



لتظلّ الشعلة وهّاجة - 保持火焰永不熄灭

Entretenons la flamme - Keep the flame alive - Не дать огню погаснуть

Que no se apague la llama

12th plenary meeting, 18th of June 1993

World Conference on Human Rights

Vienna, 14-25 June 1993

12th plenary meeting, 18th of June 1993

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PARK, Anne (President):

I call to order the twelfth meeting of the plenary of the World Conference on Human Rights. The Committee will now resume its general debate. Before giving the floor to the first speaker, I should like to apologize to those speakers who were scheduled to address the Conference yesterday and due to the late hour could not do so last night. In this connection, I wish to reiterate the President's appeal to speakers to limit their statements to no more than ten minutes. Statements made by non-governmental organizations should not exceed five minutes. It is imperative that speakers observe these time limits. Indeed, the General Committee of the Conference has reaffirmed the need for this discipline if all speakers are to be heard.

I now give the floor to His Excellency Mr. Ion Botnaru, First Deputy Minister of Foreign Affairs of the Republic of Moldova. Excellency, you have the floor.

BOTNARU, Ion (Moldova):

Keywords: MOLDOVA - UN High Commissioner for Human Rights - HUMAN RIGHTS MONITORING - WOMEN - HUMAN RIGHTS VIOLATIONS

Mr. President, Mr. Secretary-General,

First of all, on behalf of my government I would like to express our gratitude to the Austrian government for the excellent arrangements and hospitality. We would also like to express our respect to President Mock on his election to the presidency of this important gathering.

The international evolution of the last years proves the fact that among the essential issues of the new international order - which can open a real era of stability and peace - democracy and respect for human rights and freedoms take central part.

Indeed, the human rights were recently raised to the rank of the crucial problem of international relations and consequently became a political and international juridical phenomenon.

Certain recent accumulations of the juridical character as, for instance, the adoption on the basis of the Universal Declaration of Human Rights of a large number of international settlements having universal and international importance have contributed to it.

It is especially important that many of the respective documents are accompanied by mechanism of supervision of the application of their stipulation, the fact that to a great extent determined the recognition and respect for human rights in some countries in which the achievements in the matter of protection on human rights were under the level of international standards.

Notwithstanding all this, in the contemporary world the old political and ideological differences disappear and the other sources of tension appear, some are old and some are new.

National rivalries are maintained. The persecution of minorities and breach of human rights continues. In the States where at the certain period of time, millions of people did not have the right for free circulation, now millions of people have to leave their countries in order to avoid serious economic and even political difficulties.

Under these circumstances, the World Conference on Human Rights is going to play a crucial role. It should offer not only the possibility of estimation of the achievement of each country in the matter on human rights but also that of common reflections on the necessities of completion of updating of the instruments and mechanisms of the United Nations Organization.

Madame President,

The independence has opened a way for the geographical region, where the Republic of Moldova is situated, to have human rights recognized, guaranteed and exercised according to the conception that states that they are inherent to human existence, are natural, sacred and inviolable and must be protected by law.

The Republic of Moldova has fixed among its main objectives the promotion and protection of fundamental human rights in the framework of the realization of a democratic society. Moldova has already made first steps in this direction having taken the irreversible way of democracy in political, economic and social plans as well as in the domain of international collaboration, the essential component of which is the provision of fulfilment of fundamental human rights and liberties.

My country has joined the International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of all Forms of Racial Discrimination, Convention on Prevention and Punishment of Crime of Genocide and others. Our parliament is discussing the draft of the new constitution.

In this connection, I would like to underline that the number of conventions ratified is constantly growing, and the representatives of the government and the Parliament of the Republic of Moldova have also consistently pronounced in favor of adoption of new commitments for completion of the internal juridical framework, for large cooperation and exchange of views on different levels with representatives of other countries as well as with those of international organisms on the practical aspects of guarantees and exercising of human rights in our country.

Unfortunately, this constructive approach of the authorities of the Republic of Moldova to the problem of human rights was violently contested by some secessionist movement inspired and supported from reactionary outside forces. Shortly after the proclamation of independence and restoration of the indigenous population in its rights, pro-imperial forces launched an armed conflict which ended in the death of innocent and in flagrant violations of the rights of natives in the zones controlled by secessionists.

Unfortunately, the political persecutions instigated by the anti-constitutional instances of that zone against the representatives of indigenous people continue even today.

Stationing of foreign troops on the same part of the territory of the Republic of Moldova constitutes one of the main obstacles on the way of the settlement of this conflict and of the creation of a positive climate for promotion of human rights in this part of the country.

Speaking about the draft of the final document, which is now under discussion, maybe it does not reflect in total all the positions and ideas expressed during preparatory regional meetings, nevertheless, on the whole it presents unitary positions of significant number of countries on the principles and programmes of actions.

We consider that the respect for the interest of all countries as well as the regional groups constitutes an indispensable condition for achieving those objectives, which are proposed by our Conference.

The problem of human rights is as dynamic as life. It constantly discovers new and new aspects. Each of them requires taking immediate measures that do not depend on existing differences.

From this point of view, we give maximum importance to the recommendations and procedures adopted in the UN framework. Of course, the United Nations institutional system for human rights was not always able to react quickly and efficiently in case of some violations. This strengthens our conviction that it is necessary to initiate some actions that would improve the activity of this structure.

We are fully supporting the idea that this could be achieved not through extension of the number of institutions of such kind but rather through improvement of their activity. Nevertheless, we are inclined to believe that the appearance of an institution with its competence as large as one of High Commissioner for Human Rights would play an important role in coordination of human rights and would help to avoid parallelism between both UN organisms and regional structures. At the same time, it seems to us a suitable idea that the Centre for Human Rights would obtain more importance and authority if it had as its head a high Commissioner for Human Rights.

The United Nations should also elaborate methods of effective reaction to the mass violations on human rights. The government of the Republic of Moldova welcomes the growing involvement of the General Assembly and the Security Council in the enforcement of human rights. At the same time, the processes of promoting and protecting human rights which are a legitimate concern of the international community are to be understood in the framework of respect for the principles of sovereign equality, territorial integrity and political independence of States.

Madame President,

The international community should spare no effort to create favorable conditions to promote the respect for human rights and fundamental freedoms for all human beings without distinction of race, sex, language or religion.

In this spirit, we support the ideas expressed by previous speakers with regard to the role of women in society, protection of their rights, insuring their full equality and full participation in the development process.

The United Nations has great progress in the field of human rights since the adoption of the Universal Declaration of Human Rights. No country has rejected the Declaration. At a time when the governments and organizations have mentioned the necessity to respect it, the violations have not ceased. These violations must be addressed as a legitimate concern of the international community.

Moldova also considers that the United Nations should assume a more active role in the promotion and protection of human rights in situations of international or non-international armed conflicts including internal ones.

In closing, allow me to express the hope that the Conference will be able to achieve its goal and objectives in a spirit of solidarity and cooperation. I believe that this World Conference will be a major step forward on the road to freedom, equality and justice for all.

Thank you.

Agenda Item 8. Commemoration of the International Year for the World's Indigenous Peoples

PARK, Anne (President):

I thank His Excellency for His statement.

Ladies and gentlemen,

During the course of this morning's commemoration, it was not possible for the distinguished representative of the Russian Federation, speaking on behalf of the East European States to address the Conference, therefore, in the context of Item 8 I now give the floor to Mrs. Z. Kornilova, Chairperson of the Commission on National Affairs of the Supreme Soviet of the Russian Federation. Madame, you have the floor.

KORNILOVA, Zoya A. (Russian Federation, East European States), spoke in Russian:

Keywords: RUSSIAN FEDERATION - INDIGENOUS PEOPLES - TREATIES - SELF-DETERMINATION - POLITICAL PARTICIPATION – INFORMATION DISSEMINATION

Madame President, distinguished delegates, representatives of the indigenous peoples,

The Russian Federation is a multinational State comprising over 140 large and small peoples ranging in number from 100 million to 200 people.

Like any multinational State Russia faces the problems of interethnic relations, though during the Soviet period up to 1990, the official state policy proclaimed that the national question in the country had been resolved completely. The democratization of the country revealed that problems did exist, and that we simply turned a blind eye on them.

One of those problems is the problem of indigenous peoples, especially peoples living in the north of Russia or as we call them – the small peoples of the North.

Complex political, economic and social processes are currently underway in the Russian Federation. On the one hand, as a result of a decline in production and inflation the unemployment is growing, a part of the population is becoming impoverished, mortality is increasing and crime is on the rise. On the other hand, the democratization of society is underway, the principle of federalism is developing in the relationship between the subjects of the Federation and the Federal government. The Declaration of the rights of people and citizens has been included as a separate section in the current Constitution of the country. A law has been passed on the rehabilitation of repressed peoples. Concrete steps are being taken to ratify the 1989 ILO Convention No. 169 on Indigenous and Tribal Peoples living in independent countries. We began by studying national laws for compliance with the ILO Convention and came to the conclusion that ratification of this Convention is possible only if Russian legislation is

harmonized in accordance with the norms and standards set forth in it. As a result, a work plan of several phases was drawn up.

At the first stage, we developed the draft law entitled "Fundamentals of legislation of the Russian Federation on the Legal Status of Indigenous Minorities" adopted by the Parliament of the Russian Federation on the 11th of June 1993.

This Law partially or fully reflects 23 out of 46 Articles of the Convention. Moreover, the concept of indigenous peoples was clarified. This category now includes only small peoples, currently the most deprived, with a population of less than 50 thousand. We have 63 such peoples totaling 440 thousand people. The law also reflects common problems of small peoples, which require uniform solution without which it will be impossible to solve specific problems due to the ethnic, historic characteristics, geographic or other conditions, such as:

- collective rights of small peoples in government and administration bodies, in local representative bodies of power and local administration;
- legitimized ownership rights for land and natural resources in regions where such peoples traditionally live;
- guarantees for the preservation of language and culture.

The next stage consists in elaborating of the specific legal mechanism for the implementation of this law. Work is underway on draft laws on patrimonial communities and the use of natural resources.

These laws will serve as a basis for the elaboration and adoption of legislative acts by the government and administration of the subjects of the Federation. All of the above will require a lot of work.

Thus, stage by stage, conditions will be created for the implementation of the ILO Convention No. 169.

Specific models for the implementation of the right of peoples to self-determination are now a subject of extensive debate. We assume that practical implementation of this right should not contradict the principle of territorial integrity of the State. We believe that the most promising way consists in further development of the principles of federalism and local self-government, broader social and economic rights of the subjects of the Federation, raising the status of the rights of the republics of the Federation, and the development of local self-government.

The implementation of these principles should go hand in hand with the elaboration of the system for the protection of the rights of national minorities, women, children, the disabled and the elderly. At the same time, while recognizing the universal nature of human rights it seems necessary to consider the elaboration of minimum standards in relations to the rights of indigenous peoples, the violations of which should become a matter of concern for the international community.

The indigenous peoples of Russia are looking forward to the solution of the following problems:

- adoption of the declaration of the rights of indigenous peoples and approval of the draft of this Declaration by this Conference;
- ensuring the representation and participation of indigenous peoples in the work of the United Nations and its bodies;

In particular, it can be recommended that the UN Commission on Human Rights consider giving the Working Group on indigenous Populations the status of a permanent body which would include, inter alia, representatives of indigenous peoples as well as recommend that Member States more actively

include representatives of indigenous peoples in delegations at UN events related to the rights of indigenous peoples;

- creation of a register of indigenous peoples and their organizations;

- considering the issue of providing the indigenous peoples on a continuous basis with detailed information on the United Nations and the international system for the protection of human rights in the native languages of those peoples within the framework of the world campaign on human rights education;

- scaling up the United Nations technical assistance programmes for indigenous peoples.

The Commission of the Russian Federation on Social and Economic Development of the Republics comprising the Russian Federation, autonomous regions, autonomous areas and small peoples has put forward the initiative of holding the international conference on indigenous peoples that will take place in Moscow in September 1993 with the participation of more than 40 countries.

In late March of this year, Secretary-General of the United Nations Boutros Boutros-Ghali kindly agreed to receive a group of people's deputies from among indigenous peoples of Russia. Unfortunately due to the difficult political situation in the country, they could not come to New York. I would like to use this opportunity to express my sincere gratitude to Mr. Boutros-Ghali for this desire to meet with us. Our main purpose was to extend an invitation to participate in our Conference and to get assistance in its organization. I would like to use this opportunity to appeal to all participants in this World Conference to assist the representatives of indigenous peoples of their countries to take part in our Moscow conference.

Thank you.

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PARK, Anne (President):

I thank Her Excellency for her statement. The conference will now resume its general debate. I give the floor to Mrs. H.B. Junz, Special Trade Representative of the International Monetary Fund. Madame, you have the floor.

JUNZ, Helen B. (International Monetary Fund):

Keywords: ECONOMIC DEVELOPMENT - IMF - STRUCTURAL ADJUSTMENT - ECONOMIC POLICY - WOMEN - FOREIGN DEBT - SOCIAL POLICY

Thank you, Madame Chair.

As the International Monetary Fund is one of the economic agencies of the UN system I would like to focus my remarks on the linkage between democracy, development and enjoyment of human rights. I believe it is important to focus on this word "linkage", because, indeed, none of the three elements, democracy, development and enjoyment of human rights can be achieved in isolation; progress in each is necessary to achieve sustained progress in any one. Economic progress depends upon an effective development strategy rooted in a supportive global economic and trading system; but an effective development strategy cannot succeed in the absence of social progress that harnesses the energies and ingenuity of the individual, which in turn requires enjoyment of and, if I might add the other side of the coin, respect for human rights as any rationing out of parts of the population will undermine both the moral and the economic dimensions of social progress.

Madame Chair,

Why do I put so much stress on the fact that this is not a one-way sequential but a three-way interdependent relationship? We currently are in a very different environment than appeared at the time this Conference was beginning to be prepared. At that point, we were celebrating the end of the cold war, the collapse of autocratic government that had gripped large parts of the world and the turning of governments and peoples towards release of the most dynamic resource any country possesses, namely the personal initiative of its population. This of its nature went hand in hand with a reshaping of the tasks of governments away from centralist activities and unproductive use of resources to those supportive of fostering individual initiative and of allowing resources to find their best objective use.

Today, however, much of the early optimism has receded, and the focus is not so much on the successes that have been built on these developments but more on the problems that have surfaced. We see in many parts of the industrial world sluggish growth or recession combined with high and long-lasting unemployment. All this feeds into a sense of pessimism that in itself threatens to become an impediment to progress. To turn this around and to assure that the positive potential created only a few years ago becomes reality, actions on both the national and international plane based on the interlinkages I have stressed are, yet, more essential.

Now, what is the role of the International Monetary Fund in all of this? Madame Chair, the first Article of our Charter charges us with helping to assure attainment of growth and development of the productive resources of all our Members within a globally cooperative setting. Since that Article was formulated in 1944, it has lost none of its validity. If anything, the globalization of both economic activities and economic and political thinking has given it more weight. Increasing geographic interdependence and the manifest linkages between economic progress and democratic and human rights have served also to broaden the way in which the Fund is exercising its mandate. Today, achievement of high levels of employment and real income and the sustained development of the productive resources of all our Members requires what has come to be called quality growth.

This kind of growth provides for both the basic human needs, which assuredly should be accessible by right, and the extra margin that makes the difference between a mere subsistence standard and one that allows fulfillment of human potential - that is why we call this process "quality growth". Quality growth itself has four basic elements: first, it is sustainable and provides the necessary flexibility to overcome external and internal shocks; second, it provides the basis for improvement in living standards for all parts of the population; third, it is dynamic and creates the conditions for future development through increased investment not only in physical structures but particularly in human capital; and last but not least, it is growth that is sensitive to growing pains, that is, it shields the poor, the weak and the most vulnerable parts of the population from adverse frictional effects of moving to a path of sustained growth. I am sure there is general agreement that, in this sense, quality growth is a *sine qua non* for social progress and the universal enjoyment of human rights.

To achieve quality growth it is not sufficient that the national accounts register positive numerical growth; it is the structure of that growth that is important. Where the latter is inadequate, the path to quality growth requires what has come to be called "structural adjustment." It should be recognized that such adjustment is not optional; economic distortions, if allowed to build over time, will produce imbalances not just in the economy, but also in the social and political sphere such that systems will implode or external circumstances will force change. The choice, thus, is between haphazard adjustment or an adjustment strategy formulated and implemented to produce high quality growth and the attainment of longer-term development objectives.

The Fund's basic task is to support such considered adjustment, which to be successful must rest on four elements:

First, the pursuit of sound macroeconomic policies designed within globally cooperative strategies. But global strategies presuppose policies built on cooperative strategies nationally. This means that policies need to be coherent across the economic spectrum and that they must engage the support and participation of all strata of the population.

Second, a stable macroeconomic environment is an essential element in an appropriate development strategy. The latter rests upon creation of a positive savings and investment environment, efficient resource development and allocation based on competitive market forces and a sufficiency of supportive external financing. Resource development involves not only physical structures but also human capital. Similarly, efficient resource allocation does not end with the need to evaluate investment projects on the basis of their economic returns and their ability to earn their way, it also needs to assure the efficient use of human resources.

Madame Chair,

As I am in the special position of not only being a human resource but rather a particular one, may I point as an example to the fact that many countries do not realize the enormous economic gains that lie dormant in their women. In many countries, women form the base of much of the existing micro-business but structural and other impediments have not allowed them to exercise their full potential. Let me emphasize that women-owned business activity where it has been nurtured has proven good business and has helped support basic economic policy priorities without increasing external indebtedness. It is no exaggeration to argue that small investments in women today may well provide some of the largest and most immediate economic, not to speak of social, rates of return available.

With respect to external indebtedness, it is clear that the elements that bring about quality growth are also those that will trigger flows of external financing such as will not create unsustainable debt burdens. Obviously, where countries are being held back in their adjustment efforts by existing excessive debt burdens, particularly the poorest, they will need additional support from the international community. The Fund has responded in recent years by adapting its financial facilities to provide special assistance to the poorest countries.

Third, social policies are necessary to harness both support for the economic strategy and to ensure its success by involving participation of all sectors of the population in economic, social and political life. While it is true that economic success can be built upon the unleashing of individual initiative in the economic area alone, the important aspect of quality growth, namely that it be sustainable and sufficiently robust to withstand internal and external shocks, mandates that individual economic freedoms are a necessary but not a sufficient condition. To achieve economic robustness the building of support and mutual respect across all sectors of endeavor and of the population is required. This includes policies to alleviate poverty, to provide broad access to adequate health and education and to promote human and democratic values that allow individual choice within a framework that respects a plurality of social and cultural values.

The Fund helps put economies on the path of sustained quality growth. In doing so, it has increasingly put emphasis on social aspects of economic change, in particular, through helping assure that where a re-ordering of government expenditures is required, it concentrates on rationing out unproductive expenditures and spending on vested interests and seeks to prevent a rationing out of the poor. This involves, inter alia, constructing affordable and dependable social safety nets to help bridge temporary adverse adjustment effects.

Finally, the specific values that promote quality growth and social progress need to find their expression also through universal moral precepts more generally and on the economic side through cooperative integration into the global economy. The latter requires that comparative strengths be allowed to manifest themselves internationally as well as at home. This means active support of an open rules based trading and investment system. It is clear that these four strands are mutually supportive and when woven together will form a strong base for both economic and social progress; conversely, if one or the other is allowed to fray, the whole fabric will be weakened. To assure the former, the cooperative efforts of all individual actors are crucial, those in the private and public sector at home and those in the international community including the UN agencies. The Fund is well aware of its role in that respect.

Thank you, Madame Chair.

I have stayed within the ten minutes, which shows that we are an economic agency, and I am a woman. Thank you.

PARK, Anne (President):

I thank the Special Trade Representative of the International Monetary Fund for her statement and for staying within the time limit. I now give the floor to Mr. James N. Purcell, Junior, Director-General of the International Organization for Migration. Sir, you have the floor.

PURCELL, James N. Jr. (International Organization for Migration):

Keywords: MIGRANTS - HUMAN RIGHTS PROTECTION - FREEDOM OF MOVEMENT - ASYLUM SEEKERS - INTERNALLY DISPLACED PERSONS - INTERNATIONAL INSTRUMENTS

Madame President,

The International Organization for Migration is proud to be associated with this important event and to add its voice in support of full respect of human rights.

As the mission statement for the World Conference affirms the human rights situation today is one of stark contrast. This is particularly true for the group that is of central concern to IOM, that is people involved in migration worldwide. Many of them, especially those compelled to flee, suffer violations of human rights be it in their countries of origin or their countries of residence. The International Organization for Migration through its activities and its field presence often is able to extend de facto protection to various categories of vulnerable migrants falling under the Organization's mandate. This form of protection comes into play, for example, when provision of international migration services or assistance ensures the physical safety of persons at risk. In addition, human rights concerns in a migration context are clearly echoed in IOM's Constitution in three main aspects:

Firstly, by the affirmation of the principle of free and lawful movement of persons as the basic condition for membership. Admittance as a Member provides public testimony that a government subscribes to the principle of free movement of persons;

Secondly, a human rights concern is implicit in IOM's objective to provide assistance to ensure orderly processes of migration. At a time characterized by growing demographic pressure, inequality of development between and within regions and increasing mobility, greater efforts to ensure orderly migration flows can also help to ensure respect for human dignity. Put another way, irregular, disorderly migration feeds xenophobia and racism, which can generate human rights problems such as mass expulsion and exploitation of undocumented migrants.

Thirdly, human rights are safeguarded when IOM acts to facilitate migration in dignity and self-respect, for example, in the case of rejected asylum seekers in exploring options for voluntary return to their home countries or onward emigration.

Some specific examples might include assistance under orderly emigration programmes to political detainees and other persons suffering persecution in their own countries; or to assisting internally displaced Mozambicans to return home; or to helping stranded workers in the Middle East to return home; or to helping victims of human traffickers caught in Central America.

Madame Chairman, distinguished delegates,

One group of migrants stands out in its quest for respect for human rights due to lack of special protection instruments and specific difficulties in enforcing existing ones: that is the case of internally displaced persons. Assistance to this group is a particular concern to IOM and many other international organizations. The group comprises vast numbers who fall outside the scope of the conventional definition of refugees. They are forced to move within their country as a result of one or several different reasons, such as armed conflict, widespread violence, environmental degradation,

deterioration in living conditions, economic recession, famine, over-population, natural disasters or violations of human rights. The causes of their internal displacement are often similar to those which lead to movements across borders.

However, the mere fact that they have not crossed a border often deprives these groups of protection and assistance accorded to refugees and other international migrants by the international community. Here, different situations demand differentiated responses. The United Nations, other intergovernmental organizations, governments and NGOs have a role to play – in differing measures depending upon circumstances – which require coordination and cooperation. The United Nations' new Department of Humanitarian Affairs mechanism appears to be an appropriate forum to assure that the concerns of all groups involved can be addressed coherently.

Madame President,

The existing body of international instruments to assure the legal protection and human rights of migrants was augmented in 1990 with the United Nations Convention on the Protection of Migrant Workers and Members of Their Families. Once in force, it will represent a major step in safeguarding these persons. Meanwhile, IOM and other organizations will continue to defend migrants' human rights through their programmes and their work. In doing so, we stand ready to cooperate with all groups concerned with protecting some of the most vulnerable of our global community.

Thank you, Madame President.

PARK, Anne (President):

I thank the Director-General for his statement. I now give the floor to Mr. Edward Saouma, Director-General of the Food and Agricultural Organization. Sir, you have the floor.

SAOUMA, Edouard (Food and Agriculture Organization), spoke in French:

Keywords: RIGHT TO FOOD - HUNGER - FOOD SECURITY - FAO

Madame President, Excellencies, ladies and gentlemen,

Humanity's real progress has always been the progress of the human conscience.

The proclamation of the Rights of Man and of the Citizen of 1789 and of the Universal Declaration of Human Rights of 1948 are the two beacons in the history of humanity.

This is under their light that your Conference takes place, and this gives it a great responsibility.

This is the reason why I have an important duty to come before you today on behalf of the Organization whose constitutional preamble entrusted it with the mission to free the humanity from hunger.

I am here to testify that a fundamental human right is violated; the right to life, the human right not to die of starvation, the right of each individual to an adequate and healthy food as recognized by 159 nations and by the European community at the International Conference on Nutrition.

The primacy of this right to feed oneself, without which all of the other rights are nothing but derision, I will illustrate by two striking examples.

Why was the FAO the first international organization to be created on the 16th of October 1945 even before the United Nations? Because the evidence imposed on the visionary founders of the post-war international system the fight against the scourge of hunger as their first priority.

How have we arrived today to the much-discussed duty to intervene whereby the international community can unhesitatingly move to act within the boundaries of a single country? Again, in the name of the absolute right of a threatened population to food and safety.

“Give us this day our daily bread” says the Christian prayer, a plea that has been always echoed in the relations between the man and his Creator.

I cannot but denounce a scandalous fact that the FAO must count year after year, as this is the role of FAO, the millions and hundreds of millions of undernourished people; the millions of deaths due to the shortages and famine; while at the same time keeping track of the tones of the world food production to see that the current food resources will be sufficient to feed all man; and to see that our future resources will be sufficient to feed the people of tomorrow in spite of the demographic boom, in spite of the endangered environment, if we only wanted it.

Your Excellencies, ladies and gentlemen,

My duty is to urge you to affirm, yes to affirm, the recognition of the right of each man, of each woman, of each child not to die of starvation.

One person's hunger is every one's hunger, according to the moving words of my illustrious predecessor Dr. B.R. Sen, allow me a few days after his death to pay tribute to his memory.

I am well aware that there are no rights for people without duties towards the others.

Is there more sacred duty for the head of the family, man or woman, than to feed the family?

Is there more sacred duty for governments who have accepted the honor and the responsibility of leading their people than to ensure, above all else, for each citizen an adequate and healthy diet every day?

Is there more sacred duty for the international community than that of joining hands to correct the injustices that nature and history have heaped upon the poorest nations?

The path is written by the forty years of far-sighted efforts.

In 1948, the General Assembly of the United Nations declared in Article 25 of the Universal Declaration of Human Rights and I quote “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food.”

The States Parties to the 1966 International Covenant on Economic, Social and Cultural Rights recognized in its Article 11 “the fundamental right of everyone to be free from hunger” and the measures that they would adopt either individually or through international cooperation to ensure this right.

The World Food Conference of 1974 solemnly proclaimed that “every man, woman and child have the inalienable right to be free from hunger and malnutrition in order to develop fully and maintain their physical and mental faculties.”

The food security as finally understood in its three dimensions – food availability, stability and access to food was the focus of the World Food Security Compact.

Adopted by the FAO Conference in 1985, the Compact reaffirmed the moral commitment, and I quote, “to achieve the ultimate objective of ensuring that all people at all times are in a position to produce or procure the basic food they need” and lay down the principle that the world food security was a joint responsibility of all of the humanity.

Under the egis of His Majesty King Juan Carlos the First, the King of Spain, the Declaration of Barcelona on the food rights of man proclaimed, in March 1992, that “all human beings have the right to healthy food and in sufficient quantities.”

I have already mentioned the International Conference on Nutrition, a joint initiative of WHO and FAO held in December 1992, and its World Declaration on Nutrition.

Madame President, Your Excellencies, ladies and gentlemen,

There can be no human rights for a person degraded and destroyed by hunger.

Include the right of every man, woman and child to adequate and healthy food at all times and affirm respect for this right as a common duty of individuals, States and the international community, this will add a shining stone to the pyramid you are erecting.

The FAO Secretariat has submitted to your Conference a text for consideration in this regard,

I hope with all my heart so that a decisive step is taken on this occasion under your distinguished authority.

I thank you.

PARK, Anne (President):

I thank the Director-General for his statement and for his very kind respect for the time limit. I now give the floor to Mr. Ibrahim F.I. Shihata, Vice President of the General Counsel of the World Bank. Sir, you have the floor.

I now give the floor to His Excellency Mr. Hikmet Cetin, Minister of Foreign Affairs of Turkey. Excellency, you have the floor.

CETIN, Hikmet (Turkey):

Keywords: BOSNIA AND HERZEGOVINA - DEMOCRACY - RACISM AND RACIAL DISCRIMINATION – MIGRANT WORKERS - TERRORISM - WESTERN EUROPE - WOMEN

Mr. Chairman,

The Universal Declaration of Human Rights was adopted against the background of the Second World War. Built on the tragic experience of the recent past it laid down the principles, which would guide mankind in its quest for peace and prosperity. It expressed the determination of the international community never to return to the days of horror, bloodshed and genocide.

Forty-five years have elapsed since the adoption of the Declaration. Division of the world in two rival ideologies did not allow us to make rapid progress in fulfilling the promises of the Declaration. When the cold war came to an end, we all believed that the conditions for a better world had finally emerged. Unfortunately, this euphoria has been short-lived. Today, a terrible war of aggression is raging few hundred miles from the venue of our Conference. While we are meeting to cherish universal values eloquently expressed in official documents, all human rights are trampled upon in Bosnia. This is a war of aggression not only against Bosnia and Herzegovina but also against all civilized forms of behavior. Forty-five years after the adoption of the Universal Declaration of Human Rights, genocide is taking place in the heart of Europe, supposedly the region of the world with highest human rights standards. Hundreds of thousands have fallen victims to most outrageous crimes such as murder, rape and torture. They have been subjected to the heinous practice of ethnic cleansing. Yet, we see no

effective and tangible action on the part of the international community to stop the aggression against Bosnian Muslims. The international community does not even lift the arms embargo against Bosnians to enable them to exercise their legitimate right of self-defense.

The war in Bosnia and Herzegovina is a human rights catastrophe to which we have no right to remain indifferent. The Bosnian drama is the acid test for the achievements and aspirations of the UN in the field of human rights. Will the UN system be able to cope with a human rights catastrophe? Or will it continue to deal with small scale human rights problems only while ignoring large scale ones? Such an option does not exist. It is simply not possible to have a system in which our lofty principles are applied only to minor human rights violations, and violations of genocidal dimension in Bosnia remain unheeded. This would make a mockery of the entire system. This is the risk we are facing right now in this Conference. We, therefore, believe that it is a question of credibility for this Conference to address the situation in Bosnia.

In so doing we should bear in mind that the war in Bosnia and Herzegovina might have contagious repercussions if the international community fails to put an end to it. We already see that a similar conflict is unfolding in the Caucasus. The war of aggression launched against Azerbaijan has been another conflict where international law and human rights have been grossly violated.

In our efforts to enhance the ability of the UN to deal with human rights problems we have to take into account the bitter lessons that we draw from these conflicts.

In this connection, Mr. Chairman, I should underline the nexus between human rights, development and democracy. In today's world, a democratic environment is the basic prerequisite for the fulfillment of human rights.

The relationship between democracy and human rights is formulated in the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations but not entirely satisfactorily. At a time when the undemocratic ideology crumbled, the UN had to accord higher priority to global democratic processes. It is often futile to demand respect for human rights from a country where the necessary democratic institutional infrastructure is lacking. That is to say, human rights can hardly be achieved unless an elected executive accountable to an elected legislative, an independent judiciary and free and effective public opinion exist. Therefore, this Conference should take steps to enhance international cooperation to support democratization and develop democratic institutions.

Another important dimension of human rights is that they are indivisible. This should serve neither as a pretext to ignore certain rights, nor as an argument to accord precedence to some other rights. In fact, experience tells us that selectivity in the field of human rights has led to the politicization and the consequent failure in promoting human rights on a global scale. The UN has to build its philosophy on the concept of indivisibility in order to avoid a North-South polarization on human rights.

Mr. Chairman,

The Universal Declaration of Human Rights is based on the belief that all human beings are born free and equal. The principle of non-discrimination has been made central to the development of human rights. By virtue of several instruments, the UN Member States have assumed the responsibility to protect the human rights and fundamental freedoms of all individuals within their jurisdiction without discrimination as to race, color, language or sex.

The basic principles of human rights are endangered by racism and racist violence in Western Europe. Neo-racism is a new phenomenon, which is distinct from traditional forms of racism. It is based upon a primitive interpretation of cultural relativism, barely concealing racial superiority. We trust that the democratic traditions and institutions of these countries will prove strong enough to counter neo-racism.

Unlike apartheid in South Africa, racism in Europe does not result from institutionalized governmental policy. It is a social disease, which threatens the foundations of the western society for it poses a serious challenge to the values on which modern western culture is based. Migrant workers are victims of murder, arson, violent attacks or harassment because of having different facial and body features, language or culture. Perpetrators of these violations are mostly individuals or groups who believe in the superiority of their own race and culture. They are organized as parties and associations, openly or tacitly supported by fairly large segments of the population.

Another disturbing aspect is the attitude of some political parties that exploit racist feelings for political purposes. This shortsighted approach can easily backfire and put the whole democratic life in danger.

There are efforts to find excuses for racist violence. By way of explaining its causes, some claim that the rise of racism is a reaction to economic difficulties or increasing migration. However, unemployed people are rarely involved in racial violence. Those who are dissatisfied with the increasing number of foreigners cannot take it as an excuse to beat, kill or burn them to death.

It is necessary that Western European countries in question introduce amendments into their legislation, which would effectively put an end to all kinds of discrimination and take additional measures to counter racism. Street demonstrations, public meetings and speeches proved to be inadequate measures to stop the rise of racism. Only earnest, intensive and stern governmental action as well as constitutional and legal measures can protect foreigners from racism. However, this would require to acknowledge the problem with all its dimensions and adopt bold measures that will tackle the root causes of it.

In the combat against racism, another avenue which should be explored is to grow public awareness. In Western Europe it is not possible any more to form a society based on racial homogeneity. The concept of pluralism should cover a pluricultural society. An essential dimension of antiracist policies should be to consider legally residing foreigners as an integral part of the society while respecting their cultural identity. In view of the above, we believe, the newly designated UN Special Rapporteur on contemporary forms of racism has a specific mandate and duty to make substantial contributions to the solution of this grave human rights problem.

Mr. Chairman,

The Universal Declaration of Human Rights provides that, like States, individuals and groups can also destroy human rights and freedoms. In the CSCE, participating States have recognized their responsibility to defend and protect the democratic order - freely established by the will of the people - against persons, groups or organizations engaged in terrorism or violence. It is high time a similar provision based on Article 30 of the UN Declaration should be included in the final document of this Conference. This will allow the UN to have a more comprehensive and balanced approach to human rights issues.

All terrorist acts, whatever their professed aim, target innocent lives. The right to life is the basic human right. Therefore, terrorism constitutes a brutal violation of human rights. Nothing, no political aspiration can justify the killing of the innocent.

To call people engaged in such acts "opposition groups" or "guerillas" would deliberately or inadvertently provide legitimacy to terrorists or entitle them to enjoy humanitarian law. This would be wrong.

Terrorists usually fight democratic regimes and institutions. As we seek to strengthen our cooperation for improving human rights, we should as part of that collective endeavor reaffirm our determination to cooperate more effectively in combatting terrorism.

In this context, I wish to draw your attention to a resolution adopted by the Teheran Conference on Nazism and racial intolerance. This resolution identifies Nazism, neo-Nazism and racism with terrorism and condemns them as blatant violations of the basic human rights and freedoms. We have to confess, not without consternation, that the conceptual approach to terrorism and racism was more advanced twenty-five years ago than now. With a great insight, the authors of this resolution have discovered the intricate relationship between racism and terrorism, racist and terrorist and the ideologies, which underpin them. Had the measures adopted in the resolution been implemented, Europe might not have been confronted by racism now.

Mr. Chairman,

We firmly believe that in order to establish a new world order based on democracy and respect for human rights, it is imperative that all Member States must spare no effort to ensure full integration and participation of half of their respective population, namely women, both as agents and beneficiaries in the process of development.

In this connection it is of particular importance to fully observe our commitments under the UN agreements such as CEDAW and support the inclusion into the mainstream of United Nations system-wide activity subjects pertaining to the different aspects of human rights of women such as the elimination of violence against women, eradication of all forms of discrimination against women, right to accessible and adequate health care and family planning services. In this context, we welcome the proposal for the appointment of a UN Special Rapporteur on violence against women.

Mr. Chairman,

We decided to convene this Conference four years ago. The developments which took place since then have increased the importance of our work. What is at stake now is the new international order with human rights being as one of its main pillars. The failure of our Conference will inevitably have adverse effects on the efforts towards the establishment of the new order and strengthen the forces of disorder.

In a world fast turning into a single global village, we cannot afford to have conflicting value systems. We have no choice but create a universal system that will encompass all the people. This is particularly true for human rights.

It is our firm belief, Mr. Chairman, that this Conference will proceed in full awareness of its responsibilities, will have wisdom, courage and political will to reach a common understanding among divergent views and bring its deliberations to a successful conclusion.

Thank you, Mr. Chairman.

PARK, Anne (President):

I thank His Excellency for his statement. I also beg the indulgence of speakers on the list, we are doing our best to proceed in an orderly and fair fashion this afternoon. I give the floor to Mr. Mohammed Mikhou, Secretary-General of the Consultative Council of Human Rights of Morocco. Sir, you have the floor.

MIKOU, Mohamed (Morocco. Consultative Council of Human Rights), spoke in Arabic:

Keywords: MOROCCO - ADMINISTRATION OF JUSTICE - RULE OF LAW - TREATIES - HUMAN RIGHTS INSTITUTIONS - NON-GOVERNMENTAL ORGANIZATIONS - REGIONAL COOPERATION

Madame President,

It is an honor for me on behalf of the Consultative Council on Human Rights of Kingdom of Morocco to speak briefly about this institution and its concerns.

The Council was established by the Decree of 20 April 1990 and was physically inaugurated on the 8th of May of the same year.

The national body meeting the standards and criteria defined by the United Nations, the Council is based on political, trade union, religious and intellectual pluralism. The non-governmental organizations participate in this Council in the full-fledged fashion.

Independent from legislative, executive and judiciary powers and reporting directly to His Majesty, the Council's role is to assist His Majesty in all matters relating to human rights.

The Council has set up various working groups to study the following: the conditions for custody and preventive detention as well as criminal legislation and human rights; the state of prisons; and economic, social and cultural rights.

The Council bases itself on the International Covenant on Civil and Political Rights as well as the Covenant on Economic, Social and Cultural Rights. Its objectives are to create a cultural climate within the field of human rights, to harmonize pioneering alternatives for the Kingdom's criminal policy and certain provisions of the procedural code, to implement sound application of the legal code and to ensure that internal law is in conformity with the provisions of international instruments.

The Council has made various proposals to His Royal Highness, which reaffirm the rule of law and which have been totally approved. Amongst these we would like to note the teaching of the subject of human rights as well as international conventions in the training centres. Thus, all the proposals having to do with custody and preventive detention went in to force on the 1st of January 1992 and the majority of the others are already applied.

Madame Chairman,

I believe that it is useful to recall here that the issue of human rights is not a novel issue in Morocco and it is rather a matter of putting it within a general context of history, religion and of civilization of our country.

Besides, the nationalist movement directed by the throne has always linked struggle for independence to the implementation of democracy and observance of human rights principles.

Mohammad Al-Khamis, once he came back from exile, immediately declared that Morocco was independent and adopted the Universal Declaration of Human Rights.

A land of tolerance, of dialogue - Morocco is proud of its secular past and is one of the first countries to have set up of institution of the sort that I have been referring to. It also engaged in the new stage in order to achieve the rule of law in our country.

The Constitution, which was revised in 1992, indeed, put human rights issues amongst its principal provisions, since the Kingdom of Morocco has committed itself to observing and respecting human rights as they are universally recognized.

Morocco as a full member of the international community and respectful of the international legality has always confirmed its will to work for a better future subscribing to the recommendations and conventions of the United Nations Organization.

With this regard, the Council has proposed ratification of the conventions that were not yet ratified.

It is an honor indeed for me and a pleasure to announce here that the Council of Ministers at its very last meeting approved Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Convention on the Rights of the Child, Convention on the Elimination of All Forms of Discrimination against Women and also International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

There is one positive point that arises over and above the others I have mentioned. Of course, we keep progressing along the road because human rights are never a closed chapter, there is constantly motion forward.

Madame Chairman,

Concerning the national institutions for the protection and promotion of human rights The Council contributed in Paris to the preparation of the agreement on the criteria to which the national institutions must respond to. Also two times in Cairo, a request was made for the generalization in conformity with UN recommendations.

In Tunis during the African preparatory meeting for this Conference, the Council proposed that a recommendation along these lines be adopted. It also favors the establishment of double cooperation both bilateral as well as multilateral.

To that end, the Council has embarked upon very fruitful cooperation with the French Consultative Committee for Human Rights and has decided to do the same with other similar institutions, in particular, with the Tunisian Commission for Human Rights and Fundamental Freedoms and the Algerian National Observatory for Human Rights.

Madame Chairman,

With respect to non-governmental organizations, the Council believes firmly in the role that they play and can play in the defense and promotion of human rights and considers that they must not replace the national institutions. They must establish ongoing contacts in order to expand and to complement activities of each other.

This is how the Council established links and has engaged in dialogue with the various non-governmental organizations – national, regional and international.

Madame Chairman,

The Consultative Council of Human Rights hopes that this Conference will allow better protection and a greater promotion of human rights in full objectivity and rejecting any possible selectivity because it is a holy principle that it should not be exploited for political purposes. The Council reiterates its wish, first of all, to see all proper means to be developed in order to create positive cooperation amongst the national institutions non-governmental organizations and to reinforce cooperation with all the United Nations bodies, in particular with the Centre for Human Rights in Geneva, so as to tap their experience and the assistance that they can provide with in this regard.

Secondly, that the economic and social development, an essential sector within human rights, should work to reduce and eliminate the poverty, racism and inequality amongst people.

Thank you very much, Madame Chairman.

PARK, Anne (President):

I thank the Secretary-General for his statement. I now give the floor to the representative of the World Jewish Congress, Ambassador Morris Abram. Sir, you have the floor.

ABRAM, Morris B. (World Jewish Congress ; International Council of Jewish Women ; Women's International Zionist Organization):

Keywords: HUMAN RIGHTS ADVANCEMENT – HUMAN RIGHTS MONITORING

Madame Chairman,

I speak today on behalf of the World Jewish Congress, the International Council of Jewish Women and the Women's International Zionist Organization.

The United Nations holds a world monopoly on mankind's aspiration for peace between nations and justice amongst peoples. It is the only world embodiment of the principles of the American Declaration of Independence; the French Proclamation of the Rights of Man and the highest aspirations of all religions and ethical systems.

Never until 1945 in the UN Charter Conference did sovereign States compact “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small.”

This solemn undertaking amongst nations was not an alliance for war, or for trade, or for any other of the conventional purposes for which nations have traditionally joined. It was and is a compact to chain ignoble purposes and to enshrine and advance the best instincts of mankind.

Since 1948, these purposes were written and subscribed to by all nations in the Universal Declaration of Human Rights - named universal for the very reason that all men and women are in their basic needs, drives, fears and aspirations the same everywhere.

Since 1948, the UN has been building the edifice housing these universal and instinctive needs.

The Universal Declaration is the cornerstone, but the UN system has quarried many other stones by which the human rights mansion has been erected.

There are Covenants - Civil and Political, Economic, Social and Cultural, carefully crafted and put in place. The very name covenant conjures up the imagery of sacredness, which attaches to these, nonetheless, secular documents. But we have learned that man best ensures religious values when his neighbor is treated as these covenants demand.

Unfortunately, the UN system has not been as successful in implementing the practices within the structures as it has been in building them.

This Conference would be well advised and mankind would be well served if it reaffirmed the architecture and dealt with the methods of bettering the use of the UN's creations.

What it must not do is to tear the edifice down, stone by stone, and substitute for it the diversities and perversities of man's least attractive attributes.

There is much we can do here. We could work to improve the Sub-Commission and the parent body, the UN Human Rights Commission. We could demand that those States that serve on the Commission be worthy examples of the best in statehood rather than is too frequently the case the very States under indictment. We could reiterate the truth that human rights advance economic and social development - even urging a study to explain why States with strong human rights traditions are almost always prosperous and those without such traditions have so often ended up with neither prosperity, nor freedom.

And should we not agree to put an end to the abuse of human rights forums giving a place of honor to a man who publicly embraced the worst of human rights violators - the killers in an Asian square and the dictator against whom the United Nations had to wage a Chapter VII war in 1991.

And can we not agree that never again shall we debase our principles by denying our forums to one of the consciences of Asia - the Dalai Lama?

And can we not, as Mrs. Bonner suggested yesterday, find the words to unconditionally condemn terrorism - the plague which forces each of us to pass repeatedly through security checks and experience fear every time we board a plane?

And cannot we honestly face the past and the future to condemn anti-Semitism - the mother of all intolerances?

I cannot deny that one of the great problems of the world is the poverty, grinding, dehumanizing, degrading conditions, which torture bodies, blunt minds and stifle human development. These must be addressed! It is nothing but right. Still, in a tradition, true though not my own, I say "Man cannot live by bread alone."

And facing the horror inflicted by Western peoples to each other in the heart of Europe and by so many others on other continents, I am bound to comment on some other truths from my own tradition:

In two books of the Torah, Exodus and Leviticus, we are commanded by words not addressed to the logic of the mind but to the tugs on the heart strings so that we would listen. The subject addressed is the very problem in the Balkans today.

For it is written, "Be kind to the stranger in your midst; seeing as ye were strangers in the Land of Egypt"; and again it is repeated in the words, "ye know the heart of the stranger, seeing as ye were strangers in the Land of Egypt."

The UN Charter demands that we treat one another as we would be treated. That surely is a universal ideal. Let us quit contesting these principles and listen to the better angels of our natures.

Thank you, Madame Chairman.

PARK, Anne (President):

I thank the representative for his statement. I now give the floor to Judge Thor Vilhjálmsun, speaking on behalf of the European Court of Human Rights. Sir, you have the floor.

VILHJALMSSUN, Thor (European Court of Human Rights):

Keywords: HUMAN RIGHTS PROTECTION - INTERNATIONAL COURTS AND TRIBUNALS - EUROPE - JUDICIAL INDEPENDENCE - MINORITIES - YUGOSLAVIA

Madame Chairperson, Excellencies, ladies and gentlemen,

On behalf of the President of the European Court of Human Rights, Mr. Rolv Ryssdal, who unfortunately had to leave Vienna this morning, I would like to deliver the following statement.

A little less than fifty years ago, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights, which had been prepared by Eleanor Roosevelt and René Cassin, later President of the European Court of Human Rights, the institution I represent today. That text, although no more than a solemn declaration of good intent, was to become one of the basic elements in the painstaking process of establishing a new legal order after the Second World War. The influence it has exerted has been worldwide not only because of the International Covenants that followed eighteen years later but also because of the regional human rights protection systems set up in Europe, the Americas and Africa, which all derive from that mother cell.

The authors of these international instruments were convinced that there can be no lasting freedom of the individual in the absence of a democratic state, which in turn can exist and function only when its citizens are enabled to enjoy their elementary human rights. In addition they had learnt, in particular in Europe after the tragedies of the 1930's and 1940's, that observance of human rights is not exclusively a matter between the state and its citizens, the international community as a whole also has some responsibility for safeguarding the fundamental rights and freedoms of human beings and in extreme circumstances of denial of human dignity and of violence, it is not only entitled but also under a duty to intervene. If at the end of this century, after the collapse in Europe of the totalitarian political systems of fascism and communism, there appears to be some guarded hope that the coming century will be that of democracy and human rights, it is essentially thanks to those women and men who in 1948 pioneered the idea of the international community assuming responsibility for a general code of conduct to be respected by all state authorities in their relations with the individual.

Through this Conference the different actors in the human rights community – that is all those who are involved in the struggle to preserve human rights – are provided with a welcome opportunity to confront their experience. And I deliberately say “preserve” because the need to strengthen the universal dimension of human rights is even more apparent today than it ever was. National protection and regional protection are important, indeed essential, but so is universal protection. As the Minister for Foreign Affairs of our host country Mr. Mock rightly stressed recently at the Council of Europe, human rights are fundamentally universal in nature. Their protection is by definition a collective responsibility.

There is, thus, no competition between regional and worldwide systems of human rights protection. They complement each other or, as the European Court of Human Rights has said of the relationship between national protection in each country and the European regional protection, they go hand in hand. It is true, however, that systems operated by regional organizations – grouping States sharing similar cultural, social and political traditions – are capable of providing a more structured framework and, I would venture to say, a more effective level of safeguard in concrete circumstances. The common denominators are higher amongst “like-minded” States and the resultant constraints are easier for the States to accept when it is a collective endeavor of like-minded nations. It is, therefore, important, in my view, to continue the development of regional systems of human rights protection in the world, parallel to the efforts being made at the universal level. This is, I am glad to say, how the countries working together in the United Nations understood their mission from the beginning, and the achievements of the African, American and European human rights instruments confirm that they were right.

This Conference will not have served any useful purpose if it does not convey a clear message as to what the international community intends to do to stop the denials and deprivations of elementary human rights, which are still occurring in too many parts of our world. Establishing or reinforcing human rights protection mechanisms is one obvious answer. In this line of thought let me two or three concrete observations.

First, you will not be surprised to hear that as President of the European Court of Human Rights one of my concerns is that all international systems for protection of human rights should eventually have a court as the ultimate instance of decision-making. In other words, the aim should be to channel the complaints of violation of human rights towards a judicial decision in the final resort. Of course, it takes some time and a solid body of evidence to convince political entities and governments of the virtue of this as the European experience has shown. Indeed, it took many years before the Contracting States to the European Convention came to accept that the final ruling in human rights cases brought under the Convention should be given by the Court in Strasbourg by way of a binding judgment after proper judicial proceedings. Two figures suffice to illustrate this: whilst only 16 cases were referred to the Court for adjudication in its first 17 years of existence, nearly 460 cases came before it in its second 17 years.

In October, the Council of Europe Conference of Heads of State and government to be held in this beautiful city will hopefully adopt a final decision on the reform of the European human rights machinery, which has been under discussion since 1985. Whatever the details of the new structure, there is today common agreement that it should be a court and not a political body invested with the power of decision in human rights cases.

Second, of course the essential judicial thread of human rights enforcement does not exist in isolation at international level. International instruments lay down as their primary obligation for the Contracting States that the guaranteed rights should be implemented within the national legal order. The cloak of international protection is, therefore, cast over the national legal systems. Human rights treaties do not simply involve international law obligations producing their effects solely in the international sphere. It is in the first place for the national courts and the national judges to ensure observance of human rights. International and national judges have a common responsibility for the effective protection of the fundamental rights and freedoms of the individual. The judicial thread runs through the fabric of human rights protection from the universal to the regional, to the national level: it is an interwoven fabric.

It is, therefore, necessary to strengthen the role of the national judiciary in human rights protection and to ensure, in particular, the independence and impartiality of the national courts in order to enable them to assume properly their function as guardian of the freedom of each human being.

Third, much could be said as to the need for additional human rights to be guaranteed under universal and regional machinery. In view of the shortness of the time available, I should like to draw attention to only one problem that has once more become acute in Europe but which is universal in nature, namely the protection of minorities.

None of the existing international human rights instruments offers sufficient safeguards and only the International Covenant on Civil and Political Rights seems to include specific protection for members of ethnic, religious and linguistic minorities. It did not need the barbarian violence in ex-Yugoslavia to remind us that peace is threatened when minorities are deprived of their elementary right to live their lives.

Effective international protection of minorities is, therefore, urgently required as it was stressed earlier at this Conference by the Secretary-General of the Council of Europe. The Parliamentary Assembly of the Council of Europe has given a promising signal by adopting a few months ago the text of a proposed additional Protocol to the European Human Rights Convention. That text has been addressed

to the governments of the Council of Europe Member States which, it is to be hoped, will be ready to take concrete decisions in October.

My last observation again relates to the horrifying events in ex-Yugoslavia. The international community revolted at these crimes has called for the punishment of those who perpetrated them or instigated them. The time has come, it is felt, to envisage an international court competent to try persons charged with crimes against humanity. This is by no means a new idea and those with decision making powers in the international community should be encouraged to take the initiative now and to move from the comfortable realm of ideas to prompt action in order to fill a significant gap in the present scheme of international human rights protection.

Ladies and gentleman,

This Conference offers an opportunity to make further progress in protecting human rights and fundamental freedoms in our world. We should be careful not to squander that opportunity.

I thank you.

[Change of President]

ROBAINA GONZALEZ, Roberto (President), spoke in Spanish:

I would like to thank the Chairman of the European Court of Human Rights. I give the floor now to the Chairman of Unity of Man. You have the floor, Sir.

SINGH, Harbhajan (Unity of Man):

Keywords: HUMAN RIGHTS - RELIGION - PEACE - WOMEN

Dear brothers and sisters,

I want to share my views on very important issues. I want to have some heart to heart talk with you because I think the problems of the world are not critical but they are more spiritual. We have to find a way out to these problems. As, for example, there are [inaudible] problems in different countries. Whether we are politicians, religious or spiritual leaders, our purpose is one and the same that is man-making and man-service. If we live up to it and do with it, there will be a total perfection [inaudible] solution to all of the problems in our different countries.

Then, on the international level, we have to find a common opinion, which is distinct from our religions, from our own old standings because I would like to tell you that God made men, and men made religion. Never in the history a competent master ever created a religion, rather the religion was created by the so-called followers of the faith but after their physical departure. So thereafter, there were created a lot of shackles therein.

Now all these problems in the world are due to the shackles and not to the true religions. So what are those shackles? Everyone knows, because this man is but the true temple of God. Everything is within. Is there a true Bible, is there a true church, is there true [inaudible], is there a true Quran, is there true [inaudible] and all temples? Man is made of the same symbols as that of God. What we have to find is that we are all one in God. May be that we are all one, our Father is one, and our purpose is one, our belief to God is one.

On this issue, we have to see how the peace can be submitted into the world, how all these affairs can be set fully aright. If really people rise above these sects and religion, and premiers and presidents should rise above their kingdoms, the peace is already there. The human rights are already there. These are lying within the man. Everything is in it, within the man.

There is a question. The answer is also within. Suppose you put me a question, I gave you the wrong answer. You would never cooperate with me since you have the right answer within you. Man is the first human being, then we are adhering different labels, and we are reading in different schools and colleges. But our purpose is to rise above these shackles.

My second opinion is that there are many problems that have gone beyond the care of man. If we clutch to them, they will create more hatred and bloodshed into the world. There is only one solution - to forgive and forget because there is the law of justice and there is the law of forgiveness. The law of justice can do a lot in the world. What the law of forgiveness can do, the law of justice cannot do. Because he who forgives them then forgets, he is the brave and [inaudible] because the law of forgiveness is also called the law of grace. So he who forgives and forgets, he is gracious and lovable to all.

In my opinion, these are the things with which we can have to be very sincere and put [inaudible] positive.

Now, all those masters who came into this world and lived 100 percent for others. Our purpose is also therein. It is from the Holy Scripture that to live beyond necessities is a sin. If we really live up to it, we can save a lot of poor and the needy and we can overcome a lot of shortcomings of the human beings.

My last question is the problem of women. So far, I did not think that the women are different from men because both cannot live without each other. Whereas the woman is the inspiration to the husband, to the children and can be inspiration to the surrounding as well. Christ has told in the Bible, "a husband should love his wife as Christ loved the church." What does it mean? It is a beautiful thing to live with it. If we really live with it then there will be no problem in the world because the woman is the source of bliss, and, in the womb of the mother, she gives the right understanding to the child blessed by the light and this [inaudible] principle that was started by the all competent masters of the world. So when the child comes out of the womb of the mother, it cries due to the detachment. So what we do, we should [inaudible] and [inaudible] he feels very happy to it.

What should we do on this matter because when the woman cries she would only need love and favor from the man. When it is not given, her heart becomes stone-like. Whatever and who so ever lived with it in the past that becomes [inaudible] hard for her.

There is very important and positive way of life, and we should live in this direction. We can all [inaudible] to all peoples. [inaudible] your Father is in the heaven. These are very important issues because all those problems in the world are due to the different shackles arising from different religions. If you try to know the very base of the problem that has arisen out of it so in this direction I would like to tell you that our purpose in this world is unique. We should love others as we do love our dear ones. This is the way to expand our own self to embrace the whole humanity and to prove ourselves human beings in the true sense of the word. Only when we rise the narrow confines of our own self, our own family, our own community or nation can we take into our hearts the concern and suffering of our near and far neighbor. It is the way for any individual and it is the noble task of those who help...

ROBAINA GONZALEZ, Roberto (President), spoke in Spanish:

I would like to thank the speaker. Could the speaker conclude in one minute? Thank you.

SINGH, Harbhajan (Unity of Man):

...while sitting in the heart of beautiful country we should appreciate those who have [inaudible] their heart and head and let us pledge ourselves to go with their values of life since the purpose of human life is to meet a good end.

Let us go back to our countries to preach [inaudible] our values of life so that there is an eternal peace in our hearts.

Thank you.

ROBAINA GONZALEZ, Roberto (President), spoke in Spanish:

I would like to thank the representative of the Unity of Man. Now I invite His Excellency Ambassador Rachid Driss, Chairman of the Meeting of National Institutions, you have the floor, Sir.

DRISS, Rachid (Tunis. Superior Committee of Human Rights and Fundamental Freedoms), spoke in French:

Keywords: HUMAN RIGHTS INSTITUTIONS - HUMAN RIGHTS PROTECTION - RESOLUTIONS AND DECISIONS - HUMAN RIGHTS ADVANCEMENT

Mr. President, Excellencies, ladies and gentlemen,

It is a matter of honor for me to be speaking before this august assembly and to be the spokesman of the national institutions for the protection and promotion of human rights. Allow me to thank the Preparatory Committee and the World Conference for having accepted the participation of national institutions to its wide-ranging meetings for the promotion of human rights, all human rights, economic, social, cultural and political. I would like to express the hope that the contents of the resolution that the representatives of national institutions have asked me to submit to you will find a favorable response.

Mr. President, Excellencies, ladies and gentlemen,

The establishment of national institutions and their increasingly noticeable presence in many international fora devoted to human rights, among which the Conference we are attending, meets the wishes of the highest authorities of our organization, the General Assembly and the Economic Social Council, to see bodies being set up at the national level to ensure the defense of human rights internally and serve a kind of relay for the efforts undertaken within the United Nations.

The international community today can be proud of the existence on the five continents of over fifty national institutions of different nature, ranging from national commissions to ombudsman, including committees, councils, mediators and defenders of the people.

Beyond the diversity of denominations, the common point that brings all of these institutions together is the will to see the progress achieved in human rights and to ensure respect for human dignity, nationally and to the extent possible internationally. Henceforth, by working together, by exchanging our experiences, within the framework of our own meetings and also within the framework of wider gatherings, we do our utmost to come up with a typical profile or at least to determine the outline of what could be an effective national institution.

On this subject, I would like to recall that the Principles relating to the status of the national institutions that were developed in October 1991 in Paris and adopted by the Commission on Human Rights in its resolution 1992/54 pending the endorsement by the General Assembly at its 48th session next September - represents considerable progress in the definition of the competence of national institutions and are a source of continuous inspiration for our deliberations.

In Vienna, we were about thirty institutions working on the best means to encourage the creation of national institutions, to determine the modus operandi of the Paris Principles and to strengthen inter-institutional cooperation. The text which I am about to present to you is the result of three days of intense discussions of high quality and of great richness.

This is a draft resolution that you probably have before you. It is made up of a preamble, a declaration of principles and a plan of action. Our concern in developing this document with regards the Principles was neither to redefine the Paris Principles, nor to go against them but on the contrary to emphasize them.

We have also complied with the elements relating to national institutions which appear the Final Declarations of the regional preparatory meetings held in Africa in Tunisia - my country, in Latin America and Asia, and which demonstrate that the majority of Member States of the United Nations adhere to the concept of a national institution as an appropriate way of ensuring the protection and the promotion of human rights. This justifies the reference to document A/CONF.157/PC/92/Add.2 in the preamble, a compilation of those relevant elements that I have just mentioned.

With regard more specifically to the programme of action, I would like to briefly attract your attention to the important provisions resulted from the meeting of national institutions.

In this context, the World Conference should:

- invite the governments to create within the framework of their legislation national institutions or to reinforce and encourage the existing institutions;
- also request the governments to support such international institutions, to cooperate with them and to develop vigorous policies to combat any attack on the fundamental human rights;
- recommend to the United Nations General Assembly to adopt the Principles relating to the status of national institutions;
- recommend the establishment within the United Nations of a Board of Directors made up of representatives of national institutions and strengthening of cooperation between these institutions;
- recommend the strengthening of the activities and programmes and activities of the United Nations to respond to requests for technical assistance from States wishing to have either created or strengthened their national institutions in accordance with the Principles relating to the status of national institutions. In this context we are pleased to hear that the Australian government, and we hope that this will be followed by other governments, just announced a contribution of 300,000 US dollars for the fund of the United Nations Center for Human Rights to strengthen the national infrastructure that ensures the protection of human rights and, in particular, national mechanisms for the promotion and protection of human rights.
- Finally, recommend periodic meetings of representatives of national institutions under the auspices of the Centre for Human Rights and the Board of Directors of the Fund in order to study the best possible ways of improving the mechanisms and to share inter-institutional experience.

These are the few proposals that the national institutions wished to submit to the World Conference on Human Rights; it is being understood that the full text of the resolution is available in the document A/CONF.157/NI/6 and I hope that it will receive your consensus agreement.

I thank you for your attention and [spoke in Spanish] thank you very much, Mr. President.

ROBAINA GONZALEZ, Roberto (President), spoke in Spanish:

I would like to thank His Excellency. I now call on Mr. Ibrahim Shihata, Vice President and the General Counselor of the World Bank. You have the floor, Sir. Is Mr. Shihata in the room? I would

like to call on His Excellency Mr. Karl Auguste, Minister of Justice of Haiti. Excellency, you have the floor.

AUGUSTE, Karl (Haiti), spoke in French:

Keywords: HUMAN RIGHTS VIOLATIONS - REFUGEES - HAITI - COLLECTIVE SECURITY - DIPLOMACY - IMPUNITY - INTERNATIONAL COURTS AND TRIBUNALS - UN High Commissioner for Human Rights

Mr. President,

On behalf of President Jean-Bertrand Aristide and the legitimate government of my country, I would like to convey to you my congratulations on your election as President of the Conference. I would like to assure you of total support of my delegation for the success of this Conference. I would like to thank most warmly the Austrian authorities for the hospitality and all those who made it possible for this Conference to be held. This Conference, we hope, will mark a very important stage in the progress of the cause of human rights.

Mr. President, Excellencies, ladies and gentlemen,

I would also like to take this opportunity to greet all delegations present at this Conference and to state our solidarity with all of the women, all of the men and all of the organizations, which are working throughout the world at the national, regional and international levels for the promotion of human rights. It is a matter of pride for us to associate ourselves to such a grand enterprise and that we speak on behalf of the Haitian people and the Haitian nation, the very existence of which symbolizes the faith in the freedom and human dignity.

The constitutional government of Haiti would like to take this opportunity to recall the various initiatives undertaken by the United Nations for the edification and protection of human rights, and the latest one of these initiatives is precisely this World Conference on Human Rights.

Decided in 1990 by the General Assembly of the United Nations, the Conference offers us an opportunity to reflect together and to sincerely question the challenges that face the humanity at the dawn of the new millennium. But we already should allow ourselves together with others to note that the action taken by the United Nations to support human rights have made it possible to save lives, prevent torture, obtain the release of prisoners, make reappear people who had disappeared, promote health and literacy and protect the rights of refugees and displaced persons, to combat the segregation and racial discrimination.

In spite of the United Nations efforts and work for the promotion and protection of the fundamental freedoms and human rights, we cannot but note that these rights are not recognized, nor are they respected throughout the world. How many countries have not yet adhered to international treaties on refugees, for example? How many States who have signed this same treaty ignore them, violate them or apply them selectively or in a degrading fashion for refugees who knock on their doors and whose rights are, thus, violated? This is a phenomenon that calls out to the consciences of all the same way as do the slavery, segregation, anti-Semitism, dictatorship, oppression or institutional racism at to varying degrees, it is true.

Thus, in numerous countries, trafficking in women continues as well as the denial of their rights. We particularly welcome the idea appointing a Special Rapporteur on violations against women and we support this idea. Similarly, the rights of children are not clearly understood, they continue to be the objects of illicit traffic, torture and exploitation of all sorts. This is why specific mechanisms for implementing the Convention on the Rights of the Child should be implemented, in particular, at the level of each country.

As this Conference is being held, how many people are the victims of violations on a daily basis. Let us not forget that each time a human right is violated somewhere, it is the dignity of each man which suffers and it is a sliver of our humanity that is sliced off. Let us not forget that behind this anonymous statistics and facts that are in the reports there are lives at stake, human beings like you and me, the entire families who are traumatized.

Mr. President,

Thanks to free and democratic elections carried out under the auspices of the United Nations, the Haitian people had every reason to hope that the 16th of December 1990 would mark the beginning of a new era, which would see the clear achievement in its history, of its dream for freedom, equality and dignity with the coming to power of President Jean-Bertrand Aristide.

But the military coup of the 30th September 1991 abruptly shattered this democratic plan that had just begun to crystallize and stopped our progress towards the state of law. We know the results: over 3,000 dead, hundreds disappeared, all human rights violated, the press was muzzled, public freedoms were put on hold, and the phenomenon resurged of "boat people" fleeing the insecurity repression. In fact in Haiti arbitrary rule prevails, supported by corruption, contraband and the illicit drug trafficking. Numerous reports of impartial witnesses point to countless violations of human rights. Yesterday, the day after the resignation of the de facto Prime Minister, a Belgian priest of Congregation of Scheuts, who accompanied the peasants in their struggle for life, was arrested, beaten and mistreated by soldiers. His condition is critical because he has lost an eye and has a fracture of the skull.

One can imagine what the physical condition now of the poor farmers who were arrested at the same time as the priest must be!

Faced with these phenomena that knows no borders, we agree with others that the notion of collective security must evolve. In this sense, we adhere fully to the notion of preventive diplomacy mentioned by the Secretary-General in his inaugural speech. People must be given the means with which to erect genuine model societies, the means with which to imagine possible coexistence. It is on this condition alone that we will be able to dodge the perils that we have just mentioned.

Associating ourselves with the idea of preventive diplomacy means for us two things.

First of all, this would not be a question of opposing one category of rights to another. A model society can only fully be realized in all of its dimensions: economic, social, cultural, political. Human rights are indivisible.

Secondly, the fact that one speaks of collective security recalls for us all that there is a question of shared responsibility. Every State has the duty to contribute to the promotion of our humanity. As long as there will be on our planet individuals, groups and peoples whose rights are violated, we shall all always be responsible.

Of course, the international community condemned the military coup d'état and the numerous violations of human rights were consistently denounced and condemned. It has never recognized the de facto government and it continues to support Haiti in its quest for democracy and in struggle for the restoration of the constitutional order.

There is, therefore, no doubt that the international community is aware and wishes to be directly involved when the new world order, which it advocates so that individual and collective rights can flourish all over the planet, is threatened. It is also our conviction, and it is with this conviction that we ask you to help us to safeguard the results of the electoral consultation of 16 December 1990 carried out thanks to the United Nations.

Mr. President, Ladies and gentlemen,

The vast project for the promotion and protection of human rights requires effective means. Today we have to recognize that the fact is that there remains the absence of effective protection of victims of violence. The impunity, which continues to be the rule, cancels the legal effect of norms that have been in place to protect these rights. We cannot erect a state of law on the basis of impunity. No model society can be erected on the basis of impunity. My country is also very concerned by this question. For us, the imperative of justice, inseparable from the demands for the restoration of the democracy aims at setting up the conditions for a lasting respect of human rights. It involves the socialization of the truth about all crimes committed, through the conduct of urgent reforms concerning the judicial system and beyond the institutions that must constitute the framework for the respect of human rights, through a wide human rights education campaign. We believe that these concerns go hand in hand with those who fight against impunity and fight for justice. In this regard, we emphasize the importance of a permanent international criminal court, the establishment of which we would like to support. In our opinion, this measure would also fit within the idea of a shared responsibility between all States in the field of the protection of human rights.

Mr. President,

Generally speaking, our Conference should propose specific measures aimed at strengthening the effective means for protecting and promoting human rights by the United Nations. One of the proposals formulated involves the creation of a post of a High Commissioner for Human Rights. The proposal should be studied in depth. We feel, nevertheless, as has already been said in this forum that priority should be attached to strengthening the existing structures by giving them the real means with which to carry out their duties. The Centre for Human Rights is primarily concerned. The Conference should propose specific means to mobilize more resources to finance its activities.

Mr. President,

My government hopes that beyond speeches and declaration of intent we will take together during this Conference the effective means to promote human rights throughout the world. The peoples of all countries expect from the international community to provide, in addition to sanctions against those who violated their rights or jeopardize their efforts of democratization, positive support in the construction of a collective future.

Finally, we would like to draw your attention to the new phase in the crisis of Haiti characterized by a power vacuum since the 8th of June. This is the time, more than ever, for the national community to accompany the Haitian people in their struggle for democracy by taking serious measures in order to restore the rule of law with the return to Office of President Jean-Bertrand Aristide.

Thank you very much.

ROBAINA GONZALEZ, Roberto (President), spoke in Spanish:

I would like to thank His Excellency for his statement. I now call on His Excellency Mr. Datuk Abdullah bin Haji Ahmad Badawi, Minister for Foreign Affairs of Malaysia. Excellency, you have the floor.

Abdullah bin Haji Ahmad Badawi, Datuk (Malaysia):

Keywords: HUMAN RIGHTS - DEVELOPMENT - DEMOCRACY - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS - BOSNIA AND HERZEGOVINA - MALAYSIA - INDIGENOUS PEOPLES - DEMOCRACY

Mr. President,

We are meeting at a time when the world is undergoing a process of unprecedented change. Since the Teheran Conference twenty-five years ago, human rights have moved to the forefront of the international agenda because of the alarming increase in human rights violations, many of which were tolerated under the cover of East-West ideological rivalry. With the end of the cold war, the situation has not improved and the need for effective global action on this vital issue has assumed an even greater urgency. Our presence here today testifies to our abiding commitment to constructive dialogue and international cooperation in the pursuit of human rights, human dignity and the essential worth of the human person.

Mr. President,

In Malaysia, we have been closely studying developments in the field of international cooperation on human rights. A great deal of progress has been made in strengthening the instruments for the promotion and protection of human rights. The procedures at the Commission on Human Rights that provide for the appointment of representatives of the Secretary-General or Special Rapporteurs, Working Groups and monitoring mechanisms, along with the Confidential 1503 procedure have been developed over the years. Unfortunately, all of them reflect the preoccupation with civil and political rights. We are also witnessing signs of the increasing politicization of human rights issues by the developed countries and at the United Nations.

Forty-five years after the Universal Declaration of Human Rights, the world, regrettably, is no closer to a consensus on the universality of all human rights. While there is no question that we want human rights to be protected and promoted, there is a conceptual divide arising from differing perceptions and positions on this complex issue. It is important that this is recognized and redressed. The objective, after all, is to harmonize and reconcile diverse viewpoints so that we may arrive at a meaningful global consensus. On the question of human rights there is no place for confrontation but there is a need for global partnership.

Mr. President,

Malaysia takes a holistic view of human rights. We believe that civil, political, economic, social and cultural rights are indivisible and interdependent. We wish to stress that the right to development is a fundamental and inalienable human right. The 1968 Teheran Conference had proclaimed that the full realization of civil and political rights would be impossible without the enjoyment of economic, social and cultural rights. The international community must address the totality of this issue in an integrated manner and with the same equality and urgency.

The Teheran Conference also established that the realization of human rights was impeded by the widening gap between the developed and developing countries. It further acknowledged that meaningful progress in implementing human rights depended upon sound and effective national and international policies of economic and social development. Yet today the goals of the Teheran Declaration remain unfulfilled and the gap between developed and developing countries has further widened. Increasingly, the policies of the North are constraining the developmental objectives of the South and seriously undermining their economic growth. Without development, without an integrated approach to human rights, in which developmental needs are incorporated, international cooperation on human rights cannot be sustained. A senior World Bank official at a seminar organized here last Wednesday said, "It is unfair to talk about political rights only. There is no doubt that freedom from

poverty comes first for the poor, although everybody aspires to all freedoms and rights." The time has come to give due weight and attention to implementing the Declaration on the Right to Development.

The relationship between development and democracy is an essential condition for the full and effective enjoyment of human rights. Unfortunately, however, there has been a retreat from the commitment reached in Teheran on the linkage between human rights and development. Bilateral and multilateral attempts to link development assistance to the observance of human rights only undermine our collective commitment to and pursuit of human rights. It is right and proper that we do not condone violations of human rights, wherever and whenever they occur but selective approaches, be they monitoring or pressure tactics, will not be conducive to the fostering of international cooperation for the promotion and protection of human rights.

Mr. President,

It is our hope that this Conference will go beyond the simple recognition of the relationship between human rights and development and move into concrete programmes of action. In this respect we are deeply concerned at attempts by donor countries to incorporate conditionalities in their development assistance programmes. Malaysia shares the view of the UNDP and the World Bank against the introduction of conditionalities, which encourages political prejudices and selectivity and victimizes the poor twice over.

Mr. President,

Human rights and democracy are meaningless in an environment of political instability, poverty and deprivation. Let us admit and recognize this. The West had an enormous advantage of history, and the plundering of economic resources of their colonies as well as the luxury to hew and hone its democratic instincts, political values, military power and civilian rule. For many developing countries, meeting basic needs for food, shelter, education and health remain a daily struggle. In such situations, civil and political rights have little meaning without their social and economic underpinning. Neither has a priority on the other and the two must develop in tandem.

Let me be clear that Malaysia is not advocating that the promotion of human rights be conditional upon development. Nor we are saying that we should use discipline to curb individual freedom. What we are seeking is a balanced and democratic approach that incorporates the views and concerns of all of us and not just those of a privileged and powerful few. Another conceptual lacuna in the current debate on human rights is the manifest emphasis on individual rights at the expense of the rights of the community. The rights of the individual are certainly not in splendid isolation from those of the community. Excessive individual freedom leads to a decay in moral values and weakens the whole social fabric of nations. In the name of individual rights and freedom, racial prejudices and animosities are resurfacing to the extent that we are witnessing the rise of new forms of racism and xenophobia increasingly manifested in violence.

The international community must take stock of the practical linkages between development and democracy for human rights to be fully enjoyed. Every opportunity should be given to the developing countries to shape their own political, social and economic institutions, which reflect their own traditions and values. After all, as colonies, many of them had been subjected to human rights abuses by the very same self-righteous proponents and defenders of human rights today.

Mr. President,

The United Nations Secretary-General has observed that both the principles and the practices of human rights are under stress. He recently wrote,

This is a time for serious discussions, for quiet diplomacy and step-by-step problem-solving. Solutions cannot be imposed from the top down. Proposals for

new bureaucracies, high-level positions, more procedures and permanent forums, as admirable and well-intentioned as they are, may only arouse discontent and resistance at a time when liberality and leeway are called for. This is a year for dialogue.

Our concern now is not about the need for human rights but rather about how we achieve reasonable standards of human rights, as to who sets those standards and as to how aberrations created by double standards can be effectively addressed.

Against this dismal backdrop, we hear a rising clamor for new institutions including the proposed post of High Commissioner for Human Rights. In Malaysia's view, what is perhaps needed is a thorough study to revamp the existing United Nations human rights machinery, in particular, the Commission on Human Rights and the Centre for Human Rights. As regards the proposals for the establishment of an international court of human rights and an international penal court, our view is that we should await the outcome of studies being undertaken by the Commission on Human Rights and the International Law Commission before taking a final decision.

Mr. President,

Nowhere is the double-standard approach to human rights more glaring than in the West's evasion of its responsibilities through its inaction in the face of the massive and gravest violations of human rights in Bosnia and Herzegovina. Surely, their apathetic and meek response to genocide, ethnic cleansing and rape, in the heart of Europe, makes a total mockery of their preaching and posturing on the promotion and protection of human rights in far corners of the world. We ask ourselves what credentials do they still have to preach about human rights when the most blatant abuse of those rights before their very eyes goes unpunished. The murderous acts and cruelty perpetrated by the Serbs on Bosnian men, women and children, the horror of which confronts all of us on our television screens every day, are stark expressions of a deliberate and cynical humiliation of the human spirit and dignity not to mention the destruction of life itself. Must a whole community be annihilated for another community to achieve its nationalistic aspirations? What more is needed to move the West to take forceful action provided for in the Charter of the United Nations to end killings, aggression and the mutilation of a sovereign and independent nation, a member of the United Nations, when all peaceful diplomatic efforts have failed. Their failure is an impeachment of their credibility.

The Security Council too has failed to fulfill its obligations under Article 24 of the Charter to take prompt and effective action to restore peace and uphold the sovereignty, independence and territorial integrity of the Republic of Bosnia and Herzegovina. At the same time, the Council is denying the government of this Republic its inherent right to self-defense under Article 51. This is immoral, unjust and totally unacceptable.

Today, as we are gathered to take stock of international progress in the field of human rights, we must be courageous, honest and responsible enough to address the acute and tragic human rights situation in Bosnia and Herzegovina. Failure to do so is to condone and to connive at aggression and massive violations of human rights and to be an accessory to the crimes being committed by the Serbs. Like many others, my delegation was deeply moved by the heart-rending appeal made by the Bosnian Foreign Minister on Tuesday and we were extremely gratified that this Conference spontaneously endorsed his plea for our meeting to request the UN Security Council to take all necessary measures to immediately end the genocide in Bosnia and Herzegovina especially in Goražde.

Our worst fear of the consequence of a policy of apathy and appeasement is now surfacing with the abandonment of the Vance-Owen plan in favor of the Tudjman-Milosevic proposal for the partition of Bosnia and Herzegovina into three States based on ethnic lines. Although full details of the proposal are not yet available to us, the fact remains that its acceptance means legitimizing Serbian acquisition of territory through the use of force and the abhorrent practice of ethnic cleansing. We are troubled by the notion that European nations and the United States of America, at the dawn of the 21st century,

find it practical and proper for a country to be divided along ethnic and religious lines, when Bosnia and Herzegovina has long been multiethnic and multireligious. It contravenes international law and is in violation of all Security Council resolutions and General Assembly resolutions 46/242 (1991) and 47/121 (1992).

In the light of this latest development, it is important that this crucial initiative be further reinforced and complemented by a comprehensive plan of action. In this connection, members of the Organization of Islamic Countries (OIC) have proposed that this World Conference issues a declaration to pledge its solidarity with the people and the government of the Republic of Bosnia and Herzegovina and urge the Security Council to fulfill its responsibilities under the UN Charter, particularly under Article 24, by taking prompt and effective measures in order to restore peace, to affirm the independence, sovereignty and territorial integrity of Bosnia and Herzegovina and to uphold the human rights of its people. In the context of this Conference having to address the issue of human rights, the tragedy of Bosnia and Herzegovina is an acid test. Where is the protection of the most basic of human rights - the right to life itself? The need to support the OIC proposed Special Declaration is in my view imperative.

Mr. President,

I certainly agree with the view that there is no single model or panacea that would help tackle the threat of the revival of ethno-nationalist and religious conflicts. In Malaysia, we are blessed with a multiracial society, the majority of which are indigenous peoples. It is no coincidence that through the secret ballot box people in my country enjoy full participation in the democratic process. In the villages and in the forests, there are also minority indigenous groups. Often, there are conflicting and forceful demands on the government to respect and sustain the traditional way of life of some of these groups and, at the same time, to encourage them to contribute to and participate fully in the mainstream of national life.

This morning at the Conference we observed a special commemoration of the International Year for the World's Indigenous Peoples. As a nation with more than 30 indigenous groups we, in Malaysia, rejoice in celebrating this historic day. In Malaysia, we certainly do not wish to see any of our indigenous peoples become marginalized in our society or become mere tourist attractions. There is ample opportunity, room and land for all our citizens and ethnic groups. Our vision of the future is a nation whose people are highly motivated, resilient, tolerant and compassionate. For us the underlying foundation of a democratic and successful nation remains the need for strong and good governance for a disciplined and productive society, for continuing emphasis on political stability and quality economic growth with human beings at the centre of development efforts, while we continuously strive for the upholding of human dignity and the essential worth of the human person.

In conclusion, I would like to underline that progress in the field of human rights and democracy must be pursued within the context of democratization in international relations. It is important that the principles of democracy are practiced within the United Nations. All States, big and small, rich and poor, must be given the opportunity to participate in the work of the Organization to enhance cooperation in human rights as well as in other areas of international cooperation. This is the only way to avoid replacing the ideological rivalry of the cold war period with that of North-South antagonism. After all, in the words of the Charter, the United Nations both symbolizes and reflects the harmonization of the collective action by nations in the pursuit of common ends. Let this inspire us to work towards our common goals in the spirit of constructive dialogue, consensus and genuine cooperation.

Thank you, Mr. President.

ROBAINA GONZALEZ, Roberto (President), spoke in Spanish:

Thank you Your Excellency for your statement. I now call on His Excellency Mr. Nobuo Matsunaga, Ambassador of the government of Japan. Excellency, you have the floor.

MATSUNAGA, Nobuo (Japan):

Keywords: TREATIES - DEVELOPMENT - CHILDREN - INDIGENOUS PEOPLES - WOMEN - TECHNICAL ASSISTANCE - TECHNICAL COOPERATION - UN High Commissioner for Human Rights - ASIA - REGIONAL ARRANGEMENTS

Mr. President, distinguished delegates, ladies and gentlemen,

In 1945, the peoples of the United Nations, in the newly adopted Charter, proclaimed their historic determination to save succeeding generations from the scourge of war and to reaffirm their faith in fundamental human rights. Now with the end of the cold war, the spirit of the United Nations Charter, though nearly half a century old, should be full of fresh meaning for us. When we recall the important part that faith in human rights has played in the ongoing worldwide tide of democratization notably in Eastern Europe and the former Soviet Union; when with dismay we see emerging ethnic conflicts marked by total disregard for human dignity; and as we set out to build a new international order that will guarantee all peoples and individuals lasting freedom, peace and prosperity, we must strive to give the Charter renewed vigor, and reaffirm, and act upon our solemn commitment in the Charter to fundamental human rights and world peace.

In the decades since its establishment, the United Nations has made remarkable achievements in the promotion and protection of human rights. The Universal Declaration of Human Rights was the first landmark. A series of human rights conventions and international mechanisms to ensure their observance are part of the precious heritage of mankind. The time has now come to build on those accomplishments, overcome remaining obstacles and meet today's new challenges. I would like to express my profound gratitude to the government of Austria for hosting this important Conference to address our historic task.

Mr. President,

Human rights are universal values common to all mankind. This truth reflected in the United Nations Charter is now generally accepted by the international community. The Universal Declaration of Human Rights is regarded as a common standard of conduct. The two basic human rights instruments, namely the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, each of which came into effect with thirty-five ratifications in 1976 had, as of September 1992, been adhered to by respectively 116 and 113 States. And their numbers are increasing. Japan firmly believes that the international community must remain committed to the principles set forth in the Declaration and the Covenants. It is the duty of all States whatever their cultural tradition, no matter what their political or economic system, to protect and promote these values.

Some countries argue that human rights are a matter falling essentially within the domestic jurisdiction of a State. It is true that a State has the primary responsibility to guarantee the human rights of those under its jurisdiction. However, human rights are also a matter of legitimate concern of the international community as their enshrinement in the United Nations Charter testifies. One of the purposes of the Organization is to achieve international cooperation in promoting and encouraging respect for human rights. The Economic and Social Council is authorized to make recommendations for the purpose of promoting respect for and observance of human rights and fundamental freedoms for all. To express concern over any grave violation of human rights be it arbitrary detention, enforced disappearance or torture in whatever country such abuses may occur and to encourage the country concerned to remedy the situation should not be regarded as interference in internal affairs.

Mr. President,

This Conference gives us an opportunity to address the question of the relationship between development, democracy and human rights.

While social and economic development may facilitate enhanced respect for human rights, I believe that fundamental freedoms and rights should be respected by each and every country whatever its culture, political or economic system or stage of development.

Human rights should never be sacrificed to development. Rather, development should serve to promote and protect rights - economic, social, cultural, civil and political. Respect for human rights will facilitate development by bringing about a society in which individuals can freely develop their own abilities.

Convinced of this, Japan believes that development assistance should also contribute to promotion of the rights of individuals.

The Official Development Assistance Charter, which the government of Japan adopted in June of last year, clearly states that when development assistance is provided full attention should be paid to the situation regarding basic human rights and freedoms in a recipient country and to the efforts being made by that country to promote democratization.

Mr. President,

My country believes it important that we continue to endeavor to promote the enjoyment of human rights for those who are particularly vulnerable, namely, children, the aged, the disabled and others.

The 1990 World Summit for Children agreed to take joint action to protect the rights of children and to improve their situation. The government of Japan for its part formulated its Plan of Action in 1991 as a follow-up to the Summit. One of the main objectives of our Plan of Action covering both domestic measures and international assistance is to assist children in developing countries, in particular in the area of basic human needs such as food, health and medical care, sanitation and education. Japan's international assistance in the field of basic human needs accounted for as much as approximately 33 percent of all of its bilateral aid in 1992, and the government intends to expand such assistance in the future.

This year is the International Year for the World's Indigenous Peoples. The government of Japan considers this an important opportunity to strengthen international cooperation aimed at finding solutions to the problems faced by indigenous communities. Trusting that the Voluntary Fund established for this International Year will be used as a catalyst to stimulate activities initiated by indigenous peoples, Japan is contributing \$50,000 to this Fund.

Mr. President,

The advancement of women continues to be an important item on the agenda. Although progress has been made, especially through the efforts of the Commission on the Status of Women and the Committee on the Elimination of All Forms of Discrimination against Women, there still remains a considerable gap between the de jure and de facto status of women. Continued efforts need to be made to eradicate gender discrimination taking into consideration the importance of working towards the elimination of violence against women. I hope to see further improvement in the de facto status of women as we prepare for the Fourth World Conference on Women to be held in Beijing in 1995.

Japan desires to see universal ratification of the Convention on the Elimination of All Forms of Discrimination against Women. I also urge States to review and withdraw reservations that are inconsistent with the object and purpose of the Convention.

Mr. President,

Technical cooperation in the field of human rights has an effective role to play in the promotion and protection of human rights. Japan evaluates highly the role played by the United Nations Centre for Human Rights in providing advisory services and technical assistance. Japan has regularly contributed to the United Nations voluntary funds in the field of human rights including the voluntary fund for advisory services and technical assistance. I believe that the United Nations technical cooperation activities in the area of human rights should be further strengthened, and wish to appeal for additional contributions to the voluntary fund.

Mr. President,

Given the growing responsibilities of the United Nations in the field of human rights it is important to allocate adequate resources to the United Nations Centre for Human Rights. Japan looks constructively at the need for additional resources for the Centre to be reallocated within the United Nations regular budget. At the same time, we urge all concerned to make further efforts to enhance the Centre's efficiency.

My country also supports the proposal that a United Nations High Commissioner for Human Rights be established. It believes that the High Commissioner should play an important role in coordinating United Nations human rights activities and in assuring that the means necessary for thematic and country rapporteurs to do their tasks adequately are available.

Mr. President,

I believe that the countries of the Asian region should set to work to address the question of regional arrangements in the area of human rights. Given the ethnic, religious, cultural, social and legal diversity existing among the countries of Asia, we should proceed step-by-step beginning with exchanges of experience and information at regional and sub-regional levels. I wish to call upon all fellow Asian States to work closely together for the promotion and protection of human rights stressing enhanced dialogue among us.

Mr. President,

In concluding, I wish to pay tribute to the work of the United Nations Centre for Human Rights and to commend many non-governmental organizations for their dedicated efforts for the promotion and protection of human rights. While the effort to promote and respect human rights may sometimes seem undramatic, it is a sound and steady way to ensure both the wellbeing of all human beings and lasting peace for the world. I appeal to all here to work together for enhanced respect for human rights.

Thank you, Mr. President.

ROBAINA GONZALEZ, Roberto (President):

I thank His Excellency for this statement. I would like to call upon Mr. Jacques Mbosso, the Minister of Justice of the Central African Republic. Is he present in the room? If that is not the case then I would like to call upon Mr. Gabriel Roreg, Minister of State for External Affairs of the Sudan.

SHIDO, Abd El Aziz (Sudan), spoke in Arabic:

Keywords: ISLAM - BOSNIA AND HERZEGOVINA - HUMAN RIGHTS ADVANCEMENT - SOMALIA - SUDAN

In the name of God, the Merciful, I would like to thank the Lord and may peace be on the Prophet, his descendants, disciples and God's messengers.

Mr. President, Your Excellencies, distinguished delegates,

I have the honor to present to this forum the best wishes of the people of the Sudan, the struggling people who have their own traditions, their values and who attempt to create the society of dignity, honor and independence. Through you, Mr. President, I would like to convey to the Austrian people, who are so generous, our thanks for their generous hospitality in staging this forum. We feel that your election to preside over this Conference is a just sentiment of appreciation of the efforts deployed by Austria in the service of international cooperation. We would like to thank all those authorities for the efforts invested in preparing for this assembly.

The live requires on our part that we should implement the United Nations instruments in order to more closely monitor and ensure observance of human rights instruments, which are the expression of noble objectives.

In our country and amongst the thousands of Muslims around the world, we are convinced of our rights as they relate to our religious beliefs. Our beliefs dictate this approach to us because man was created by the Lord who gave him the breath of life and who told him to kneel before him. As it says in the Quran – we created him, we gave him the breath of life and we kneel before him, we have honored the sons of Adam, we have carried them over land and sea, given them bread and water and preferred them to other creatures. So, we must adhere to divine prescriptions as reflected in the Scriptures, as laid down by rules based on the observance of respect for human rights and of human dignity away from all constraint and violence.

On the basis of this principles, the Sudan has committed itself to observance of the Universal Declaration of Human Rights after a ratification of thereof. We have also ratified the African Charter on Human and Peoples' Rights as well as other international instruments in the field of human rights.

The Sudan believes in the universality of these rights. We believe that these rights must be accepted universally by the international community, that all must accept the universality of these rights that comprise of civil, political, economic, social and cultural rights. These rights are an indivisible whole. This universality, however, does not mean that there is any denial of cultural, religious, national specificities, no way. This is, possibly, what has instigated the efforts of some national initiatives to set up provisions that are more closely in line with their national preoccupations, the traditional concerns. We have noted the drafting the American Declaration of Independence, the European instruments, the African Charter, the Arabic Charter. What we see now before us is the preparation of the rights of Islam in the field of human rights. We believe that this is a good enterprise, indeed.

We, however, hope that the United Nations will not embark upon a path that will be in contradiction to these specificities because that could well encourage States to accept what would be adopted by the United Nations. This might cause problems because this might call upon a super-nationalism that is not based on a religious nationalism.

We believe that many events in our days are tragic. Just a couple of days ago we listened to the Minister of Foreign Affairs of Bosnia and Herzegovina who spoke at length to us about the sufferings of the men, women and children in Bosnia and Herzegovina at the hands of Serbs. He spoke of massacres, of genocide, of destruction, of barbaric rape and torture and this under the eyes of the

international community, in the heart of Europe, at the time when the United Nations are waving the flag of human rights!

So, some countries are engaging in the rhetoric of human conscience but where is this conscience? When will it finally awaken to the voices of the victims who are defenseless and homeless? What is happening today in Palestine, in South Africa is the true challenges that must be addressed by the partisans and defenders of human rights so that an adequate response should put an end finally to this human tragedy that just shows the barbaric quality of our present-day world. Hesitating to take this decision, indeed, would be a proof of double standards in practice. It would also prove collusion with those who are perpetrating these flagrant crimes against human rights.

The true challenge that we must address is the one that is crystallized in Bosnia and Herzegovina, the crisis that was painted so vividly by the Minister from Bosnia and Herzegovina, which also was painted in various meetings, which have been deliberating about this horrible situation.

What are we to do about this? Many of us have spoken about the obstacles to the implementation of human rights over five decades and the obstacles to come also. They proposed various ways and means to improve the UN structure in this regard in the future. We can go along with that, we believe that it is necessary to engage in an overhaul of these structures but here we must use our experience so as to not make the same errors, not to engage in hegemonic and domination in our world but rather work in the context of a new world order.

We feel that the experience of the past has certainly been subjected to the following influences.

Firstly, the intervention of major powers in the affairs of smaller States. It is sometimes by military means sometimes by coup d'état. In other words, there has been intervention in a conflict somewhere, and this intervention has taken place either militarily or through economic intervention at various times.

Secondly, the observance of the principles of equality and justice and human rights must be ensured without double standards. This is a noble human cause.

Thirdly, there is a lack of objectivity in the assessment of cases where there are alleged violations of human rights.

Fourthly, the attempts made to impose foreign models of civilization upon developing countries that neglect the true traditions in histories of those countries. The support on the point of certain States of rebellious movements in certain countries where those dissident movements are slightly different in their races, colors, which indeed can only perpetuate the violations of human rights.

Mr. President,

We believe that it is necessary to observe human rights and that the instruments of human rights should be implemented. We believe that democracy means freedom of expression, means that people should participate in the decision-making process, and States should be called to account for their actions. This, we believe, should take part on a voluntary basis on the part of peoples, on the basis of the values, the customs of a given society and not in blind, incongruous, or felicitous imitation of foreign models that are artificially grafted upon those developing countries.

Mr. President,

The United States of America are referring to democracy as being a basis for guarantees for human rights, for stability and development. We feel that the United Nations should reform the system radically, in that case so that the United Nations should, indeed, in and of itself be a democracy in theory and in practice. This is especially after the cold war has come to an end. How can we seek to

establish this new world order if there is one single State that allows itself to impose a right of veto over the expression of interest of other States? How can we establish this world order if there is no balance between the prerogatives in the Security Council and that of the General Assembly, and that of the Secretary-General of the United Nations? If we are really aiming at reform that reform must be based on very sound grounds, precisely formulated.

We believe that the following suggestions might be useful in this regard.

Firstly, we must agree on the consensus concerns of human rights. We must somewhat expand the rebid here but not on the basis of opposition, contradiction but rather of consensus. Peoples do, indeed, aspire to have their conscience governing their actions. What is happening today in Somalia is an obvious proof that the "restore hope" operation has become today "lose or destroy hope" operation. The Somalian people have been assaulted by aviation, infantry, cannon fire, shelling, which is an assault and affront to the innocent women and children, the civilians in this country. The blood of civilians has run and been shed.

Secondly, we must have a joint programme between various bodies to assess, evaluate and analyze the problems of human rights and to identify hindrances to the implementation of human rights on the basis of coordination between the Commission and the countries concerned for the implementation of such programmes.

Thirdly, dialogue and cooperation should be established to avoid military action.

And finally, there should be a regional emphasis in monitoring human rights evolution.

We believe that this must be brought to bear on all the multifarious angles of human rights, economic, social, cultural, civil and political; it is necessary for this to take place also with regard to indigenous peoples. This should be done in an objective, non-politicalized and a non-exploitative fashion with a deliberate avoidance of any possibility of use of double standards. This, we feel, is the road to be travelled if equality and justice for all are to be achieved.

Before concluding, Mr. President, I would like to say that from the very beginning I did not wish to speak to you about the efforts made by the Sudan in order to guarantee human rights within the general context of the primacy of law. The Sudan is traversing very difficult times, great duress, but I believe that it is incumbent upon me to speak to you about a very unfair campaign that is being flung in the face of Sudan and that reflects the double standards in the context of the new international order. I am not saying this to speak in defense of the Sudan, but I do believe that other countries in the Third World might, if they are not very careful with regard to this campaign, fall prey to precisely the same sort of campaigns. There is not one single State that can feel unblemished, that it cannot fall prey to problems in this field.

Mr. President,

We feel that when there are accusations levied at a given country, it is the right of that country to try to seek information as to the nature of the sources of allegations and accusations. Confirmation can only come from fair and disinterested sources. A State cannot be blamed for individual errors in which it cannot be called to account where support was not expressed. Condemnation of a State can occur if that State in its policy give a deliberate support to certain excesses. I can say that the Sudan was the victim of a fierce campaign in which it was condemned in a summary fashion. This is in spite of the fact that the Sudan has committed itself to guaranteeing its citizens the basic freedoms and the freedom of property according to our traditions and customs, tribal customs, which indicate that we should act as one single family.

It is our duty towards our citizens who have suffered too much to view things this way, but apparently this has not pleased many people who have moved away from the rank of the general citizen in order

to achieve power. They have accused their country, they have sided with third countries, they have found eager ears to listen to their accusations, their indictments. Some would not like to see the Sudan adopt the road to progress, to independence and independent decision-making. We have noted a very fierce campaign towards the Sudan. We know why we were the objects, the targets of this campaign. We know the price that we will have to pay in order to wipe out those indictments, those accusations. In spite of the sufferings, which was inflicted upon us as a whole people, we have as our sole ally the Lord. We kneel only before the Lord. If we do not enjoy the justice of the major powers at least we do enjoy the justice of the Lord.

May God forgive us if we have trespassed, forgive us as you have with our forefathers, do not inflict upon us what we cannot bear, have mercy upon us and make us victorious over the unbelievers.

Thank you for your attention.

[Change of President]

SAMOYA KIRURA, Colette (President), spoke in French:

I thank Your Excellency for your statement. I now give the floor to Mr. Georges Chikoti, the Vice Minister for Foreign Affairs of Angola. Your Excellency, you have the floor.

CHIKOTI, Georges Rebelo Pinto (Angola):

Keywords: ANGOLA - POLITICAL CONDITIONS - ELECTIONS - HUMAN RIGHTS VIOLATIONS

Mr. President, distinguished delegates,

It is a great honor for me and my delegation to take part in this second Conference on Human Rights. In the first place, I would like to thank the United Nations to have given us this opportunity of being here today and discuss one of the most important issues of our time, human rights. My thanks go to His Excellency the Secretary-General of the United Nations Dr. Boutros Boutros-Ghali for his active role in the achievement of peace and political stability in the world. My thanks also go to the Director of the Centre for Human Rights Dr. Ibrahima Fall for the efforts made to organize this Conference. Finally, I would like to express my gratitude to the Austrian government for the hospitality we have found in this beautiful city of Vienna.

Mr. President, distinguished delegates,

There is no other topic that touches so much our hearts today, if not that of human rights. I would like to join most of the previous speakers who have already pronounced themselves since the beginning of this Conference. I very much sincerely and my country, the Angolan people, share the most difficult times being lived in many parts of the world as far as violations of human rights are concerned.

My country, Angola, is undergoing one of the most terrible catastrophes in this world. The people of my country are being exterminated, and all the economic and social infrastructures of my country are being destroyed by one man, Mr. Savimbi and his political party UNITA.

Mr. President,

Mr. Savimbi and his party lost the elections held in my country on September the 29th and 30th, 1992. The elections in my country were supervised by the United Nations, the United States, Russia and Portugal. More than 800 observers came to Angola to participate and to observe this process. UNITA got 34 percent and the MPIA got 54 percent of the vote. More than 18 political parties participated in this process, and 12 of them got places in the Parliament. UNITA was the only party that resumed the

fighting ignoring all appeals of the international community and all the resolutions passed by the Security Council, namely the Resolution 804, 811 and very recently the 834.

Mr. President, distinguished delegates,

The government of Angola is dearly attached to the Declaration of Human Rights and as we think that it is the only way that we have to defend fundamental freedoms.

Mr. President,

The support of the international community for my government is essential so that those who have lost their elections in my country may not take over the power by force and put in jeopardy a democratic process that was put in place by my government under the supervision of the United Nations.

Mr. President,

Since UNITA restarted the war in Angola in October 1992, more than 100,000 people have died and more than three million people may die if no humanitarian help is given to them. I have to emphasize that these concerns mainly women, children and the old.

Mr. President,

The world should not allow that one man, alone – Mr. Savimbi – violates the fundamental rights of all the citizens in my country. The most recent terrorist activities in Angola made by UNITA have cost more than 225 lives in a bomb explosion of a civilian train, that is a week ago. Only a few people survived in this train and babies who survived without their mothers. I think that things like this should not be allowed in a world of civilized people; and the destruction of more than 85,000 barrels of crude oil in the northern town of Soyo, which are burning and causing heavy damages on the environment.

The Angolan government, Mr. President, very much appreciated the strong condemnation of UNITA by the Security Council for such crimes against humanity.

Mr. President,

Despite these terrorist activities by UNITA my government remains committed to the defense of human rights by improving our democratic institutions so that basic freedoms are guaranteed in our new Constitution.

I once again appeal to the international community to continue to put pressure on UNITA so that it accepts the ceasefire agreement and stop the killing of innocent citizens. If the United Nations and the international community do not take a strong stand against UNITA in my country, it will be a very bad precedent in the capacity of conflict resolution of the United Nations.

Mr. Chairman,

Long live human rights for all. Thank you very much.

SAMOYA KIRURA, Colette (President), spoke in French:

Thank you, Your Excellency, for your statement. I now give the floor to the next speaker, Mr. Janner Armour, Minister of Legal Affairs and the Attorney General of the Commonwealth of Dominica. You have the floor, Sir.

ARMOUR, Janner B. M. (Dominica):

Keywords: DOMINICA - INDIGENOUS PEOPLES - HUMAN RIGHTS VIOLATIONS - BOSNIA AND HERZEGOVINA - FARMERS - INTERNATIONAL TRADE

Mr. President,

Accept my congratulations on your appointment as President of this Conference. I consider it a privilege to address you, Sir, and such a distinguished gathering of delegates. This is an important and historic Conference. There can be no doubt, Mr. President, that the protection of human rights has become a subject of unparalleled importance and is being pursued with a determination that must augur well for the future. The timing of this Conference is of great significance also because it is being held in an era that is devoid of the excessive and dangerous ideological strains of the recent past, and at a time when the international community has been manifesting a unity of purpose, which would have been unthinkable only a few years ago.

It is for these reasons that the Conference must make every effort to succeed. This Conference has a unique opportunity to entrench as a practical reality those basic human rights without which the human personality cannot flourish.

Mr. President,

I am proud to come from the Commonwealth of Dominica. My country must not be confused with the Dominican Republic as "Terra Viva" confused it in its issue of June 16th in the article entitled WEnd Genocide in Bosnia.W

My country has a population of 75,000 people. It is situated between two French islands of Martinique and Guadeloupe. It is part of the English-speaking chain of Caribbean Islands commonly referred to as CARICOM. The combined population of the entire CARICOM region is approximately five million people. I am sure, Mr. President, that my island of Dominica is much better known as the country of which Dame Eugenia Charles is Prime Minister. It is one of the few remaining places with an indigenous Carib-Indian population. I will not dwell long on the position of our indigenous people. They are proud citizens of our country who enjoy all the privileges and the opportunities of any other citizen of Dominica. There is no distinction whatever between the rights and privileges of the Carib people and any other Dominican. In fact, Mr. President, we now have as our reigning Carnival Queen, a very charming, beautiful and talented young Carib-Indian lady of whom we are all justly proud.

Our indigenous people are courageous and hardworking and have earned the respect and admiration of all their fellow Dominican citizens. They have a rich history full of deeds of valor and have retained much of their original culture, which has helped to enrich the culture of the entire country.

Mr. President,

The commonwealth of Dominica is proud of its human rights record and its long tradition of stable democracy. In fact, Mr. President, it is true to say that my country like other members of CARICOM have stood out as shining examples of the enjoyment of human rights. Dominicans like their CARICOM partners have enjoyed universal adult suffrage for four decades and its entrenched fundamental human rights are scrupulously protected by courts that are independent and impartial.

Laws passed by parliament and acts of the executive are subject to oversight by the courts and there is an alert bar who ensure that this power of oversight by the courts is indeed a practical reality.

I am proud also, Mr. President, that Dominica participated in the preparatory meetings for this Conference.

Mr. President,

There has been much discussion in the past and, indeed, this discussion continues about the universality of human rights, and because of existing social economic and cultural diversities one must expect this. But I am sure that irrespective of such diversities there are those basic human rights that are so intrinsic to the full development of the human personality that they must be universally recognized.

These are rights that the civilized world can hardly differ about. No one, Mr. President, would deny that every human being, no matter where he lives or whatever his culture, is entitled to be protected against torture, murder, arbitrary deprivation of liberty of his person, or deprivation of speech, or the right to choose his own religion and such like. Human rights such as these transcend boundaries and cultures, and are the entitlement of all members of the human race.

Mr. President,

We are witnessing in Bosnia a violation of these human rights on a scale that is unthinkable. We are witnessing acts of depravity and degradation, which must surely shame the international community. All nations must recognize these acts as some of the grossest violations of human rights imaginable and if there is to be credibility in our determination to protect human rights the international community must act to stop these violations. In Haiti also, Mr. President, in our region there continues to be a denial of the human rights.

But it is not only in the former Yugoslavia or in Haiti that there are violations of human rights taking place. In many countries of the world violations of human rights of the most shocking, varied and depraved circumstance are taking place.

The world community is faced with a great and daunting challenge, and it is only if it can muster up the will to right these horrible and atrocious acts that there will be hope. We of the world community must not fail these members of the human race in their time of need.

Mr. President,

Human rights are indivisible. This view must be clearly recognized. It is not possible to isolate civil and political rights from economic, social and cultural rights. The aim of human rights must be to develop the human personality to the fullest. At the core of the protection of these rights is the dignity of the person. It is a violation of the human rights of a people if ones' policies unnecessarily reduce those people to poverty, despair and underdevelopment, particularly where those people have become accustomed to earn their livelihood through hard work in order to support their families with dignity.

Mr. President,

Forgive for illustrating this point by a reference to the situation, the grave situation that faces my country and other small countries in my region at present time. Aid, Mr. President, while it is greatly appreciated, is no substitute for trade. We, in the Caribbean, produce only two percent of the world's production of bananas, an infinitesimal amount. In my country of Dominica, bananas accounts for 70 percent of the revenues of the country. It is an industry that earns the country about 30 million United States dollars, a small amount indeed, Mr. President, where the country's survival is concerned. Yet, this industry is vital to our survival and the way of life of our people. It is an industry completely owned by small farmers with acreages between three to ten acres. The farmers work hard, Mr. President, to send their children to school, to build a shelter for their wives and children, to bring water and electricity of their homes, to buy medicines for their families and to feed their families. They live humbly and peacefully and, Mr. President, are fervent supporters of the democratic process and human rights.

Mr. President,

If my country loses this industry now there will be poverty and despair. Children may lose the opportunity for an education, people will not be able to afford those very basic necessities that they have become accustomed to. They will lose the ability to repay their small loans. There will be bankruptcies, government's revenues will be drastically reduced resulting in much unemployment, a drastic reduction in services in health, education, sanitation and other such services. And, Mr. President, our currency will become badly destabilized with all the attendant circumstances.

Mr. President,

I foresee in those circumstances our youth becoming prey to drug dealers who we are all fighting so hard to defeat. Yet, Mr. President, while we have been struggling to diversify our economy, this is the stark reality that faces my country and other countries in my region because, Mr. President, of the rigid trade policies of certain countries. Is this necessary? Should we not make greater efforts to be our brother's keeper, to realize the link between civil and political rights and economic and social rights in order that the fundamental human rights of other States, which are so small and the defenseless, may be enjoyed? Must trade policies, Mr. President, be so rigid as to reduce small countries like my own to poverty and despair?

Mr. President,

As we deliberate at this Conference on human rights, let us examine our consciences and truly ask ourselves whether we are doing all that we can to protect and enhance the human rights of others. Are we looking at the broad picture? Are we truly committed to the protection of human rights where they happen to conflict with our national policies?

We give you the assurance, Mr. President, that we, in Dominica, will do all in our power to support the struggle to protect human rights wherever they are infringed. I wish you every success as you steer this Conference to its conclusion.

Thank you.

SAMOYA KIRURA, Colette (President), spoke in French:

I thank His Excellency for his statement. I now give the floor to the next speaker, His Excellency Mr. Omar Mustapha Muntasser, Secretary of Foreign Affairs of Libya. Your Excellency, you have the floor.

MUNTASSER, Omar (Libyan Arab Jamahiriya), spoke in Arabic:

Keywords: INDIGENOUS PEOPLES - HUMAN RIGHTS PROTECTION - ISLAM - SANCTIONS - LIBYAN ARAB JAMAHIRIYA - DISCRIMINATION - NORTH-SOUTH RELATIONS - VETO - SOVEREIGNTY - UN. Commission on Human Rights - UN High Commissioner for Human Rights

In the name of God, the Merciful, the Compassionate.

Madame Chairman,

Allow me first of all to congratulate you and the members of the General Committee on your election. We would like to convey to you our appreciation for the efforts that you have made for the success of this Conference. We are convinced that your very extensive experience and, at the same time, your own abilities will lead us to success. Through you I would like to express my thanks to the government of Austria and to thank them specifically for the very warm welcome. Allow me, Madame

Chairman, to take this opportunity to express my thanks to the Secretariat of the Conference and also to the son of Africa Mr. Ibrahima Fall for the efforts he has made in the overall preparation of this Conference and preparing this Conference in the venue which will be crowned by success.

This is fortunate that the Conference takes place during the United Nations Year for the Indigenous Peoples, which is considered a very important step in our recognition of these peoples' rights that were ignored in the past. This category of peoples, three hundred million of them in total, living in more than seventy countries are the most deprived people. We have simply ignored them and they have not participated in the society and in the building of genuine societies. They are a very essential part of the countries, and we feel that the deprivation that they have experienced and the fact that they have been completely ignored internationally is something that we should put a stop to. It should not suffice for us to simply declare that this year is the International Year for the Indigenous Peoples. The countries that support the effort of these peoples and the international efforts made to achieve and consecrate these rights, all of this made it possible to hold a number of meetings to study the specific problems of the indigenous peoples. Libya granted the 1991 Qaddafi Prize to the Indians of North America. We did this to express our humanitarian concern for the indigenous peoples in the world.

This World Conference on Human Rights is being held forty-five years after the adoption of the Universal Declaration of Human Rights and a quarter of the century after the Conference on Human Rights in 1968 held in Teheran. Over this period, the world has seen tremendous and significant changes in all fields, as it witnessed a great number of countries become independent, which has a significant and positive impact on the strengthening of human rights and on the protection of human rights. We have also seen an increase in a number of instruments involving human rights and an increase in a number of countries that adhered to human rights and the international community's interest in promoting and protecting human rights.

We are encouraged sometimes and very often we are very discouraged, and these are the feelings we have here when we here assess the developments in the area of human rights and identify the obstacles to achieving further progress. Beginning with the conclusion of the Charter of the United Nations and the drawing up of the Universal Declaration of Human Rights it has been able to come up with a common denominator for human rights for all of the mankind where this has been possible. We now have to stand against those who try to destroy this heritage and everything who tries to control this system and this heritage.

This heritage was built up by all cultures since the dawn of history. This heritage belongs to no one. The human rights do not belong to the East and cannot be considered owned by the West. The democracy is not to be found in one geographical location but rather it exists everywhere.

My country belongs to one of the greatest cultures of the world, a culture that has participated in the strengthening process of human rights, which is the Arab-Islamic culture that attaches a tremendous amount of importance and priority to an individual, to the dignity of the individual. The Islamic religion has honored all men without distinction as to the color, religion and so on, in conformity with the Surah of the Quran that talks about freedom and justice of all men and the freedoms granted to all individuals.

Not only this is going further than this, the Islamic heritage has many more examples, which are of the importance and the place of the individual as was said by Umar ibn Al-Khattab, "since when you have taken people for slaves and they were born free." We can, therefore, say that we realize fully the situation of disrespect of human rights, which existed since the 7th century.

The process of strengthening of human rights in my country began on the basis of this historical background, after a very dark period where we experienced slavery in various forms, colonialism as well. Only one year after the Conference on Human Rights was held in Teheran, we adopted this path at the time of revolution. We seized the unity and social justice granting equality and justice to all of

our citizens and opening the path to them towards honorable work without victory of anybody else, no masters, no servants on the basis of freedom and equality.

Today, from 1979 up until now, we protect the human rights in Libya. This is a new scope, this is something that is developing year after year. The revolution in addition to political freedom for people was able to strengthen the equality between all individuals. We guaranteed their rights. We guaranteed social freedoms. We have granted social security to all. Education is free in Libya. We have incorporated into our social system everyone – women, men and the more vulnerable groups of society such as women, children and disabled. My country intends to have an international year for the disabled. We have involved the disabled in all sectors and in all walks of life.

We have also strengthened the human rights in a sense that we have given the power and authority to the people. The people are in a position and can participate in all congresses and popular meetings. The people can exercise democracy freely and participate in overall production. I would not wish to mention every single stage we have gone through. Let me say that in 1968 we freed our prisoners, destroyed the centres of detention and incarceration, and we have adhered to all human rights conventions, particularly, the Convention on Elimination of Torture. The Committee against Torture has assessed my country and has considered that these steps were positive. In fact, they paid tribute to the efforts made by Libya.

In accordance with the laws established internally, The Green Document for Human Rights was adopted in 1988 by the Public Committee as well as the first principles that consecrated freedoms and that prevented limitations imposed on liberty. We have mentioned all sanctions that affect the dignity of men, we also mentioned the protection of life. Not only this but we also went further than this. We said that the goal of the society was to eliminate the death penalty including what was considered in this Green Document enriching the human rights such as the new right for a man to live in a unified family. To assist people morally or materially we have also created a popular tribunal for human rights and freedoms for protection of human rights. The Public Committee then adopted in 1991 a right that implements the Green Document and this works towards of implementation of all these rights.

However, there are still many obstacles that we have to face such as getting rid of everything that remains in terms of colonization, the military attacks against us as well as the Lockerby crisis. There was an attempt to wage a false campaign against us. We all know that this was a campaign fabricated to exercise hegemony and domination and to impose selfish, egotistical policies. This Damocles sword is deliberately hung over the small nations that cannot protect themselves by those countries that feel that they are above anything that is legitimate and above the rule of law itself. This crisis was, in fact, dragged before the Security Council, and the embargo was declared against Libya. This is inconsistent with the human rights instruments that refer to freedom granted to all persons, freedom of movement, that also mentions the possibility of ensuring that medicine and food be available to all people. This fabricated crisis and the false campaign that went hand in hand with it prevented a fair trial, a fair judgement, which should be granted to all peoples without any justification to exclude. The Libyan citizens should be able to enjoy this right, which is a very essential and fundamental right and belong to the package of human rights we are talking about, except if we take into account racial discrimination.

In spite of all this, I think that no legal instrument can possibly justify the imposition of embargo on a small country. The Libyan people have not threatened the international peace and security. We have not occupied another country, a Member State of the United Nations, in accordance with Article 7 of the Charter. Quite on the contrary, our peace and our security have been threatened.

Madame Chairman,

Many achievements in the area of human rights have been seen, however, a long road still lies ahead of us. In view of the economic and political situations existing today and in view of the fact that there are still many challenges on the horizon such as new forms of racism and religious intolerance, ethnic

intolerance, xenophobia and a tremendous number of problems for immigrants and minorities. In the 20th century, a man can be killed simply because he is of a different color, or a different religion or a different identity. Such as the vulnerable groups of the society suffer from the oppression and violence, for example, the disabled, the children, the elderly. The child labor, the exploitation of children, the disabled who suffer in the society as well as women who suffer from discrimination and from oppression and injustice – these are the forms that have been seen especially in the contemporary societies in spite of the instruments that have been adopted, in fact, to protect those minorities and the vulnerable groups.

All of this continue to be seen, continue to be experienced in zones under occupation, in the areas where we see war. Women are being raped, children exploited. The rape of women has in fact become an instrument of war. We see this when we see the suffering of the Palestinian people under Israeli occupation where they suffer from exploitation, when they literally thrown out of their country in spite of the international conventions and resolutions of the Security Council and the General Assembly. Another example is the people of South Africa who live under the oppression of apartheid. We also see in the centre of Europe the wars that cannot possibly be justified as occurs in other regions of the world. All of this requires a concerted international effort that will demonstrate the commitment of the international community to protect human rights and make it possible for everyone to enjoy human rights on the basis of cooperation and dialogue without any confrontation and without a declaration of specific opinions and views contrary to this.

We could establish a prepared model of human rights by ignoring the facts and the customs and traditions. We could also leave out the standards of peoples; peoples where a nation cannot say that it is invented the concept of human rights. These allegations simply do not belong in the Conference that is supposed to come up with an international agreement and everyone must commit themselves to follow this agreement.

Human rights are interlinked. We cannot separate civil and political rights from the economic rights. We cannot have one set of rights without having the other set of rights enjoyed as well. All of these human rights are interlinked and we have to deal with them all at the same time. The rights of individual, the rights of the collectivities cannot be separated. We cannot imagine enjoying human rights by a people if they do not have the right to self-determination first of all. How can a people as a whole live under the occupation and the condition of slavery and how can anyone say that these peoples enjoy human rights?

As far as the general imbalance, the great gap between the North and the South continues to widen. In the view of very poor economic prospects of situation in the South, the countries of the South cannot truly enjoy human rights without being able to implement their right to development and to able to strike a balance between the North and the South on the basis of their political independence.

The fact, we are dealing with human rights is something that should be done far removed from any notion of selectivity. We have to be both objective and impartial in our judgment. We would like, therefore, to say when we talk about human rights this does not mean in fact this can be used as propaganda, as a means of making a political pressure, as a powerful weapon of the strong used over the weak. The Security Council when it deals with the issues of human rights does this in spite of the fact that there are competent bodies within the United Nations to do so. There is a link between all peoples. We ask how can the Security Council possibly adopt a position when it is dealing with human rights in a country when it can make the use of its right to veto? The answer is very clear. We know very well how the Security Council deals with the international problems, when there are countries that are permanent members of the Security Council, and they have the right to veto decisions. The treatment of human rights should be done in accordance with the Charter and should be respected by all countries, large or small, powerful or not.

The principle of non-interference in the internal affairs of peoples is something that must be reaffirmed. We should respect the sovereignty and, at the same time, we should respect regional peace.

Human rights should be in no way used as a pretext to infringe on these principles. All peoples have adopted these human rights and we must commit ourselves to deal with conflicts on the basis of peaceful settlement, on the basis of a dialogue far removed from the confrontation, from conflict, from force.

It is a duty of this Conference, Madame Chairman, to strengthen the mechanisms for human rights. We should not create new mechanisms. We do not feel that we should create new bodies. That is not necessary. In particular, we see that there is the Commission on Human Rights created by the Economic and Social Council. We have to open up the Commission on Human Rights to a greater number of members and this would lead to a greater effectiveness of the Commission. This will make it possible for us to make use of it without the intervention of other bodies and without getting involved in too many interventions. The Centre for Human Rights is working in this area.

I would like to reaffirm finally that the human rights are linked to the achievements of development in other areas outside of human rights. Peace, security, progress, development, raising of standards of living, elimination of poverty – all this are things that will eventually lead to the democracy and the strengthening of human rights and to the protection of human rights. I would like to say that the world in fact has transformed itself into a small village today, where it is impossible to defend human rights on one side of the village and ignore them on the other side of the village. There are those who ignore this, ignore the opening up of a dialogue and establishment of friendly relations between nations. We should move the politics away from the confrontation and from this sort of challenge. To create the world imbued with security where all peoples without distinction can live in justice, in equality and each can enjoy their rights.

Thank you very much, Madame Chairman. I would like to assure you that we would cooperate fully so that our Conference will be crowned with success. Thank you.

SAMOYA KIRURA, Colette (President), spoke in French:

With the permission of the Conference, we are going adjourn the twelfth meeting of the plenary of the World Conference on Human Rights. The work will continue on Monday at 10 o'clock. We wish you all a very good weekend. The twelfth meeting of the World Conference on Human Rights stands adjourned.