues to reaffirm the validity and significance of this right in situations of foreign occupation and alien