



لتظلّ الشعلة وهاجّةً - 保持火焰永不熄灭

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

Que no se apague la llama

10th plenary meeting, 17th of June 1993

World Conference on Human Rights

Vienna, 14-25 June 1993

10th plenary meeting, 17th of June 1993

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The term “indigenous peoples” is used throughout these records of the plenary meetings of Conference.

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Agenda Item 9. General debate on the progress made in the field of human rights since the adoption of the Universal Declaration of Human Rights and on the identification of obstacles to further the progress in this area and ways in which they can be overcome.

Agenda Item 10. Consideration of the relationship between development, democracy and the universal enjoyment of all human rights, keeping in view the interrelationship and indivisibility of economic, social, cultural, civil and political rights.

Agenda Item 11. Consideration of contemporary trends and new challenges to the full realization of all human rights of women and men, including those of persons belonging to vulnerable groups.

Agenda Item 12. Recommendations for:(a) Strengthening international cooperation in the field of human rights in conformity with the Charter of the United Nations and with international human rights instruments;(b) Ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues;(c) Enhancing the effectiveness of United Nations activities and mechanisms;(d) Securing the necessary financial and other resources for United Nations activities in the area of human rights.

BUNNAR, Tej (President):

I call to order the tenth meeting of the plenary of the World Conference on Human Rights. I now give the floor to Her Excellency Mrs. Helle Degn, Minister of Development Cooperation of Denmark. Your Excellency, you have the floor.

DEGN, Helle (Denmark, European Community):

Keywords: European Union - SUSTAINABLE DEVELOPMENT - DEVELOPING COUNTRIES - DEMOCRACY - TECHNICAL ASSISTANCE - WOMEN - UN. Centre for Human Rights

Mr. President, distinguished delegates,

It is an honor and a pleasure for me to address this plenary today on behalf of Denmark and of the European Community and its Member States. My intervention will concentrate on the important interrelationship between human rights, democracy and development and on the prospects this Conference holds out for a stronger development cooperation in this area in the future.

Last month the Council of Ministers of the European Communities adopted a declaration setting out our basic approach to this Conference on issues relating to human rights, democracy and development with a view to strengthening international cooperation in this area.

In line with its resolution adopted in November 1991, the EC Council reaffirmed the universality and indivisibility of human rights and the obligation of all states to respect them. We stress the important role of development cooperation in promoting economic, social and cultural rights as well as civil and political rights by means of representative democratic government and the rule of law.

Mr. President,

The Community and its Member States consider that freedom from hunger and absolute poverty as well as the right to adequate shelter, education and health care are areas, which need to be addressed with added urgency. We are actively seeking to do so inter alia by integrating human rights into our development cooperation activities and by reinforcing our efforts to assist those most in need. The EC financial contributions in support of these efforts particularly in favor of the least developed countries are a clear expression of our commitment in this field. Human rights and democracy - besides their basic value - form part of a larger set of requirements necessary to achieve equitable, sustainable economic and social development. Our support for human rights and development, therefore, should also be seen as part of our wider efforts to further sustainable development in all countries. The role of the individual is of crucial importance in this respect. The individual is the subject, the agent but never the passive object of development. Without the active, voluntary participation of the individuals and groups concerned, development policy is doomed to failure.

Mr. President,

One of the general objectives pursued by the Community and its Member States is to provide for a strengthening of the positive support for human rights and democracy by providing technical assistance in key areas such as institution building within the public sector, strengthening of a pluralistic civil society and the protection of vulnerable groups.

The Community and its Member States reaffirm their determination to assist developing countries undertaking positive changes in human rights and democracy. We see an expansion of development cooperation in this area as a sound investment in the process of sustainable development.

In the event of grave and persistent human rights violations or a serious interruption of the democratic process, the Community and its Member States will also continue to take appropriate action.

Experience has given us ample confirmation of the importance for achieving a sustainable development of the principle of full participation by the people in the democratic and pluralistic processes as well as of full observance of human rights, political and civil liberties, the rule of law, the subordination of military and security forces to civil authority, separation of powers and the independence and impartiality of the judiciary.

In close collaboration with our partners in developing countries and in accordance with our established policy guidelines, the Community and its Member States have over the last years built up a substantive development cooperation also in the area of human rights and democracy. We are eager to see this Conference give new impetus to this collaborative effort by providing guidance for a strengthening of international cooperation for human rights, democracy and development.

Mr. President,

Democracy, of course, is no export commodity. It has its forms and special feature in each country depending on history and culture. It must be developed from within, driven and owned by the peoples concerned. Our preoccupation, therefore, is not to try to apply our systems and norms on other societies nor to hold out one single model for a democratic society. Our aspiration is to work in partnership with countries which so desire on the consolidation of democracy based on general and equal suffrage and universal respect for human rights and the particular social and cultural circumstances of each individual country.

The positive experience of development cooperation in the field of human rights and democracy should, in the view of the European Community and its Member States, be reflected in the final document of the World Conference. It should also provide for a strengthening of development cooperation in areas such as constitutional processes, the preparation and holding of free elections, the

setting up of democratic institutions and national institutions for promoting and protecting human rights.

In relation to electoral assistance - just to give an example - the international community is often called upon to provide technical assistance in the preparatory phase and possibly electoral observers to ensure an impartial assessment of the conduct of the election. The Community and its Member States are actively seeking to strengthen its capacity to provide a wide range of technical assistance for preparation and conduct of elections and to ensure both availability and permanence of this broad assistance. The UN Centre for Human Rights has a key role to play in this regard in collaboration with the UN electoral assistance unit.

Securing women, their political and civil rights as expressed in the Convention on the Elimination of all Forms of Discrimination is of major importance. We believe that no country can be characterized as a true democracy unless its female population is granted these rights both *de jure* and *de facto*. We also believe that securing women's rights is a good example of a human rights issue with a strong development potential, in as much as violation of these rights constitutes a serious obstacle to development. In this respect, particular attention must be paid to violence against women in all its forms and trafficking in women and children. We, therefore, wholeheartedly support the draft declaration on the elimination of violence against women, which is to be put before the 48th General Assembly of the United Nations and we will work actively to further its implementation.

The Community and its Member States also attach particular importance to the elaboration of strategies for the protection of the rights of indigenous peoples taking into account their needs and wishes in the development process.

On the same token, special measures should be taken to protect vulnerable groups including persons belonging to minorities, refugees and displaced persons, children and persons with disabilities.

Other areas of cooperation encompass the strengthening of the judiciary, the administration of justice, training of police, crime prevention and the treatment of offenders, promotion of the role of NGOs and support of institutions that are key features of a pluralistic society.

In these and many more areas within the field of human rights, we are elaborating comprehensive development assistance schemes.

Mr. President,

This is, indeed, a tall order. However, I would like to reaffirm that the Community and its Member States will endeavor to increase their financial and technical assistance in these areas.

To sustain the cooperation within such areas the administrative and implementing capacity of the UN Centre for Human Rights as well as the funding for advisory services and technical cooperation provided by the United Nations should also be substantially expanded. The Community and its Member States strongly support system-wide efforts by all United Nations bodies towards respect for human rights and democracy forging a close link between standards setting, monitoring and technical cooperation.

We are determined to continue to play a constructive and consensus-building role in the process towards reaching agreement on a substantive and forward-looking final document to be agreed at this Conference building on the broad and positive experience emerging from our practical development cooperation in this area.

Mr. President, thank you.

BUNNAR, Tej (President):

I thank Her Excellency for her statement. I have the honor with the consent of the Conference to invite Mrs. Elena Bonner, invitee of the Secretary-General of the United Nations to address the World Conference on Human Rights. Madame you have the floor.

BONNER, Elena (Russian Federation, Special invitee of the UN Secretary-General), spoke in Russian:

Keywords: HUMAN RIGHTS ADVANCEMENT - INDIGENOUS PEOPLES – VIOLENCE –
TERRORISM – POLITICAL PRISONERS – CAPITAL PUNISHMENT

Mr. President, ladies and gentlemen,

I thank the organizers of the Conference, Mr. Boutros-Ghali and Mr. Ibrahim Fall for the honor they gave me by inviting me here, and I also giving me the opportunity to speak in this hall.

The need for this Conference has been recognized for a long time because in the area of human rights should be one of the leading activities of the international organization, the United Nations. However, already during the preparations for this Conference and during the regional Preparatory Conferences, a certain tendency has been noted towards narrowing of the concept of human rights and towards a dual approach to these concepts.

This was especially acutely reflected in the Bangkok Declaration, which does not mention the human rights violations in the region to which this declaration was dedicated: in China, Burma, East Timor Islands as well as in other regions such as Tibet. I think that it was an erroneous tendency and the main direction of the Preparatory Conferences should have been the open identification of human rights violations precisely in their regions.

The Declaration also has not taken note of the colossal changes that have taken place on this planet. It is written with such words that for us, who had attended hard lessons of the former USSR, seem strange to say the least. For example, what does the word “colonialism” mean nowadays or the word “imperialism”? Using such concepts today is a pure propaganda and this does not facilitate the defense of human rights. We live in new and extraordinary times when the history mightily destroyed the division of the world into the East and the West and the symbol of the elimination of this division became the Berlin Wall. We cannot not take notice of this and it is indispensable to have new concepts of the defense of human rights that measure up to these new times, which are our times.

The humanity has gotten rid of the cold war and of the decades-long threat to perish in the furnace of the thermonuclear war. Nonetheless, has this small planet of ours become more peaceful, cosier? Regretfully, the answer is no. Every single day new bloody conflicts appear and the number of their casualties increase: those who are killed, wounded, homeless.

Unfortunately, the UN over the last years has not really taken notice of ever so many violations of human rights and of those international conventions that stood up in defense of people in war times. The violations of these conventions have resulted in the fact that we did not pay attention when Kurdish villages were destroyed by gas, we did not notice when the people were forcibly being displaced in Karabakh, when women and children were raped, robbed and killed.

Today, this fire, much bigger, is burning in the very heart of Europe, we were shocked and we speak of Bosnia. When there is injustice in one place, there is a threat to justice elsewhere. We are paying now for the fact that we have neglected to pay attention to all other violations of human rights that have been taken place previously.

We speak now in this hall about the universality of human rights and about the unacceptability of having dual standards; and yet we observe the dual standards today and in many ways. I would like to recall one quote from a report of Mr. Boutros-Ghali, from his "Agenda for Peace:"

The sovereignty, territorial integrity and independence of states within the established international system, and the principle of self-determination for peoples, both of great value and importance, must not be permitted to work against each other in the period ahead.

It was written last year but these principles are already working against each other, and these contradictions are very bloody and we have no right to close our eyes to this.

I believe that precisely this item of the Agenda for Peace is one of the most important for the UN and only by solving this will we be able to truly address the rest of everything that we speak about in such fine words all the time: the rights of women, the rights of the child, the rights of minorities.

We declared the International Year for the World's Indigenous Peoples. I say "we" because I consider the Organization of United Nations and all independent collaborating organizations our common heritage. So we have declared this to be the Year for the World's Indigenous Peoples, but we have not defined whether only the Eskimos in North America and Europe, only the Indians in North America or the aboriginal inhabitants of the Easter Island and of Australia are in fact the indigenous peoples. Should the UN defend the rights of the population of Tibet, of the 29 million Kurds and of dozens of nations of the former Soviet Union who were deported by Stalin to the snows of Yakutia, the peoples who suffered a monstrous genocide? Today, when they return to their original land they find that have no place on the Earth. Are all these peoples indigenous? Are we going to stand up in defense of the Ingush, the Meskhetians, the Crimean Tatars and many others?

The double standards, in spite of constant allusion to the universality of human rights, more and more clearly emerge in the UN peacekeeping operations. In some cases, we recognize the declaration of the will of the people and the referendum as the expression of the will of the people. In other cases, we do not recognize this. Should we determine which peoples have the right to self-expression via a referendum and why, in words of Orwell, some peoples are more equal than others are? Or all of the peoples are in the eyes of the highest judge that is the people themselves and their declaration of their will.

Peacekeeping operations, in some cases, are considered necessary in order to conduct peace negotiations, ending the war or violence. I consider that this condition is correct and absolutely necessary and the only one on which peace negotiations should be based. In some cases, we see here again the double standards, on the part of peoples or conflicting parties yet further conditions are required and in some other cases we do not demand for a halt of violence.

I will give one example that might cause some counteraction in this hall, but I am used to the counteractions. Intifada, which lasts already several years, is the act of violence or not? If it were an act of violence then when one conducts peace negotiations in the Middle East should call on the parties to put an end to this violence. Otherwise, it would be tantamount to saying that stoning of alive people is the equivalent of playing ball. Nonetheless, the flip side of this coin, oddly enough, concerns those who protect the rights of the child. Placing a stone in the hand of the ten-year-old boy and telling him that if he throws it at a person this will represent a heroic act, we, for many decades ahead, we are laying a foundation for hatred and the ability to throw a stone not only at a Jew but also at a Palestinian later. We lay a foundation for a possibility of a civil war. And we violate, without prosecution for these violations, the international conventions that prohibit involving children under the age of fifteen in the military conflict. I would like the authors of the Declaration of the Rights of the Child and the defenders of the rights of the child to pay a close attention to who participates in the Intifada.

Terrorism and double standards. In some cases, we unconditionally condemn the terrorism, especially if a terrorist explosion happens in Manhattan. In other cases, we look at it somewhat differently. Moreover, the Bangkok Declaration seemingly justifies terrorism if it is conducted in order to free peoples from colonialism or other types of domination and dependence. But the terrorism must be completely and absolutely condemned. An example of double standards, Hamas, the battle cry of which is kill every Jew no matter where he is, whether he is a 100 percent Jew or may be just a quarter, is legally persecuted and condemned in many Arab countries, even punished by death. At the same time, we defend Hamas if Israel dared to defend itself by exiling those who actively support this organization.

Are we right? Is there once again an instance of double standards and of realpolitik? The list of examples of the double standards is long. At the same time, there are many examples of how the United Nations Organization is impotent in the face of simply trying to resolve the most crucial and most heavy conflicts of the modern times.

In 1968, Andrei Sakharov wrote

All peoples have the right to decide their own destiny by free expression of their will. This right must be guaranteed by international monitoring of the observance of the Declaration of Human Rights by all governments. International control involves both the application of economic sanctions and the use of UN military forces to protect human rights.

Please note that this was written a quarter of a century before the air bombing by Hussein of Shiites in the southern Iraq and the Kurds in the north, before the blockade of Armenia, before the forced deportation and attempts of complete liquidation of the Armenian enclave in Karabakh and before the tragedy in the centre of Europe, the Yugoslav tragedy and genocide of Bosnian Muslims.

Presently, the threat of overpopulation of the planet, the threat of famine, the energy crisis, deforestation, the ozone hole, radioactive, chemical and simply banal household pollution of the planet already attracts everyone's attention. All of us understand that only jointly, all of the humanity together, can we solve this ecological problem. This is the thrust of the globalism of our present day thinking.

However, at the same time, the peoples aspire to preserve their identity, their self-identity, to create or to reinforce their own national statehood where it exists or to recreate it where it does not exist. Do these two basic trends of our modern day societies oppose each other? On the one hand is the globalism and on the other hand is the nationalism or are they branches of one and the same process of the development of the humanity? What in each of these trends advantageous and what represents a disadvantage? Should we oppose these two trends when we consider our future? Our common future depends on how we answer this question; this future also depends on what mechanisms and how quickly the UN will establish them in order to ensure that these trends do not contradict each other.

The future of the UN also depends on it. Will the UN burn down in the fire of the numerous small but bloody wars? The same way the League of Nations has burned down during the Second World War or will the UN be able to become an organization that rescued the humanity from perdition and saved the Planet.

The questions have been posed. There are many questions. I do not expect to get immediate answers to them from this Conference. I consider that is better to pose the questions and to call things by their proper names rather than trying to hide the diagnosis from the patient. It is we, the modern society, who are the patients.

On the threshold of the 21st century of the upcoming millennium, the main question is preserving peace, preserving all of the peoples because many of them are on the verge of disappearing. Our task is to welcome the 21st century with dignity.

I would like to present before the UN two problems. By solving them, the Organization could offer the humanity a gift. First is the general amnesty for all prisoners of conscience, all those who fall into this category according to the Amnesty International. In other words, the amnesty for people who never committed violence and who never called to violence. Second is the capital punishment. I am an atheist; I do not belong to any faith. I respect equally Christianity, Islam, Buddhism, Judaism and other world religions but being an absolute atheist I believe that no state, no one but God, have the right to take a human life.

Andrei Sakharov in one of his lectures said that he believed that the humanity would find within itself the strength and wisdom to preserve the Planet and to create on it the life that is worthy of us, each one of us, and of vaguely outlined goal.

I believe in Sakharov and I believe in the future of the UN with one condition that the clear and permanent progress takes place in accordance with the requirements that history puts before this Organization.

Thank you.

BUNNAR, Tej (President):

I thank Mrs. Bonner for her statement. I now give the floor to Dr. Mary Grant, Adviser to the President of Ghana. Madame, you have the floor.

GRANT, Mary (Ghana):

Keywords: HUMAN RIGHTS VIOLATIONS - TRADE POLICY - DEVELOPING COUNTRIES - GHANA - DEVELOPMENT - NORTH-SOUTH RELATIONS

Mr. President,

It gives me great pleasure to congratulate Foreign Minister Mock most warmly on his election as President of this historic Conference. My delegation is confident that with such outstanding qualities and diversity of experience he will steer the deliberations of our Conference to a successful conclusion. We pledge to him our full support and cooperation.

The congratulations of my delegation are also addressed to the other members of the Bureau on their well-deserved election.

My delegation must also place on record our appreciation of the gracious hospitality that has been extended to us by the Austrian government and people and of the excellent facilities that have been placed at our disposal for our Conference in this beautiful city of Vienna.

Mr. President,

In becoming members of the United Nations, we have affirmed in the words of the Charter our "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." We have also accepted to achieve international cooperation "in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." Yet, there is such a contradiction between that affirmation and acceptance, on the one hand, and the continued violations of human rights, often on a massive scale, on the other. This contradiction is reflected as much in the denial of civil liberties

as it is in the degradation of poverty. In this unacceptable situation lies the full justification for our Conference.

The World Conference on Human Rights takes place at a propitious time, at a time of opportunity. International relations have moved from the era of the cold war that tended to obscure all issues to a new era whose contours, though still unclear and fraught with new dimensions of insecurity are, nonetheless, characterized by efforts at cooperation.

Consequently, Mr. Chairman, my delegation is confident that this Conference will examine human rights in a holistic manner. Such examination, if characterized by constructive frankness, should lead to a full appreciation of the multidimensional and interdependent nature of human rights.

The Universal Declaration of Human Rights that affirms human rights as the very basis of society has provided much inspiration in that direction. Since its adoption forty-four years ago, the Declaration has been the basis on which other international declarations, conventions, covenants and instruments have been crafted elaborating human rights in all its dimensions and creating new standards for the promotion and protection of these rights. The Declaration has guided and inspired many statesmen and legislators in evolving principles and legal regimes for the conduct of government and the governed. It has inspired the international community's endeavors to define common aspirations on a worldwide basis and, thus, fashion a culture of human rights promotion and protection. These achievements are all the more remarkable because they were made, in the main, while the East-West confrontation was still a major obstacle to international cooperation.

However, we must observe that the disappearance of East-West tensions and the disintegration of one of the two super powers have not made the observance of human rights any better. On the contrary, new conflicts have paradoxically emerged with new dimensions of insecurity - ethnicity, extreme nationalism, racism, sectarianism, xenophobia and intolerance. These have been manifested in their most despicable, barbaric and abhorrent form in the phenomenon of "ethnic cleansing". They have also been manifested in the raising of symbols reminiscent of an ignominious chapter of human history, in the baiting of religious minorities including the desecration of their tombs and sacred places as well as in racial attacks. Nor is there comfort to be derived from the continued existence of occupied territories or apartheid. Discrimination is perpetrated against women, children and other vulnerable groups and minorities. There are massive violations of human rights and fundamental freedoms across the length and breadth of our planet as reports of the Human Rights Commission and its bodies have documented. Above all, economic disparities between the North and South, compounded by the marginalization of the interests of the developing countries in the concern to assist the new democracies of Eastern Europe, make the enjoyment of human rights by the vast majority of the world's population a distant dream.

Our task here, therefore, almost half a century after the adoption of the Universal Declaration of Human Rights is a sacred one. Let it be the historic privilege of our generation to bequeath to future ones a blue print that is inspired by past experience and is motivated by a sincere and ardent desire and determination to make this a better world.

Mr. President,

The government of Ghana firmly believes in the indivisibility, interdependence and equal importance of all human rights - civil and political, economic, social and cultural. We categorically reject any conception of human rights that places emphasis on one category of human rights to the detriment of another. We submit that political and civil rights in the context of the most degrading conditions of poverty, deprivation and human misery are as meaningless as they are grotesque. Economic and social development and an adequate standard of living are, indeed, preconditions for the full enjoyment of political and civil rights. Nowhere is the indivisibility, interdependence and multidimensional nature of human rights more poignantly expressed than in the statement of the Secretary-General of the United Nations on Human Rights Day 1992

Full human dignity means not only freedom from torture, but also freedom from starvation. It means freedom to vote as it means the right to education. It means freedom of belief as it means the right to health. It means the right to enjoy all rights without discrimination. And true development requires a solid basis of democracy and popular participation.

Mr. President,

May I crave your indulgence and that of interpreters to digress just a little bit and defend my country's stand on the indivisibility, interdependence and equal importance of all human rights. In the late 1970s, a ton of Ghana coco costs about 3000 pounds. Now a ton of coco costs under 700 pounds. Developing countries have watched helplessly the prices of commodities they produce plummet down to abysmal depths, while the prices of the goods they have to import from the developed countries spiral upwards to the astronomical heights. Wherein lie the human rights for which we are assembled here? It is imperative that ardent steps be immediately taken to correct unjust trade practices and to free the developing countries of the crushing yoke of the perpetual penury.

Mr. President,

Ghana's commitment to the promotion of and respect for human rights is evidenced in my country's ratification of various human rights instruments at the regional and global levels. Our policies in the area of economic recovery and social development and our country's return to constitutional order are a further reflection of Ghana's commitment to ensuring the full realization and enjoyment of human rights.

With your permission, I would like at this juncture, to share Ghana's recent experiences in the field of human rights and democracy with this gathering. By a process that started on the 31st December 1981 and culminated in the promulgation of our Fourth Republican Constitution on the 7th January 1993, our political, economic and social development has been given a people-centred orientation. Through democratization of political institutions and devolution of decision-making to local communities, coupled with the liberalization of the economy, Ghanaians have taken their destiny into their own hands. They have learnt through concrete experience that the only system of government that really works and is goal-achieving is one based on popular participation, democracy and the rule of law, and rooted in local tradition and culture. Ghana is ready to share her experience with other African countries so that together with other well-meaning members of the international community Africa can be saved from the obscenity of brutal dictatorships that gives all Africa a bad name.

Ghana has made great progress in the realization of the rights of vulnerable groups especially women and children. Since the early 1980s, the government of Ghana has instituted a programme for the enhancement of the role of women in the society and their economic, social and political empowerment. The Fourth Republican Constitution makes ample provision for the enactment of appropriate legislation to ensure the protection and promotion of these rights as well as other specific rights such as property rights in marriage.

Ghana's early ratification, indeed the first Member State to do so, of the UN Convention on the Rights of the Child and our National Programme of Action on the follow-up to the World Summit for Children vividly reflect the commitment of the government of Ghana to children as a vulnerable group.

Mr. President,

My delegation is gratified by the realistic and genuine manner in which this World Conference has been prepared and structured to arrive at a convergence of principles and ideas originating from diverse geographical areas, political systems, traditions and cultures. The holding of regional meetings and the decision of the General Assembly by its resolution 47/122 that the final outcome of the

conclusions of the regional meetings held in Tunis, San José and Bangkok underscore a pragmatic and result-achieving approach to the question of human rights.

I am by no means advocating regionalism, which in the final analysis resolves itself into a North-South divide, and is as obtrusive as the erstwhile East-West confrontation. The diversity of experience and approach reminds us that, however idealistic and well-meaning we would want to be in the promotion and protection of human rights, we cannot achieve our goals in a vacuum but within states and in cooperation with states at different levels of political, economic and social evolution.

In this regard, the selective and discriminatory conditionalities of political pluralism and human rights for the extension of economic assistance do not serve the cause of human rights. They undermine the right to development of the vast majority of mankind.

The need, therefore, to approach human rights with objectivity and non-selectivity cannot be overemphasized. It is in this way that the universal observance of human rights could, indeed, be achieved. It is by so doing that the indivisibility and interdependence of human rights as a concept can be given practical meaning. For we would be acting on the premise that we all as human beings belong to one family and we are each our brother's keeper. From this perspective, too, the North-South divide on the issue of human rights would seem artificial and it would be easier to strengthen human rights institutions at national, regional and international levels.

It is the view of my delegation, therefore, that the emphasis hitherto placed on civil and political rights at the expense of economic, social and cultural rights should give way to practical efforts that would enable states to assume their full responsibilities and encourage their citizens to play their part in the promotion and protection of all human rights in everyday life. In short, man must be central in all our endeavors with a view to according what is due him as a human being but a human being whose environment is the community, the state and the globe.

Mr. President,

in the progress made by the international community in the field of human rights, we share a source of strength. In our determination and resolve to break new ground in pursuit of the maximum realization of human rights, we are joined as members of one family of man. In this joint endeavor, we should not fail.

Thank you.

BUNNAR, Tej (President):

I thank Dr. Grant for her statement. I now give the floor to Her Excellency Madame Pascaline Mferri Bongo, Minister for Foreign Affairs of Gabon.

Gabon has the floor on the point of order.

Gabon, spoke in French:

The speaker for Gabon will be Minister Lazare Digombe.

BUNNAR, Tej (President):

I apologize; I give the Minister the floor.

DIGOMBE, Lazare (Gabon), spoke in French:

Keywords: HUMAN RIGHTS PROTECTION - GABON - DEVELOPMENT - DEVELOPING COUNTRIES

Mr. President.

First of all, I should like to express to you on behalf of the government of Gabon and in my personal capacity my warmest congratulations on your outstanding election as President of this Second World Conference on Human Rights. Your untiring action to promote human rights as well as your perfect knowledge of the United Nations procedures coupled with your pragmatism and appreciable talents as a conciliator predisposed you to assume this heavy responsibility with competence.

I would certainly be failing in my task if I did not also express the compliments of Gabon to your colleagues on the bureau on their election. They will assist you, I am convinced, with the necessary devotion to ensure the success expected of our work.

I would add that the election that honors you personally also constitutes a tribute paid to your country, whose commitment to human rights throughout the world has never been in any doubt. It is the right occasion for the Gabonese delegation to express its warm congratulations and sincere thanks to the host country, to the government and people of Austria for having accepted to host this historic forum.

The special contribution of Mr. Ibrahima Fall, the Secretary-General of the Conference, to the success of this assembly also deserves our recognition.

Finally, I should like to commend the remarkable work carried out by experts in the context of the meetings of the Preparatory Committee.

Mr. President,

At the end of this quarter of a century that separates us from the first International Human Rights Conference held in 1968 in Teheran, we are pleased, first of all, to note at the level of the international community the enormous progress made for human dignity.

It suffices to recall in this connection the social and political upheavals, which have occurred in the world, particularly over the last four years: the major political changes in Eastern Europe, continued dismantling of apartheid, resumption of negotiations on the Middle East peace process, settlement of regional conflicts, wave of democratization in Africa.

Our Conference is being held at a historic moment in the development of international relations and, from now on, the taking into account the human rights in the development becomes a permanent fact that the states should integrate.

This shows how much the international community expects from the results of our assembly the themes of which are consistent with the concerns of our times. On this issue, this World Conference provides the opportunity to strengthen the achievements without at the same time losing sight of the alarming situation that still prevails in many parts of the world.

Mr. President,

The current progress with regard to human rights stems first and foremost from the determination of states to work for the establishment of a better social and political environment at the national level.

Nonetheless, we must also recognize the collective efforts made by the whole community of nations. The Commission on Human Rights on which my country has been serving since 1992 and to which here we wish to pay a due tribute has made a significant contribution by establishing important

protection mechanisms. We owe to it all the standards and conventional procedures, which foster sound international cooperation for the victims of violations of human rights and fundamental freedoms.

This is, therefore, an opportunity for Gabon to reaffirm the universality and indivisibility of all human rights, political, economic, social and cultural.

But it has today become clear that this enjoyment of all human rights can only be effective if there is development, as defined by the Declaration of 14 December 1996 of the General Assembly on the Right to Development, namely:

an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

Furthermore, the development of states can only occur in a democratic environment, that is to say, as understood in Article 2 of the Universal Declaration on Human Rights, a framework in which all human beings have responsibility for development through the free, active and productive participation of all citizens in the formulation and the implementation of national policies.

It is thus that all the active forces of our countries have succeeded through much trial and error in establishing an environment conducive to the integral development of a human being, particularly in Africa, where democracy and the rule of law are being affirmed.

Mr. President,

It should, nevertheless, be recognized that the objectives of development that we have set for ourselves are still far from being attained as a result of the inadequacies of a genuine international solidarity capable of stimulating a balanced world economy.

Most developing countries, indeed, remain victims of an unfair international economic system and the gap which continues to grow between the North and the South gives little reason for optimism for the future. These same countries are crumbling under the weight of the debt they are unable to repay, while the cost of debt servicing and the constant decline in the price of commodities keep their populations in conditions of extreme destitution degrading for human dignity.

Unless we are careful, the democratic institutions established will hardly be able to resist the tensions arising from the frustrations produced by the economic crisis. This shows how much on an issue as delicate as that of human rights, we have to be both demanding with regard to the principles and objectives and modest in terms of evaluations or assessment of specific geographic and cultural situations.

It is here that it is important to emphasize that if the right of interference may be the ultimate recourse, especially in cases of massive and flagrant violations of human rights, the universal conscience cannot admit any discrimination with regard to their implementation, depending on the countries concerned.

Mr. President,

With regard to the current situation of human rights in my country, those who are closely following its political developments know that in terms of rights and freedoms a remarkable progress has been made since our achievement of international sovereignty, both in terms of principles and in terms of their implementation.

As for the principles, first of all, Gabon has signed and ratified a number of international legal instruments relating to human rights. These commitments are taken into account in the effort to

formulate or to adapt various national texts. As to their implementation, the holding of a National Conference in 1990 focused on the definition of a new model of society has made it possible to strengthen our legal system for the promotion and protection of human rights and fundamental freedoms.

This has led in addition to the adoption of the National Charter of Freedoms of Law 3/91 of 26 March 1991 establishing the Constitution of the Gabonese Republic. This new Constitution has introduced some new human rights provisions, in particular: restoration of multi-party democracy and reaffirmation of freedom of press and opinion; lifting of restrictions on the freedom of movement; establishment of a Constitutional Court, which guarantees fundamental rights and freedoms; establishment of a National Communication Council responsible for guaranteeing citizens' access to free and equitable communication for all political parties or associations; reorganization of the Economic and Social Council, three quarters of its members being elected.

In addition, accompanying measures have been taken to promote the rule of law and to improve the political climate and practices, in particular: decision of the President of the Republic to release persons detained for action against the state security in 1991; the abolition of the state Security Court of the exceptional jurisdiction of that same year; the establishment of an office of the mediator of the Republic in 1992.

Finally, another type of measures concerns reduction of inequalities and protection of vulnerable social categories: policy for the advancement of women specifically through the establishment of the Ministry responsible for the status of women and by an increased presence of women within the government and other higher state authorities; health policy that specifically addresses the protection of mothers and children; social assistance policy and a policy of vocational reintegration for the disabled as well as for the protection of abandoned children.

These actions are supported by an effort for the information and education of the population with the help of non-governmental organizations. This is the place for me to pay a deserved tribute to the growing role played by these NGOs in the promotion and protection of human rights throughout the world.

Mr. President,

This modest summary of efforts made cannot make us forget the numerous obstacles that still impede the pursuit of my country's progress in this area. I am thinking, in particular of the persistent effects of the international economic crisis and particularly unemployment; of the current state of attitudes characterized by the fact that nobody feels sufficiently concerned by the various possible means of violating human rights, whether traditional or more subtle; of the still insufficient dissemination among the population of the complex notion of human rights and its associated challenges at the national and international level; of the development, still insufficient, of the ministerial human rights sector, which was only recently set up in 1997.

The diagnosis I have just carried out quite naturally calls for an effort to identify new prospects for action.

I am, therefore, pleased to inform you that Gabon, which has just ratified the Convention on the Rights of the Child, is determined to improve the administrative and legal structures of the ministerial human rights sector as well as the human and financial resources needed to make its policy more effective.

In particular, the establishment of the National Human Rights Commission that should contribute to the following: the establishment of programs for education and information on human rights and fundamental freedoms; the preparation and regular presentation of national reports on the implementation of international conventions ratified by Gabon.

Like many countries present at this august Assembly, my country, nevertheless, remains concerned to see a new international order established, which would take greater account of the real interdependence between development and the progress of the humanity with respect to observation of human rights.

It is, indeed, fortunate that every one of us has become aware of the fact that extreme poverty and political instability due to constant social upheavals cannot create an environment favorable to the progress of human rights.

This means that the reduction of economic disparities as well as of unemployment and social inequalities, in particular the improvement in the terms of trade, will contribute to the promotion of this environment and to the strengthening of peace, which is the best defense against massive and brutal violations of human rights.

Finally, it is time for the international community to encompass the full wealth of the concept of human rights, which has made it possible to integrate the right to development into it.

Because, according to a very relevant saying: a minimum of wellbeing is a requisite for virtue.

Mr. President,

While ensuring the availability of the Gabonese delegation to strive for the success of our work, I join in the wish already expressed from this rostrum, to see the financial mechanisms of the United Nations for the promotion and protection of human rights be increased.

May this second Conference in Vienna also devote in its final act a real consensus on the vital and decisive aspects for the promotion and protection of human rights today.

I thank you, Mr. President.

BUNNAR, Tej (President):

I thank His Excellency for his statement. Please accept the apologies of the Chair for addressing him incorrectly. I now give the floor to His Excellency, Mr. José Pallais, Deputy Minister for Foreign Affairs of Nicaragua. Excellency, you have the floor.

PALLAIS, Jose Bernard (Nicaragua), spoke in Spanish:

Keywords: INTERNATIONAL INSTRUMENTS - DEVELOPMENT - INTERNATIONAL COOPERATION - TECHNICAL ASSISTANCE - SOVEREIGNTY

I would like to congratulate you and other members of the Bureau for having been selected to lead the work of this historic Conference. I would like to guarantee the support of the Nicaraguan delegation in order to join the efforts in favor of firm commitments to ensure the common wellbeing of the peoples and states of the world.

I would like to join those representatives who have recognized the very important work done by our host country at this meeting. It is an honor to visit a country such as Austria, which has managed to combine material prosperity with a high level of equitable social development, and whose friendship Nicaragua values so much.

We meet again at this precious and historic occasion, twenty-five years after the International Conference on Human Rights in Teheran, with the aim of reflecting on the achievements and obstacles in the field of human right. This reflection means a careful evaluation of the effectiveness of the methods and mechanisms adopted by the United Nations in this area. We also have to identify those

obstacles that we encountered, both in the past and in the present, on this difficult path to ensure the universal respect of human rights and for peace and international security.

Mr. President,

Since the adoption of the proclamation of Teheran in 1968, an impressive number of standards and rules have been adopted both within the United Nations system and by regional organizations. We appreciate these instruments in their justice; we would like to repeat our conviction that their effective application is required to maintain peace and to promote economic development with equity. We would like to express the wish that this Conference will be a stimulus for those countries that have not yet adhered to the various international instruments so that they can consider the ratification of these as an immediate priority and so that they can integrate them in their national laws.

Mr. President,

We must be aware that the entire body of laws, instruments and initiatives could become dead letter if the states do not show the true political will necessary to fully apply the existing provisions and honor the commitments they have taken. My government, Mr. President, is pleased to honor these commitments and we take this opportunity to call upon a collective conscience to adopt joint and urgent solutions that are fair and adequate to the problems that affect all of us as members of a single community.

Mr. President,

During our debates at this Conference, we must take into account universality, indivisibility and impartiality of human rights.

Our duty with the creation of new world order and with the new international circumstances should obligate us to seek new approaches so that from this Conference we can have an updated world plan of action for the promotion and protection of human rights, so that we can overcome the barriers on the way to full enjoyment of human rights, ensuring legality and full correct administration of justice and equity and economic relations. This process of and protection should be developed in conformity with the aims and principles of the UN Charter and international law.

Mr. President,

Despite the great advancement that has been seen in recent years with the end of the cold war and the new phase of better international relations, we see with concern that in the current global scenario, there are emerging tendencies endangering peace. Ethnic war, exacerbated nationalism, racism, religious conflicts, terrorism, and drug trafficking are problems that we must combat with vigor. Besides these tendencies, there are also problems facing the developing countries that have to be underlined: living under the burden of poverty, malnutrition, illiteracy and in precarious health and living conditions.

This is why, Mr. President, my delegation considers that when evaluating the issue in the exercise of human rights and, in particular, civil and political rights and economic, social and cultural rights, which are our basic nucleus, we need an innovative approach that prioritizes the satisfaction of fundamental needs of individuals as decisive aspect in the construction of a new world order. We must be convinced that for this to be truly new, different and that it may promote greater respect and observance of human rights, it must also address the greatest challenge, the development.

On this occasion, we must once again acknowledge the unconditional unbreakable link between human rights, democracy and development. Democracy on its own without development, does not guarantee full enjoyment of human rights. In Latin America, for example, we have seen how, in the last decade the progress made in democratization did not correspond to the improvement in the living

conditions for the population, quite the contrary, what was seen was increased poverty. This phenomenon demands us to find an urgent response in order to reconcile the tangible progress in the civil and political rights with the obstacles in the economic and social rights.

As the Secretary-General of our Organization accurately affirmed at the inauguration ceremony of this Conference:

This analysis must lead the the developed countries to take an increasingly responsible attitude vis-a-vis developing states that are engaged in the democratization process.

We must understand that it is the development aid that will help consolidate democracy and full enjoyment of human rights.

We would like to reaffirm the legitimacy of the right to development as an inalienable human right recognized in resolution 41/128 of the General Assembly of 4 December 1986, which calls for a rapid response with shared responsibilities for establishing the necessary mechanisms so that such a right is effective. From that same angle we have the duty for cooperation between states and individuals with a view to promote development. Without development and economic growth, Mr. President, respect and promotion of human rights will continue to remain precarious.

We would like to insist on the need for worldwide consultation on development with a view to achieve the full exercise of human freedom and a guarantee of inalienable rights.

These principles should be based on equity and justice. Equity and justice should be seen through fair prices and justice for our products, the same access to the markets and abolition of customs duty and non-duty barriers. It is only in that way the development of the nations will be possible.

Mr. President,

The results of the forthcoming World Conferences on Population, Women, as well as the World Summit on Social Development will be crucial in this international endeavor for the strengthening of the world structure for human rights and, in particular, for meeting the basic needs of the peoples in the context of genuine nondiscriminatory international cooperation.

As far as Nicaragua is concerned, the promotion of human rights is, first of all, the reflection of the consensus of the international community for the respect of life and human dignity, it should not be seen as a privileged instrument of a particular political or ideological model. Thus, even when the human rights are clearly universal in nature, it is generally recognized that their expression and enforcement at national level should be, in the first instance, the competence and responsibility of the governments and the citizens taking into account the variety of problems, historical experiences, different cultural and social situations, as well as the different value systems that prevail in each country, without distorting its content. Nonetheless, when these states do not fulfill their primary obligations, it is up to the international community to adopt the necessary supplementary actions in support of internal responsibility and this should not be perceived as an attack on the principle of sovereignty.

Mr. President,

Nicaragua fully agrees with what was expressed in the Secretary-General document "Agenda for peace," in which he said that democracy among nations calls for the respect of human rights and fundamental freedoms enshrined in the Charter as a profound understanding and respect of the rights of minorities and the respect of the needs of the more vulnerable groups in society. This is a priority problem on the international agenda and my government devotes special attention to this. I would like

to take this opportunity to express our full support to the initiatives that are carried out in the framework of the United Nations Year for the World's Indigenous Peoples.

Furthermore, Mr. President, Nicaragua welcomes the efforts for the application of the programme for advisory and technical cooperation on human rights in order to help the states with the task of strengthening national institutions which are responsible for promotion and protection of human rights, including education actions. Such programmes should be financed under the regular budget of this Organization; also, the Conference should establish a budget increase for this purpose, and this increase should, in turn, come from the fund of voluntary contributions for advisory services. Without this financial support it will be very difficult to overcome the limits due to the economic needs and the risk could be that of ending up with a world system where there are effective rights for some and theoretical rights and frustration for others.

Cooperation could also be seen where appropriate to improve administration of justice. In effect, the existence of genuinely independent and effective national administration of justice is fundamental for the promotion of social peace and for the people's belief in their public institutions.

Mr. President,

Nicaragua would like to express the wish that the World Conference calls upon the governments to intensify their efforts in favor of the protection and promotion of women's and children's rights.

Also, regarding the strengthening of international jurisdiction designed to prevent and sanction massive violation of human rights, such as genocide and those based on ethnic intolerance, Nicaragua supports the efforts of the Commission of United Nations created for this purpose, hoping they will continue their work taking into account, among other alternatives, the possibility to recommend the strengthening of existing mechanisms.

Mr. President,

The fundamental human freedoms are universal in nature and should be protected by the international community. We cannot and we should not allow the shield of the principle of non-intervention to be used to commit the most serious and systematic violations of fundamental human rights.

Quite often, the right of self-determination of peoples is interpreted with criteria going beyond its full definition. Every nation, without doubt, has the right to freely choose its own political, economic and social system, however, this should not mean that behind the distortion of the sacred right the fundamental human rights are violated.

Nor can we accept that the international system of protection of human rights be denaturalized and distorted by covert interventions by some states in matters that are internal affairs of a nation or of the international community as a whole. Similarly, we cannot accept that some states with hegemonic intentions abuse the issue of human rights to unduly change the free and sovereign choice of a people over the system of their government.

Both statements, Mr. President, are not contradictory. It is possible to have international protection of human rights and at the same time avoid abusive interventions in the name of human rights.

Mr. President,

My delegation would like to express its recognition of the cooperation between governments and non-governmental organizations based on shared democratic and humanitarian values and on mutual respect in the promotion of human rights. We would like to call upon the NGOs with the consultative status with the ECOSOC to constructively contribute to this process in line with resolution 1296 (XLIV) of the Economic and Social Council.

To conclude, Mr. President, I would like to stress the opportunity that we have today to reorient, reactivate and strengthen our commitments in the area of human rights in a more favorable international political environment. We have to carry out our task in difficult but promising circumstances. In the recent years there has been significant progress in the promotion and protection of human rights but they have also suffered from setbacks; we, therefore, have the obligation to protect these achievements and continue making efforts to develop and strengthen even more the rules, mechanisms, instruments and institutions for human rights. This should be our fundamental task where the international community will be able to rely on the support of the government and of our President Violeta Barrios Chamorro.

Thank you very much.

BUNNAR, Tej (President):

I thank His Excellency for his statement. I now give the floor to His Excellency Mr. Pascoal Mocumbi, Minister for Foreign Affairs of Mozambique. Excellency, you have the floor.

MOCUMBI, Pascoal Manuel (Mozambique):

Keywords: APARTHEID - SOVEREIGNTY - MOZAMBIQUE - INTERNATIONAL OBLIGATIONS - WAR - HUMAN RIGHTS MONITORING

Mr. Chairman, ladies and gentlemen,

It is a great pleasure and privilege for me to congratulate you for your election as president of this important World Conference on Human Rights. We are confident that your experience as well as your diplomatic skills will assure the successful outcome of our deliberations.

Through you, Sir, I would also like to extend my warm congratulations to the Secretary-General of the Conference, Mr. Ibrahima Fall, a prominent son of Africa whose outstanding qualifications earned him our respect and admiration.

Mr. Chairman,

We are gathered in Vienna twenty-five years after the first World Conference on Human Rights. The Teheran Conference is a landmark in the history of mankind in search of justice and human dignity.

Mr. Chairman,

Mozambique did not participate in the deliberations of the Teheran Conference because the right of self-determination was still denied to the Mozambican people in spite of the fact that the 1966 UN Covenants on human rights recognized the right of the peoples to self-determination as one of the most fundamental rights embodied in the universal instruments of human rights. The world was still confronted with various forms of domination denying elementary civil, political, economic, social and cultural rights to the oppressed people.

In southern Africa alone all these forms of domination, including apartheid, the most vicious defiance to the entire community of nations, were imposed over the peoples of the region.

For almost a generation, the apartheid system subjected the south African people to second class citizenship in their own country and thereby deprived them of the most basic rights of a human being. It is, therefore, our hope that the government in Pretoria will honor its commitments in the framework of the process of democratization of the South African society in a harmonious manner, free of violence and abuses of human rights.

The fall of colonialism and hopefully of apartheid, on one hand, and the general tendency towards the universalization of the concept of a democratic society, on the other, all have shed a new light of hope in the avenues of respect for human rights all over the world.

We are particularly concerned that in the developing countries, genuine efforts towards the promotion and respect of civil, political as well as social, economic and cultural human rights are often hampered due to the prevailing imbalances in the international economic relations.

Mr. Chairman,

The political transformations underway in the international arena bring a whole new set of opportunities that the international community should not fail to take stock of for the advancement of common goals in the promotion and protection of human rights.

We should not lose the opportunity offered by the end of the cold war to embark in a frank dialogue about human rights. On the other hand, progress in the North-South dialogue would highly contribute to narrow the differences opposing developing countries from those of the North about human rights issues.

Fortunate enough, the Covenants that form part of the international Bill of Human Rights, set a clear recognition of the comprehensiveness of the concept of human rights and the intrinsic relationship between development, democracy and human dignity.

While human rights are regarded as one of the basic preconditions for the achievement of economic development, in its turn, economic development is also a basic condition for the successful observance of human rights. It is our feeling from the debate that a consensus is emerging, according to which as far as human rights questions are concerned, we shall take in due account the particularity and the diversity of the historical and cultural Background of each society.

My delegation shares the view that the primary responsibility for the promotion and protection of human rights lies within the scope of national jurisdiction of each state but the international community as a whole has also an important role to play in this process.

International monitoring of worldwide violations of human rights should take into account the basic principles of international law, particularly, the need to abstain from interfering in the internal affairs of other states, the sovereign equality among states, their territorial integrity and their political independence.

Mr. Chairman,

The history of the people of Mozambique is unfortunately full of untold sufferings that have resulted in the deprivation of human rights in the country. After almost five centuries under foreign domination Mozambique proclaimed its independence only in 1975.

The independence of Mozambique brought about expectations among the people for the real possibility to live in peace, democracy within a society that was determined to respect and protect the enjoyment of human rights.

These expectations did not last long. The country was soon submersed into one of the most devastating wars in modern history. This war, imposed to Mozambicans from outside, claimed more than a million lives, left near two million people handicapped, six million more living as refugees or displaced people. It drove the country to the status of one of the poorest countries in the world, with the majority of its population living in absolute poverty. The war, thus, brought an unbearable situation for the fullest respect and enjoyment of human rights.

The government through a continued process of a broad debate involving the large majority of the people and through dialogue succeeded in creating a framework conducive to peace and democracy in the country.

The Mozambican Constitution guarantees the right of the people to vote and to be elected, the freedom of speech and opinion, the freedom of association and assembly, the freedom of movement and to owe poverty, the freedom of press among others. The fulfillment of freedoms and liberties is guaranteed by a pluralistic system.

The entering into force of the General Peace Agreement for Mozambique signed last year between the government and Renamo put an end to the untold suffering the people of Mozambique was subjected to for almost sixteen years. The agreement was a cornerstone for the country to embark in the real process of national reconstruction.

The consolidation of peace, democratization of society and promotion of human rights in Mozambique are competing and interrelated undertakings full of challenges that need to be addressed properly. With respect to the peace process, the implementation of the General Peace Agreement in the country is steady but still fragile. The ceasefire is holding but demobilization has not yet started, although, all conditions have been fulfilled. Demobilization is a crucial aspect of the cessation of armed conflict, which was conceived as a brief, dynamic irreversible process. For the consolidation of peace and prior to the general elections which in principle will take place next year, the government, with the assistance of the international community, has to ensure that a new single army is set up as well as proper conditions are created regarding the resettlement of Mozambican refugees and displaced people in their places of origin or choice.

Parallel to these huge tasks, the government is already implementing urgent projects in the framework of the national programme for reconstruction of the country ravaged by a long period of war. The challenges we are facing in Mozambique are very specific and difficult taking into account that Mozambique is also carrying out a programme of structural adjustments under the Bretton Woods Institutions. The tasks ahead are enormous for a country where the wounds of war are still fresh.

In the final analysis, peace, justice and stability in the country are of paramount importance for the promotion and respect of human rights and fundamental freedoms.

The government is fully committed to the successful outcome of the Accord on which the future of democracy in Mozambique lies.

In this endeavor, we are encouraged by the development of the civil society which is characterized by the emergence of various non-governmental organizations working in different fields including those dedicated to the promotion of human dignity. I was particularly pleased to see in Vienna some of the Mozambican NGO's which were actively involved in all the preparatory phases of this Conference.

With regard to our international obligations, Mozambique ratified several UN instruments including the Universal Declaration on Human Rights and its related instruments and the Convention on the Elimination of All Forms of Discrimination against Women.

Regarding the need to institute methods for more effective implementation of human rights, we believe that the existing United Nations machinery is quite responsive in this field. However, we also believe that some improvements could be worked out in order to boost the efficiency within the existing machinery.

Finally, I could not conclude my statement without expressing my delegation's deep appreciation and thanks to the Austrian government for the warm hospitality displayed to us since our arrival at this historic and beautiful city of Vienna. My heartfelt thanks are also extended to the international community as a whole for the generous assistance and multiform support it been providing to the

people of Mozambique, especially in times of challenge and quest for peace and democracy in the country.

I thank you.

BUNNAR, Tej (President):

I thank His Excellency for his statement. I now give the floor to His Excellency Mr. Fares Bouez, Minister for Foreign Affairs of Lebanon. Excellency, you have the floor.

BOUEZ, Fares (Lebanon), spoke in Arabic:

Keywords: LEBANON - HUMAN RIGHTS PROMOTION - INTERNATIONAL OBLIGATIONS - TERRITORIES OCCUPIED BY ISRAEL - HUMAN RIGHTS MONITORING

Mr. President,

It is my pleasure to address to you our sincere congratulations on your election to Chair over this important World Conference and to express to you the wishes of our delegation for success in steering our deliberations. We are confident that your qualities, along with the cooperation experience provided by both the Secretary-General of the United Nations and the Secretary-General of our Conference will all be elements of the success of our meeting. We would have hoped the Presidency and the Secretariat would continue to preside over our deliberations as they had done in the first days of the Conference.

Allow me now to express my thanks and appreciation to this great country of Austria, to its President, its government and its people for hosting our Conference and for the hospitality with which we have been met in this beautiful city, repository of a great heritage.

We have come to you from Lebanon, a country that has emerged from one of the most ruthless, one of the longest and the most intricate of wars.

We have come to you from Lebanon, a country in which the many conflicts of the world have been reflected, a country that has also reflected the contradictions of ideologies and theories as well as the conflict of interests and creeds.

We have come from Lebanon, a country that despite its tragedies, its victims and it is homeless has come bearing the hopes of a nation that has always been a cradle for peace, refuge for the oppressed and a beacon of freedom of justice and of equality ever since the dawn of history.

We come from that ancient country, Lebanon, steeped in democracy, steeped in respect of human rights, ever since the laws of ancient Phoenicia, through the school of law established in Beirut in Roman times one of the first universities in the world teaching law, and also from the Lebanon that has participated in drafting the Bill of Human Rights and in establishing all the regional and international organizations dealing with human rights.

Ever since then Lebanon has and remains committed to the highest degree of right, justice and freedom despite the price that we have paid. For, unfortunately, we have to admit that the openness to democracy and the climate of freedom prevailing in Lebanon have played a basic role in weakening our resistance to external storms that have swept the country.

We have come here to you to confirm that he who has faith retains his faith despite all difficulties and he who believes in freedom and democracy would spare no sacrifice.

We have come to you from a country where the rights of the citizen prevail over the rights of the states, sometimes, and not where the rights of the states over the rights of the citizen as is the case in most countries of the world.

We accept such a state because we believe that protecting society from the individual is easier than protecting the individual from society and that the protection of the state from the citizen is an easier task than protecting the citizen from the state.

Ever since we established the legal framework for our modern constitutional institutions, Lebanon has made its points that its basic legislations should reflect the hopes and aspirations of our people. Our Constitution of 1926 enshrines all the principles of equality of rights and obligations, personal freedom, freedom of creed, freedom and the right to education and the freedom of expression and the rights of children and women, the right to property and to the protection thereof.

When the international community was ready to establish the basic principles of human rights in the middle of this century, Lebanon was one of the first to participate in drafting the Universal Declaration of Human Rights in 1948.

We soon adhered to most of the conventions and protocols enshrining the political, civil, economic, social and cultural rights, guaranteeing equality and justice and banning all sorts of discrimination and torture.

The war of death and destruction that has swept over Lebanon for more than seventeen years has not weakened our faith in the rights of our citizens to a life of dignity. No sooner had this been declared than 1990, then Lebanon reaffirmed in its Constitution its commitments to all of the UN instruments to the Universal Declaration of Human Rights.

In fact, our state embodies that principle in all fields without exception. Our state is fully committed to democracy, to freedom, to economic development and social development at the highest levels.

Ladies and gentlemen,

Ever since the inception of notion of human rights and up to the present day, ever since the Declaration of Human Rights we and you have been asking ourselves a question, where do human rights stand as compared to the interests of states and societies. Ever since the inception of the idea of human rights the world has been attempted to reconcile these two realities.

Sometimes we consider the rights of the individual as being the responsibility of his society and at other times we consider the rights of these societies standing from the rights of the individual but no decisive answer has been found so far.

There has been no answer because it is very difficult to differentiate. In fact, they are interconnected there are no limits and the border lines are vague. There is no answer because the notion that the concept of human rights is not an absolute or isolated concept. It is closely connected to a framework of time, development, knowledge advancement, political, social and economic circumstances. Of course, there are fundamental and basic ideas that cannot be questions but most of the related ideas are subject to developments and to adaptation.

What we are called upon to do today more than ever before is to establish realistic frameworks and not theoretical ones for human rights in accordance with the requirements of our time, to reconcile the interests of the individual, on the one hand, and the interests of his society, on the other, as well as to reconcile them all with the interests of regional societies and the interests of the international community as a whole.

The more we develop the idea of human rights, the more we expand their scope, the more difficult is the task, the more intricate those rights become and the further way they get from the fundamentals and the basics, the more delicate and the more difficult resolutions become.

Ever since the inception of the first idea concentrated on the right to the freedom of opinion, the freedom of creed, the right to self-defense, up to the point where we started speaking of the right to self-determination, to independence, environmental rights and the rights to growth and development, the road has been very long, and we have taken into account hopes and aspirations without taking into account our capabilities and our capacities.

Today we are suffering from two problems: the problem of legislation and implementation, on the one hand, and the different criteria according to regions, according to continents and states, on the other.

It is very easy to be creative in the proposals we advance. It is easy to aspire towards more rights for the individual. It is easy to legislate and to be creative and expand the scope of human rights but it is very difficult when we expand that framework to guarantee the capacity of developing countries to assimilate all that at the present juncture.

It has been said in the past that what is true on one side of the Alps may not be so on the other. Today we say that the differences and the distances between states and peoples, between their social, economic and political circumstances makes it incumbent upon us to have a universal nay cosmic view of the situation of human rights throughout the world. Such a universal view alone bearing in mind the realities of all states is conducive to the success, our success, in establishing the common foundations for human rights, one that can be implemented seriously and systematically everywhere in the world.

Let us uphold our credibility even at the expense of our academic aspirations. We do need foundations to which we would be committed without exception and which we would apply to ourselves and to everyone outside this Hall. We needed much more than the idealistic frameworks that cannot be implemented safe in a few affluent societies, which are not facing the economic, political challenges of development. They may be satisfactory for our discourse but they certainly cannot be satisfactory to our conscience.

The interaction of our ideas in this Conference is definitely very useful, constructive and will certainly lead us to more progress in dealing with the problem of human rights but to build wise, possible and reasonable systems for such ideas, that would guarantee the credibility of our resolution - this is essential and it should be done at the expense of our own creativity.

The issue is still one of the legislation and implementation. What is the point of increasing the legislations whereas human fundamental human rights are not implemented or only partially implemented or are subjected to limitations and constraints?

We speak today of proposals and ideas, very advanced ones for human rights, once totally ignoring the seriousness of applying the fundamental human rights. We listen today to proposals that are all encompassing whereas we are victims of contradictory criteria as if what we decide here is to be applied wherever possible but would stand helpless before the wall of those who do not implement; it as if the principle of selectivity where the one prevailing.

We listen to the resolutions of the United Nations and Security Council and we see them accumulating in the archives of organs of international organizations so much so that they not need now a new system of documentation. Whereas some countries adequately refuse to implement them.

We hear of a resolution from number 425 calling for the withdrawal of Israel from the occupied Lebanese territories but find no one to implement it. We hear of resolution number 799 calling for the

return of the deported Palestinians who have been forcefully deported from their land and established in camps on the occupied Palestinian territories.

We hear those, who have deported them say openly and blatantly that they have received guarantees that would protect them from any procedures.

We hear of committees set up whereas there are more than 300 detainees, Lebanese men and women, in prisons and in detention camps in Israel. They had been abducted without knowing of what they are accused and without standing any kind of trial be just or unjust.

So far, no humanitarian organizations have been allowed to visit these detention camps. Nothing is known of their sanitary conditions. Nothing is known as to who is still alive and who is not.

Among us today is one of the lucky ones who have escaped the rough of these camps as if he has come back from another world. He is listening with bitterness and with pain to the theories and the proposals whereas all he wants to know is the fate of comrades of his who have lived with him years of suffering and of detention.

We see in the occupied Palestinian territories an army that has been given the rights to shoot, not in a state of self-defense but to shoot citizens - men, women and children, old people. Every single day scenes of cadavers pass before our eyes and make our conscience suffer.

The practices of the Israeli authorities continue to violate the principles of human rights that should be respected and no one is lifting a finger.

Every day we witness the tragedies in Bosnia and Herzegovina and the international community is looking forward to more developed legislations.

Ladies and gentlemen,

Lebanon has turned over the page of war and with it has turned the page of many tragedies that have been lived on liberties territories. Today, we are looking forward to horizons of peace allowing us to build the same society where man will enjoy all his rights in accordance with the heavenly religions and in accordance with all the international agreements and conventions.

Lebanon has buried the tragedies of the past in order to face the challenges of the present and the future. Yet a cherished part of our country in the south of our country is still bleeding, is still suffering and looking forward to the respect of legitimacy and justice.

Lebanon has exported to the entire world culture and knowledge when Lebanon was living in peace and has exported its rough when Lebanon was suffering. The peace in Lebanon will not become a reality until that cherished part in the south of our country that is suffering from Israeli occupation now comes back to the authority.

The responsibility of the international community is to make sure that its resolutions are implemented for they are stemming from legitimacy, to make sure that Lebanese territories will go back to the Lebanese State. The release of those who have detained in an Israeli prison so that Lebanon may pursue its road to stability and peace.

That legitimacy cannot remain helpless anywhere in the world and be ruthless and other parts of world. The world today is in need of a new way to render operational that international commitment. Unless we have high legal international reference for the respect of human rights, the idea may be totally counterproductive. That reference, that body should be totally autonomous, should enjoy full credibility away from any political pressures so that all may believe in its absolute integrity. Then and only then will the spirit of international justice prevail over interests and over intervention. Then and

only then will the arrogance of certain regimes fall before the rights of humanity. Only then will justice be justice and equality be equality.

May the peace of God be with you.

Thank you.

BUNNAR, Tej (President):

I thank His Excellency for his statement. I now give the floor to Mrs. Sandra Kalniete, speaking on behalf of the Minister of Foreign Affairs of Latvia. You have the floor, Madame.

KALNIETE, Sandra (Latvia):

Keywords: LATVIA - USSR - MINORITIES - NON-CITIZENS - HUMAN RIGHTS
MONITORING - UN High Commissioner for Human Rights - DIPLOMACY

Thank you.

Mr. Secretary-General, Excellencies, distinguished delegates,

On behalf of the delegation of Latvia, permit me to express our sincere gratitude to the government of Austria and to you, Mr. President, for hosting the World Conference on Human Rights as well as for the generous assistance provided to our delegation. Although Latvia entered the preparatory process of the Conference only at its latter stage in Geneva, we hold high esteem for the efforts and abilities of Secretary-General Fall and the members of the Centre for Human Rights for their great investment and patience during this process. I am confident that the Conference will serve as an impulse to all states and governments to hold up the human being as the measure of their political goals not only in words but in deeds.

Respect for human rights is one of the most important issues facing humanity. Any part of our society which aspires to a system of enduring progress and development must have human rights as its foundation. The speedy and comprehensive elimination of all forms of racial and gender discrimination, xenophobia, anti-Semitism and all other intolerances should be a priority task for the international community. Forty-five years after the adoption of the Universal Declaration of Human Rights, the provisions of that instrument remain as imperative as they were following the Second World War.

One would have difficulty finding a political force conceptually opposed to human rights. In fact, it seems that the international community is unanimous in its support for human rights: human rights must be respected by all - by individuals, by states and by governmental institutions. However, there also exists unanimity for the admission that human rights are being continuously violated while the wrongdoers go unpunished.

The root cause of this incongruity between avowals by states and reality lies in the very essence of human rights. Seminally, human rights are conceptualized as the rights of the individual against the state or as the domain of the freedom of the individual in which the state cannot interfere. Notwithstanding its further development and the necessity for expanding its definition for the needs of our modern society, this seminal concept is and will remain the essence of human rights. However, because the state will always be physically stronger than the individual, respect for human rights requires voluntary self-restraint from the state.

Mr. President,

If we take a closer look at the circumstances under which human rights have been violated on a daily basis, we can assess that at times they have occurred with the wrongdoers hiding the evidence of the violations but lately they have occurred openly and without embarrassment to the wrongdoers. A third set of circumstances is where human rights violations occur with an accompanying transmutation by the wrongdoers of the very meaning of human rights.

When communism was still viewed as a serious alternative societal structure, it attempted to create an artificial conception of human rights. With the assistance of artful verbal trickery, its proponents in the former socialist countries turned the concept of the rights of the individual into the obligations of the individual as dictated by the state. The result was a tragic-comic situation where communist regimes that brutally violated almost all human rights in all seriousness proclaimed that only in their countries were human rights realized.

Under the cover of this "re-interpretation" of the concept of human rights, the communist regime that was placed in Latvia following the occupation and forced incorporation of Latvia into the former Soviet Union, was able to violate human rights with impunity; following the loss of their citizenship, Latvians systematically lost all of their human rights including their rights to free speech, religion, press, association, property, linguistic and cultural identity, as well as their right to choose certain professions labeled as "strategic."

Mr. President,

In 1991, Latvia returned to the international community. Although Latvia was unable to participate at the International Conference on Human Rights in Teheran in 1968, we are now prepared to contribute to the development of human rights standards and machinery. During the period of the cold war, many international instruments were formulated in an ambiguous manner in order to reach consensus. Now that the cold war has come to an end, we should take advantage of the favorable international climate to clarify these ambiguities.

Minority rights is an area, which the United Nations and other international organizations should seek to evolve. In particular, the scope of and the implementation mechanisms for the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, adopted by the General Assembly by consensus at its forty-seventh session, should be developed. No clear definition of "minority" was included in the Declaration. For Latvia as for some other countries, the definition of "minority" is not merely a theoretical problem. The reality in Latvia is that, alongside highly-integrated historical minorities with rich cultural heritages, exist large-scale populations transferred into Latvia during the course of its colonization. During this fifty-year period, the latter group never truly identified itself with Latvia. As it is required in almost every country, this group will have to meet the requirements for naturalization, which will be established by the newly elected Parliament of Latvia. Concurrently, Latvia realizes its responsibility to guarantee all basic human rights to all its residents, regardless of their citizenship.

The rights of foreigners is another area where international standards need to be clarified. This issue is important in many European countries including Latvia. Along with the universally recognized human rights of its permanent residents, the rights of foreigners in their host countries need to be legally determined. One option would be a convention on the rights of foreigners.

In both cases, the rights of minorities and the rights of foreigners, Latvia has adopted legislation. This legislation exceeds generally existing European standards. Considering the danger signals emanating from Western and Eastern Europe as well as from the Commonwealth of Independent States with respect to questions of minorities, it is the position of Latvia that strengthening the rights of minorities and foreigners on the multilateral level may provide a positive solution.

Another area in which we should direct our efforts in order to improve the situation of human rights would be a more comprehensive reporting mechanism for human rights violations. The majority of

human rights violations probably occur outside the gaze of public scrutiny. Certainly, some of these violations could be prevented if a more effective reporting mechanism existed. Here it is important to recognize the function already performed by non-governmental organizations. The United Nations and other international organizations must support and promote the work of such organizations.

The United Nations must also strengthen its fact-finding institutions; utilizing its authority, the United Nations should be present at "hot-points" in order to investigate the facts regarding human rights situations. In this connection, Latvia supports the proposal for the establishment of a United Nations High Commissioner for Human Rights. Concurrently, there should be increased cooperation and coordination between various international, regional and national institutions that work in the area of human rights.

With reference to the report of the Secretary-General of the United Nations, "An Agenda for Peace", I should like to refer to the importance of preventive diplomacy in the area of human rights. In cooperation with the United Nations, Latvia has already benefited from a policy of openness, and its efforts to provide objective information on its human rights situation. In 1992, at the 47th session of the General Assembly, the Head of State of Latvia invited the Secretary-General to send a fact-finding mission to Latvia to investigate alleged discriminatory practices against minorities.

We invite other countries to take advantage of the objective reporting and the expertise, which can be provided by international organizations. During the last year, in addition to the United Nations Latvia has hosted human rights experts from the European Community, the European Court of Justice, the Council of Europe, the Conference on Security and Cooperation in Europe and other international organizations. The conclusions of these organizations are quite similar to the conclusions of the United Nations fact-finding mission:

The information received and examined by the Mission does not reveal gross and systematic violations of human rights in Latvia.

Each visit by expert groups has revealed to the Parliament and to the government new opportunities for strengthening human rights standards in Latvia. Recently, for example, Latvia turned to the Council of Europe inviting its assistance on legislation in the area of the rights of foreigners and stateless persons.

Mr. President,

The increased emphasis on the human dimension in United Nations activities called for by Latvia and by other states participating in the World Conference will require increased resources for the United Nations human rights programme. It is inappropriate that presently only one per cent of the budget of the United Nations is allocated to human rights activities. It is the position of Latvia that the share of the regular budget allocated to human rights activities must be significantly increased.

Mr. President,

I should like to conclude by mentioning a particular problem that threatens progress with respect to the realization of human rights. Latvia is concerned with some states which make a practice of using human rights as an instrument of their foreign policy in cases where these states are seeking to hide their actual interests. Specifically, I am referring to cases where a state alleges human rights violations in a second state knowing well that such violations do not exist. Latvia has been the target of such unfounded and repeated allegations notwithstanding the fact that numerous international commissions and observers, including the previously mentioned United Nations fact-finding Mission, have failed to find human rights violations in Latvia.

This odious practice not only damages bilateral relations but also devalues human rights and interferes with their realization. It is a malicious manipulation of human rights. The United Nations may wish to

consider the establishment of a judicial entity which, upon a unilateral request, would investigate such allegations and submit to the Member States objective conclusions on the merits of such allegations.

Thank you, Mr. President.

BUNNAR, Tej (President):

I thank for her Mrs. Kalniete for her statement. I now give the floor to Chief Emeka Anyaoku, Secretary-General of the Commonwealth Secretariat. Sir, you have the floor.

ANYAOKU, Emeka (Commonwealth):

Keywords: HUMAN RIGHTS PROMOTION - Commonwealth - DEVELOPMENT - POVERTY

Mr. President, ladies and gentlemen,

It is a delight to be in Vienna, this city of elegance and history, which has so many times before found itself at the heart of international events. Now that the world is again in a state of ferment - caught between hope and despair - it is understandable that human rights should demand our particular attention.

Although history is replete with instances of man's bestiality to man, the human species has not lost its sense of humanity. It should, nevertheless, be acknowledged that the emergence of human rights at the forefront of the international agenda is a very recent experience.

As with concern for the world's ecology, so protection of human rights is an issue that is now perceived as extending beyond international borders and one that challenges conventional concepts of sovereignty. It is no surprise, therefore, that the Rio de Janeiro Conference on Environment and Development in 1992 should be followed by this Vienna Conference on Human Rights.

Recent experience in every region of the world has demonstrated with telling effect that the protection and promotion of human rights is an indispensable ingredient in a stable world order. Their suppression, and the sense of deprivation this generates, diminishes the individual worth of all those involved, is destructive of societies and deeply subversive of wider peace and stability.

Many at this Conference have pointed to the opportunities now opened up by dramatic changes in the international landscape of the last few years. The prospect is not only one of an unprecedented degree of political freedom and democratization but also of resources and human energy freed from negative and destructive ends and now available for the pursuit of human self-fulfillment.

It is only appropriate then that our task here should include looking for ways in which the opportunities offered by our new international environment may be used for the promotion of the whole range of human rights.

Mr. President,

The main challenge before this Conference is to agree on how to build on the very significant scope of existing international consensus on the subject before us. In this we should be seeking to build on those rights, indeed those duties, that derive from our common humanity - for unless the campaign for the advancement of human rights is driven by the fundamental acknowledgment and acceptance of a common humanity with common basic needs and aspirations, it will continue to generate controversy and to lack widespread credibility.

We must, therefore, strive to develop a dynamic, comprehensive and responsive conception of human rights - one enriched by the perceptions of different cultures and traditions; one which takes account of

the needs and aspirations of all countries and communities no less than of individual citizens. Thus, the human rights machinery if it is to be strengthened and made more relevant should recognize the human rights of those individuals and groups who have been ignored and are among the most deprived: the very vulnerable groups including, in particular, women, children, and the peoples of indigenous communities.

The Commonwealth, in pursuance of its commitment to the reality of a common humanity, has always placed the highest emphasis on affirming human equality and on building bridges across the divides of race, ethnicity, culture, socio-economic disparities and political philosophies. It is this approach, which has sustained the Association's vitality and relevance in the global society and which underpins the most recent manifesto, the Harare Commonwealth Declaration of 1991. In that Declaration, the leaders of fifty countries - drawn from every continent and every stage of development and from among the world's poorest to the most affluent - renewed their commitment to the Association's fundamental values.

These include such political values as democracy, the rule of law, and human rights in all its aspects including the pursuit of sustainable socio-economic development, the protection of the environment and equality for women, and support for multilateral cooperation. The Declaration represents a careful and balanced statement of priorities, implicitly recognizing and highlighting the interdependence of the political, economic and social development of humankind.

In recent years, the Commonwealth has both widened and intensified its efforts to help strengthen the key institutions that sustain democracy and civil society and which help to protect and promote human rights. It has sought to reinforce democratic institutions and practices, to facilitate sound and accountable administration and to promote the rule of law. Together with technical assistance in such areas as constitutional and electoral reforms and the strengthening of electoral commissions, the observance of elections at the request of Member States has been a vital element in buttressing the foundations of democracy around the Commonwealth.

Recognizing the importance of national institutions for the promotion and protection of human rights, the Commonwealth has also supported a programme of mutual assistance among its Members for the provision of expertise for the establishment and development of such institutions. In all these efforts, it has endeavored to foster a culture of democracy and human rights through encouraging broad-based debate and discussion, appropriate educational programmes and professional training of key officials.

At the same time, recognizing that the promotion of fundamental values must proceed alongside sustainable development in a symbiotic and mutually reinforcing manner, the Commonwealth has increased emphasis on its practical programmes of technical cooperation for socio-economic development and poverty alleviation.

Mr. President,

The logic of the Commonwealth experience should make it possible for us not to misstate the relationship between development and human rights in terms of a dichotomy between economic, social and cultural rights on the one hand and civil and political rights on the other. It should make it possible to assert with greater credibility, the indivisibility of all human rights as a principle to which all countries, societies and organizations can truly subscribe. And it should make it possible for the international community as a whole not to find itself irreconcilably divided over definitions and dichotomies, which create barriers where none need exist.

There can be no denying that among the greatest challenges before the world community today is that of banishing absolute poverty and deprivation. It is this poverty, especially at the household and community levels, that exposes so poignantly the indivisibility of human rights. And it is this indivisibility that enables poverty's vicious circle to demonstrate how the deprivation of one set of human rights devalues or leads to the loss of another.

Many of the studies prepared for this Conference provide ample evidence of this noxious synergy - acting among, for instance, indigenous peoples, street children, migrant and refugee families.

To conclude, Mr. President, my message to this distinguished gathering is a simple one. In considering ways of advancing the promotion of human rights, we cannot be oblivious to our common humanity or to the common basic needs of human society. We should, for example, not ignore the lesson from the fact that while we have witnessed the overthrow of dictators of repressive regimes by populations long deprived of their civil and political rights, we have also witnessed democratic governments being destroyed by fascist and anti-democratic forces riding on the back of a failure to provide for the economic wellbeing of the people.

We have embarked on a journey that has, in a sense, only just begun. It is a journey that will and must continue. The Commonwealth stands shoulder to shoulder with the rest of the international community and is ready to play its part in making that journey more easily negotiable. If this Conference can better signpost the way and provide the impetus to continue the journey onward to human self-fulfillment, it will have more than justified the efforts of us all.

I thank you, Mr. President.

BUNNAR, Tej (President):

I thank the Secretary-General of the Commonwealth for his statement and now give the floor to Mr. Philip Alston, Chairperson of the Committee on Economic, Social and Cultural Rights. Mr. Alston, You have the floor.

ALSTON, Philip (UN. Committee on Economic, Social and Cultural Rights):

Keywords: ECONOMIC, SOCIAL AND CULTURAL RIGHTS - SOCIALLY DISADVANTAGED PERSONS - DEVELOPMENT - UN. Centre for Human Rights- NON-GOVERNMENTAL ORGANIZATIONS

Thank you, Mr. President,

Mr. President,

I am speaking today on behalf of United Nations Committee on the Economic, Social and Cultural Rights. The agenda of this Conference is full of complex and difficult issues. It is difficult to identify an issue that is not on the agenda. It is possible, however, to do so.

The issue of economic, social and cultural rights is on the rhetorical agenda of this Conference. The code word of the indivisibility signals that we are about to claim that these economic, social and cultural rights are either more important or less important than the other rights. The only thing that is lacking, Mr. President, are any concrete proposals to improve the enjoyment of economic, social and cultural rights.

I challenge all delegations to look at document PC/98 and find where it is that the cause of promoting the economic, social and cultural rights is effectively addressed in concrete and tangible terms. The answer is – nowhere. The proposal for an optional protocol to the Covenant remains in square brackets, and I would predict that you will delete it successfully before the end of your work. There will, as a result, not be a single concrete proposal designed to promote the realization of economic, social and cultural rights. This fact is regrettable. There are in the world over one billion people, who are afflicted by poverty, hunger, disease, illiteracy and insecurity. Many speakers will tell you about their plight. They will not make proposals in the human rights context, which are capable of seeking to improve the plight of those individuals.

Mr. President,

In general, our level of tolerance in response to breaches of economic, social and cultural rights remains far too high. As a result, we accept with resignation or mutual expression of regret, violations of these rights; which if they occurred in relation to civil and political rights, would provoke expressions of horror and outrage throughout the world; when it happens in relations to economic and social rights, we tend to call them a pity, a regrettable occurrence about which we can do little.

The economic and social rights of children, of the elderly, of women, disabled persons and other disadvantaged groups continue to be chronically neglected in many places. There even continue to be staunch human rights proponents, particularly in the West, who completely exclude these phenomena from their concerns. Such an approach is inhumane, it is distorted and it denies the indivisibility of rights, which is central to the entire concept of human rights.

Mr. Chairman,

We often hear today a version of what is called the trickle-down theory. This theory assumes that the benefits of overall economic growth will inevitably lead to an improvement in the situation of the most vulnerable and disadvantaged people. The underlying assumption has been well captured in a nice aphorism, I think it might have been President Kennedy who once used it or his brother Robert, that "a rising tide lifts all boats." The theory is fine, but the reality is very different. The rising tide, called progress and development by many, drowns the great number of people because no attempt is made to take specific account of their economic and social rights.

It is clear that economic growth does not guarantee in any society, whether the richest or the poorest, the satisfaction of the basic, essential economic and social rights of all people. For that reason, we must reject the approach of those who present to us the concept of the economic and social rights as a long-term plan. These people know all too well as Lord Keynes reminded us that in the long-term we are all dead. To suggest that economic and social rights are long-term objectives means, in effect, that they are rights that we will not seek to accord to many millions of our fellows.

There is some good news. First of all, there is increasing attention by the international community to the human rights dimensions of its development work. This work must continue and there is every reason why the World Bank, the International Monetary Fund as much as any other development agency should become acutely human rights conscious in their work.

Secondly, many countries, well over 120, have ratified the Economic Rights Covenant. This is an excellent development but must be built upon.

Thirdly, the United Nations has recently produced through its special rapporteur Mr. Danilo Turk an excellent analysis of the key issues in this area. That study merits careful attention. I do not see any of its recommendations on the agenda of this Conference.

In addition, we are most gratified, Mr. President, that there has been strong support for the work of the Committee on Economic, Social and Cultural Rights. This is the only specialist forum in the United Nations dealing with these rights. The Committee has enjoyed exemplary cooperation from many states represented here. One such country is Canada, which has recently seen an important public debate around the process of reporting to the Committee. There is no more genuine or convincing manner in which a country can demonstrate its commitment to the principles of the Covenant than through national level debates of the type that have been going on in Canada recently. Indeed, in the final analysis the Committee on the Economic Rights can aspire to little more than being an effective catalyst to domestic action and debate.

Mr. President,

In closing, there are several measures that I believe to be taken urgently.

First of all, the central importance of economic, social and cultural rights must be firmly recognized by this Conference. Rhetorical flourishes and skirmishes about the indivisibility are not enough.

Secondly, universal ratification of the Covenant must be insisted upon. States must not hold themselves out as advocates of economic, social and cultural rights and deny that very fact by failing to ratify the Covenant. Such a situation invites allegations of hypocrisy.

Thirdly, the Committee on Economic, Social and Cultural Rights needs effective Secretariat support. Let me only tell you that there is not one single specialist in the field of economic, social and cultural rights working in the UN Centre for Human Rights. Not one. We do not want you to double, or triple, or quadruple the existing resources devoted explicitly to economic, social and cultural rights. We want you to begin providing some.

Fourthly, this Conference should endorse the proposal to begin a discussion of the need for an Optional Protocol to the Covenant that in square brackets in your draft. Please have the courage to maintain it there. We are asking only for a discussion of the merits.

Finally, the real appeal at this Conference must go to the key actors in the human rights field. Not to the governments but to non-governmental organizations both in human rights and development fields. Excellent work has been begun by OXFAM, the International Commission of Jurists, by FIAN, by the American Association for the Advancement of Science and various others. NGOs must get together and develop that work and compel governments to begin taking economic, social and cultural rights seriously.

Thank you, Mr. President.

BUNNAR, Tej (President):

I thank Mr. Alston, Chairperson of the Committee on Economic, Social and Cultural Rights, for his statement. I give the floor to His Excellency Mr. Markus Buchel, Minister of Foreign Affairs of Liechtenstein. Excellency, you have the floor.

BUHEL, Markus (Liechtenstein):

Keywords: YUGOSLAVIA - ETHNIC CONFLICT - UN. Centre for Human Rights - MINORITIES - WOMEN - SELF-DETERMINATION - LIECHTENSTEIN

Mr. Chairman, Excellencies, distinguished delegates,

It is a great honor for me to address this distinguished audience on behalf of the Principality of Liechtenstein. I am confident that this World Conference on Human Rights will be a milestone in the history of the United Nations by charting a course for future activities in the field of human rights, a field to which we attach the utmost importance. I thank all those who have dedicated their efforts to the successful outcome of this event and I wish to pay a special tribute to the government of Austria, a country with which we are closely linked through our history, neighborhood and our culture and whose traditional dedication to the promotion and protection of human rights and fundamental freedoms is well known, for inviting us to the beautiful city of Vienna and for providing excellent conference facilities.

Mr. Chairman,

The universal character of human rights is of paramount importance. Fundamental human rights are inalienable and pertain to each and every human being without distinction. The active participation

and cooperation of all states and organizations including non-governmental organizations, which play a crucial role in the field of human rights, is, therefore, necessary to ensure the promotion and the protection of human rights. A common understanding on the basis of mutual respect must be the basis of our work.

Mr. Chairman,

Forty-five years have elapsed since the adoption of the Universal Declaration of Human Rights. Reviewing this period, we see that much has yet to be done, yet we must admit that much remains and lies ahead. We share the opinion that concerted efforts should be made to encourage the ratification and accession to international human rights treaties adopted within the framework of the United Nations.

The accession to and ratification of the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child is presently under examination by my government.

We know from our distinguished rapporteurs [inaudible] invaluable work that the violations we have to witness are terrible and most bloody. Let me dwell on two that concern this continent of ours.

In parts of the territory of the former Yugoslavia, only a few hundred from here, the most abhorrent violations of human rights are being committed at this very moment. Crimes aimed at destroying a culture and, in the end, at eradicating the people and the religion to be wiped off from this continent. These acts include the most despicable violations of the human rights of women and children: murder, torture, systematic rape and forced pregnancy are being used as weapons of warfare. We are all horrified by these acts, which under the circumstances, constitute genocide. We must ensure that the perpetrators of these crimes and those who bear political responsibility for them, are punished according to the provisions of the relevant international instruments. We have the obligation to do everything in our power to stop these crimes at once.

In certain parts of our continent, we are witnessing today the resurgence of various forms of racism, xenophobia and related intolerance, including anti-Semitism. These tendencies are a threat to our democratic societies and we support every and each effort aimed at combating this scourge. We are confident that the activities of the Special Rapporteur appointed by the Commission on Human Rights will help to achieve this goal.

The preparatory process of this Conference has made it clear that there are divergent views regarding future activities of the United Nations in the field of human rights. We are convinced that a final document satisfying the needs and interests of all parties is the utmost task and remains a goal that can be achieved.

There is a clear need to reinforce and revitalize United Nations human rights activities system worldwide. My delegation is of the opinion, therefore, that the strengthening of the United Nations Centre for Human Rights would constitute an important step in meeting this need. The fact that the Centre is insufficiently equipped with human, financial and other resources may, in many cases, prevent it from responding effectively to the tasks before it.

Mr. Chairman,

Particularly since the eruption of national and racial conflicts, demands for a codified system for the protection of minorities have increased. We welcome the steps that have been taken in this direction, namely the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, the European Charter on Minority and Regional Languages as well as the Religious and Linguistic Minorities Act adopted by the General Assembly. We fully support in this context all of the activities of the Council of Europe aimed at a more effective protection of minorities.

Human rights are universal - it has been said many times in this forum, indivisible and interdependent and should apply to women and men equally. The contribution of women to the ways and means of promoting all human rights for women, men and children alike is invaluable for the achievement of a life in dignity for all. It is, therefore, imperative that women, women's concerns and women's capabilities should be addressed and taken into account regularly and systematically by the relevant UN organs and mechanisms. The enjoyment of all human rights by women must include the eradication of all forms of discrimination and the elimination of violence against women.

In concluding, Mr. Chairman, I should like to briefly refer to the initiative of my country, the Principality of Liechtenstein, concerning questions of autonomy and self-determination.

My previous speaker, Ms. Elena Bonner, has referred to the efforts of Andrei Sakharov towards the self-determination of peoples as a solution to a lot of the world's problems. Our initiative has the same aims. The initiative was introduced by the Head of State, His Serene Highness Hans-Adam II. In his address to the forty-sixth session of the General Assembly His Serene Highness referred to the need to find ways of promoting peaceful solutions to the many conflicts that have their roots in the tensions, which exist between communities and states. His Serene Highness considered that such solutions should be found within the framework of the principle of self-determination.

Following an invitation extended by the government of Liechtenstein, experts nominated by their governments, international organizations and NGOs met from the 16th to the 18th of March 1993 in our country in order to discuss the initiative. The deliberations made it clear that the subject under consideration was both highly topical and of considerable sensitivity. The recommendations made by the participants are being carefully considered by the government of Liechtenstein and the ideas will be pursued during the forthcoming forty-eighth session of the General Assembly. We look forward to cooperating with interested delegations.

Mr. Chairman,

Our unitary world requires consensus on the issue of further promoting and protecting human rights. May I express my hope that the spirit of cooperation will help enable us to find this common approach. We have a legitimate ambition to see a sustained effort been undertaken to make this Conference the beginning of a new future for human rights.

Thank you, Mr. Chairman.

BUNNAR, Tej (President):

I thank His Excellency for his statement. Excellencies, ladies and gentlemen, as you may recall from this morning's meeting, the President of the Conference announced that a number of organizations have been added ending consultations with the General Committee. May I remind the speakers that the statement is not to exceed five minutes. I now give the floor to the representative of the Global Women's Tribunal. You have the floor.

BUNCH, Charlotte (Centre for Women's Global Leadership):

Keywords: WOMENS' RIGHTS - HUMAN RIGHTS VIOLATIONS - INTERNATIONAL COURTS AND TRIBUNALS

Thank you Mr. Chair,

My name is Charlotte Bunch, from the Centre for Women's Global Leadership and I will be delivering the report from the Global Tribunal with Florence Butegwa, Women in Law and Development in Africa.

We would like to report to you that on Tuesday, over 1000 people attended a daylong Global Tribunal on Violations of Women's Human Rights. We heard moving testimony by thirty-three women from all regions of the world about abuses of their human rights that they have suffered. These accounts demonstrated dramatically that the United Nations and governments have failed to protect and promote women's human rights.

This Tribunal was a culmination of a campaign that began two years ago with a petition to the United Nations World Conference on Human Rights with the last 185,000 signatures of which have been delivered to you now. This petition calls upon this Conference to comprehensively address women's human rights at every level of its proceedings and to recognize gender violence as a universal phenomenon that takes many forms across culture, race and a class as a violation of human rights requiring your immediate attention and action.

We have submitted now to this body and to the United Nations almost half-a-million of signatures to this petition from 124 countries in twenty-one languages. These have been gathered by women around the world and sponsored by over 900 women's organizations requesting that this body takes seriously the violations that we would report from the Tribunal.

Women testified to violations in five taste areas: human rights abuses in the family; war crimes against women in conflict situations; violations of women's bodily integrity; violations of women's socio-economic rights and political persecution and discrimination.

In reporting on this Tribunal, we must ask this body to consider "Why was such a Tribunal necessary? Why has this area of massive violation of women remained invisible for so long? And what will the world community do to redress this abuse in the future?"

Abuses of women have too long been dismissed as private, family, cultural or religious matters. Today we demand that they be seen for what they are: fundamental violations of the "right to life, liberty and security of person," as guaranteed by the Universal Declaration of Human Rights.

Violations of women's rights not only rob us of our human dignity and freedom, but also cause physical, mental and psychological damage. Millions of women die from these abuses every year.

We hope this concrete evidence of abuse will galvanize you to take decisive action to end such violations.

The coalition would like to present now the conclusions reached by our panel of distinguished judges, including Gertrude Mongella, Secretary-General of the 1995 Fourth World Conference on Women; Ed Broadbent, President of the International Centre for Human Rights and Democratic Development; Justice P.N. Bhagwati, former Chief Justice of the Supreme Court of India and Elizabeth Odio, Minister for Justice in Costa Rica and member of the UN Committee against Torture.

We submit the recommendations of these judges to you for urgent action. We hope you will be moved to assume responsibility for defending women's human rights in the 21st century so that the promise of universal human rights will be realized. This is not an appeal on behalf of a special interest group, but rather a demand to restore the birthright of half of humanity.

BUTEGWA, Florence (Women in Law and Development in Africa):

In response to the testimony given at the Global Tribunal, a distinguished panel of judges issued the following statement:

We have heard with anguish and profound regret the first-hand testimony of thirty-three courageous women from all parts of the world. They have borne personal testimony before the Global Tribunal on Violations of Human Rights to

prove beyond any doubt that violations of women's human rights continue to be cruel and pervasive on a world scale.

These violations remain both unremedied and unrecognized as discriminatory or as an affront to women's human dignity.

We hereby affirm the principle of universality that protects all of humanity including women. Universal human rights standards are rooted in all cultures, religions and traditions but those cultural, religious and traditional practices that undermine universality and prove harmful to women cannot be tolerated.

The judges' recommendations were as follows:

We call upon this World Conference on Human Rights, the United Nations and Member States to establish mechanisms to prevent, investigate and provide redress for violations of women's rights. Here are the specific recommendations:

The establishment of an International Criminal Court for Women to protect and enforce women's human rights including the rights for freedom from sexual abuse, mass rape and forced pregnancy in armed conflict.

The strengthening and enforcement of the Convention on the Elimination of All Forms of Discrimination against Women.

The integration of gender perspectives in all human rights committees established under human rights treaties to ensure application of all human rights treaties to all forms of subordination of women.

Expansion of the work of the United Nations and its specialized agencies for preventing and redressing all violations of women's rights.

Recognition that many of these violations take place in the private sphere of the family and that domestic violence is a violation of human rights.

Adoption by the General Assembly of the Draft Declaration on the Prohibition of Violence against Women and

Establishment of a Special Rapporteur with a broad mandate to investigate violations of women's human rights.

Further, we call upon the non-governmental organizations and the world media to investigate and report all violations of women's human rights and to help empower women through training to expose denials of justice by individuals and by all organs of the state.

We would like to close by underscoring the cruel and the pervasive nature of the violations inflicted upon women. We congratulate the women who testified before us for their courage in bearing witness and for their determination to give visibility to these violations that occur continuously against the rights of millions around the world.

Thank you, Mr. Chairman.

BUNNAR, Tej (President):

I thank the representatives for their statement. Excellencies, ladies and gentlemen, I have an announcement to make. A meeting of the General Committee will be held tomorrow at 9 o'clock in

the morning in Room M/O. I would like to remind the speaker that a statement is not to exceed five minutes as agreed. I now give the floor to the representative of Women in Law and Development in Africa. You have the floor.

KAZUNGA, Mary (Women in Law and Development in Africa):

Keywords: WOMEN'S RIGHTS - HUMAN RIGHTS VIOLATIONS - INTERNATIONAL COURTS AND TRIBUNALS - EXPLOITATION OF THE PROSTITUTION OF OTHERS - REFUGEES - SPECIAL RAPPORTEURS

Mr. President, distinguished delegates, ladies and gentlemen,

My name is Mary Kazunga. I am speaking on behalf of the women who have been engaged throughout the world in organizing and preparing locally, regionally and internationally for the World Conference on Human Rights.

I also present the women's caucus and all the women who have not been able to make their presence felt but are expecting results from your decision, which will ensure that their rights be recognized, respected and protected.

In all regions, it has been found that the United Nations and governments have, by and large, failed to promote and protect women's human rights whether civil and political, or economic, social and cultural. Women's subordination throughout the world should be recognized as a human right violation with due account to those structures of oppression that intersect and compound such subordination.

Now, Mr. President, I would like to ask that the distinguished delegated and ladies and gentlemen observe a minute of silence in honor of all the women of the world who have suffered and those who have died from violations of women's human rights. Can we all please stand and observe the minute of silence.

BUNNAR, Tej (President):

Your request is granted.

[Minute of silence]

KAZUNGA, Mary (Women in Law and Development in Africa):

Thank you.

Mr. President,

In this past minute thousands of women have suffered gross violations of their human rights.

We urge this Conference to recognize that true democracy, human rights and peace are incompatible with poverty and exploitation of which women and children are the greatest victims and to affirm and propose initiatives and mechanisms to implement the indivisibility of political, civil, social, economic and cultural rights and the right to development. Where the social and economic rights - guaranteed by the Universal Declaration and the Covenant on Social, Economic, and Cultural Rights - are denied and the state abdicates responsibility for assuring life and wellbeing, women bear disproportionately the burden of sustaining life and livelihood in human settlements and in sustaining the environment.

We further urge the World Conference to recommend effective UN implementation procedures to eliminate the violence against women that is endemic to all societies. Various forms of violence against women and sexual exploitation breach the guarantees established in the Universal Declaration,

the Convention on the Elimination of All Forms of Discrimination against Women and other human rights instruments.

We call that a permanent international criminal court should be established with universal jurisdiction over war crimes and crimes against humanity as well as gross and systematic violations of fundamental human rights including specific abuses of women such as rape, sexual slavery, forced sterilization and forced pregnancy. Such a court should have jurisdiction over crimes committed by United Nations personnel as well as by state officials and individuals.

Mr. President,

The massive and escalating sexual exploitation of women by local and global sex industries constitutes a fundamental violation of human rights and a barrier to women's equality. Prostitution, sex tourism, trafficking in women and other practice that reduce women to sexual commodities have had a particularly devastating impact on women in developing countries and on oppressed groups of women in so-called developed countries. Sexual exploitation is cruel, inhuman and degrading treatment that establishes the standard of treatment for all women and is incompatible with the inherent dignity of the human person.

It is also recommended that this Conference gives consideration to the gender-specific needs of refugee women, exiled women, internally displaced and migrant women. It should call for international and national measures recognizing feared or actual persecution based on gender as a basis for refugee status and political asylum. Governments should be urged to implement immediately the 1991 Guidelines on the protection of refugee women issued by the United Nations High Commissioner for Refugees, to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Their Families and to ensure the rights of these women to citizenship, health, safety, work, legal aid and education.

Mr. President,

All international instruments should be applied equally to women - culture and religion should not be used as a shield to evade responsibility for defending the fundamental human rights of women. To ensure the universality of human rights, governments should devise measures to counter all forms of religious intolerance and cultural practices which deny women's human rights and liberties.

Finally, Mr. President and distinguished delegates, in order to promote the equal realization of women's civil, political, economic, social and cultural rights, we appreciate the acceptance of a Special Rapporteur on violence against women through the Commission on Human Rights. We urge that this Conference considers that this rapporteur be appointed for violence against women and its causes. The Special Rapporteur on violence against women and its causes should be authorized to receive and report on information from governments, non-governmental organizations and inter-governmental institutions to respond effectively to allegation of violations against women and to recommend measures to prevent continuing violations. The rapporteur should also report to the Commission on the Status of Women to assist their policy-making functions.

Mr. President, I thank you.

[Change of president]

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank the distinguished representative for her statement. I now give the floor to the distinguished representative of Asia-Pacific Forum for Women, Law and Development. You have the floor.

FERNANDEZ, Irene (Asia-Pacific Forum for Women, Law and Development):

Keywords: WOMEN'S RIGHTS - GENDER-BASED VIOLENCE - GENDER DISCRIMINATION-
CUSTOMS AND TRADITIONS- RELIGION - TREATIES - SOVEREIGNTY

Mr. Chairperson, distinguished delegates and friends,

I am Irene Fernandez and I speak on behalf of the women who have been engaged throughout the world in organizing and preparing locally, regionally and internationally for the World Conference on Human Rights.

I also represent the women's caucus and all the women who have not been able to make their presence felt but are expecting results from your decision which will ensure that their rights be recognized, respected and protected.

We, in the Women's Movement, strongly and unequivocally affirm that all human rights are universal and are equally applicable in different social, cultural, political and legal traditions. Claims of relativism can never justify violations of human rights under any circumstances but human rights must be based on equality and the principle of universal application to all, regardless of race, color, sex, language, religion, political opinion, ethnicity, caste, national or social origin, age, disability, sexual preference or economic status.

We can learn from different cultures in a pluralistic perspective and draw lessons from the humanity of these cultures to deepen respect for human rights. There is emerging a new understanding of universalism encompassing the richness and wisdom of cultures. Universal human rights standards are rooted in many cultures. However, while recognizing cultural pluralism, those cultural, religious and traditional practices that derogate from universally accepted human rights norms and prove harmful to women cannot be tolerated. We affirm the basis of universality of human rights which afford protection to all of humanity including women.

The use of culture and religion by states in the world and by political forces wanting to gain political and cultural control has resulted in putting states against people and communities against each other. This in turn has necessarily led to increasingly violent societies, a violence that is often played out more intensely against women. We condemn the use of religion and culture by governments or other forces to suppress the voice of people, particularly women. We condemn the onslaught of religious and fundamentalism which invariably leads to intolerance and violates various human rights and freedoms of people, particularly women. Culture and religion cannot be used to discriminate against women within the family. The institution of the family needs to be democratized in order to ensure women's equality and decision-making.

It has been through the use of culture and religion that women have been denied access to land and economic opportunities. There has been an increase of violence against women through female infanticide, genital mutilation, dowry deaths, domestic violence and many other forms of violence. Culture and religion have been used to deny women of their reproductive rights. Women too have been denied access to education leaving millions of women illiterate.

Furthermore, many governments have used culture and religion as an excuse either for their non-ratification or making of reservations to the Convention on the Elimination of Discrimination against Women and other international instruments. We affirm the universality of women's human rights and we call on governments to make the same recognition and affirmation through the ratification of the Convention on the Elimination of Discrimination against Women and the withdrawal of reservations made to any of its provisions. We call upon the Geneva based Treaty Body to review the situation and make recommendations to the General Assembly as using of reservations is a negation of accepted international standards.

governments cannot use the shield of national sovereignty or issuance of internal security and peace and order to reject universality. This argument at times used every day to deny rights by enforcing measure that are claimed to be necessary for national or internal security or for deterrence against terrorist activities or to justify discrimination against women and other social groups. The existing standards already contain within themselves whatever restrictions may be necessary for the protection of the rights in a democratic society. Nation states must be accountable to the international community for the protection of human rights of the people.

Mr. Chairman,

The United Nations, after all, belongs to the people and not to governments. We call upon the United Nations and its Members to recognize and commit in action the universality of human rights in order to ensure the protection of women's human rights and the rights of all peoples.

Thank you, Mr. Chairman.

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank the representative for her statement and now I give the floor to the representative of Coordinadora paz para la mujer. You have the floor.

VICENTE, Esther (Coordinadora paz para la mujer), spoke in Spanish:

Keywords: - WOMENS' RIGHTS - EXTREME POVERTY - DEVELOPMENT - STRUCTURAL ADJUSTMENT - ECONOMIC, SOCIAL AND CULTURAL RIGHTS - SANCTIONS

Good evening officers of the Bureau,

My name is Esther Vicente. I am from Puerto Rico, from the Caribbean, from Latin America, from the World.

I address you also with my sisters on behalf of women who have participated in the organization and preparation of the World Conference on Human Rights.

I also represent the women's caucus and all the women who have not been able to make their presence felt but are expecting results from your decision which will ensure that their rights be recognized, respected and protected.

In all regions of the world, the United Nations and governments have been seen to fail in the promotion and protection of the human rights of women, both civil and political rights and social and cultural rights as well as economic rights. The subordination of women throughout the world must be recognized as a violation of human rights and account must be taken of the structures of oppression, which intersect and are involved in such subordination.

When we consider the relationship between development, democracy and human rights it must be recognized that new liberal policies and structural adjustment programmes as well as constant manifestations of colonialism, negate socioeconomic and cultural rights as well as political and democratic rights. The impact of such policies on women is manifested in what has been called the feminization of poverty, and this is one of the many ways in which discrimination against women and the subordination of women continues to be extended. The development is and will continue to be a cultural, social and economic process, which is essential for the respect of human rights and in order for such respect to be complete. Structural adjustment policies should be examined in relation to discrimination against women because they are an obstacle to the enjoyment of our right to development.

Another obstacle to the right to development and the full exercise of human rights, especially those of women, boys and girls, is the violation of the right to self-determination and the interference of a state in the internal affairs of another. This interference can take various forms including economic pressure and the imposition of economic blockades, which affect access to food, medicine and other essential goods and services. This is the cruel and inhuman treatment of an entire people, which many times results in violations of the right to life.

We, women, urge this Conference to recognize that true democracy, human rights and peace are incompatible with poverty and that the exploitation of which the women, girls and boys are the main victims. We also urge this Conference to establish and to propose initiatives and mechanisms with a view to fulfilling the indivisibility of political, civil, economic, social and cultural rights, and the right to development

Where the social rights, guaranteed by the Universal Declaration and the Covenant on Social, Economic and Cultural Rights, are denied and the state abdicates its responsibility for guaranteeing life and wellbeing, food and nutrition, life, work, health and access to land and to other economic resources, to social welfare and to education – we women suffer a disproportionately the burden of maintaining life and the quality of life, we also suffer in terms of responsibilities for maintaining the environment. Therefore, we specifically issue an appeal to this Conference to consider the following:

Measures to put an end to structural adjustment policies and anti-worker legislation, which give rise to the violations of economic, social, and cultural rights. Such policies have a particularly harsh and discriminatory effect on women, especially on those who work outside home and at home, and those who belong to trade unions.

We also ask that there be a reorganization of financial institutions and international arrangements with a view of establishing the fairer economic order, which would guarantee the economic rights of women and the achievement of sustained development in all countries. Women from all sectors, including rural women, have to be incorporated into the process of development and must have effective participation in decision-making at all levels. The international institutions that regulate the market, finance and international cooperation should not create conditions that give rise to violations of our economic, social, and cultural rights and they must be responsible before the United Nations bodies.

We also urge the adoption of procedures to implement socioeconomic rights, including an optional protocol that would allow individual and collective complaints under the International Covenant on Economic, Social and Cultural Rights to ensure the responsibility of states to adopt positive measures to guarantee such rights.

We also recommend the adoption of measures that would put an end to economic blockades already condemned by United Nations bodies.

Mr. President,

We call for this Conference to recognize that human beings have necessities, dreams and aspirations, which can only be satisfied through an integral and integrated vision of all human rights based on the principle of indivisibility.

Thank you.

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank the representative for her statements. I now give the floor to the representative of the International Council for Rehabilitation of the Victims of Torture. You have the floor.

GENEFKE, Inge (Rehabilitation and Research Centre for Torture Victims):

Keywords: TORTURE AND INHUMAN TREATMENT - HUMAN RIGHTS VIOLATIONS - MEDICAL TREATMENT

Mr. President, ladies and gentlemen,

Thank you for permitting me to address you on this, in my opinion, most important question in our world today. The governmental torture - the torture performed with the knowledge of governments - is the most destructive weapon against democracy. I want to explain how we, as medical doctors, have analyzed and have come to this conclusion.

The medical work against torture started twenty years ago as nonpolitical, neutral help to victims. We wanted to help the victims of torture and we started with making systematic examinations of torture victims.

The surprise number one. Torture creates after-effects. Torture is not only horrible, barbaric, unbearable when performed in torture chamber. No. There are after-effects and they are specifically psychological after-effects: depression, anxiety, nightmares, feeling of a changed personality, shame, guilt, feeling of being isolated, impaired memory and concentration.

Then came, shortly after, the surprise number two - the aim of torture. We thought it was to obtain information. No. The main aim of torture is to break down the identity, the personality of people. Why?

The surprise number three - the target group of the governmental torture. The governmental torture performed with the knowledge of the governments and its target is exactly the strong personalities. They are union leaders, politicians, leaders of ethnic minorities, human rights fighters, journalists, writers, student leaders. They are the people who in their countries work for the better, for freer, for more democratic conditions. They are really the people who have been targeted by the dictatorships that use the governmental torture.

Today we know that the governmental torture is performed in more than seventy countries in the world. In more than seventy countries there is a governmental torture. They take strong men, strong women into the torture, try to destroy them and then send them back. Before the torture, these formerly strong men, strong women could handle their lives, could help other people. Now they are full of anxiety. They cannot eat properly, they have nightmares, they suffer. Their families, children suffer. They are in the society but they do not do the same thing. They will not risk to be exposed to the same thing of course. And thereby they are creating repression and anxiety in the society. This is how the dictatorships in more than seventy countries in the world keep the society down.

Based on many years of research, of medical systematic research, we have shown this pattern in countries all over the world. It is based on examinations of [inaudible] victims of torture coming to Denmark; we have examined them from forty-eight countries. Therefore, we can conclude - simple doctors making the social analysis - that the governmental torture is the most destructive weapon against the democracy.

Then came our fourth surprise. I think it is a miracle. We can rehabilitate. We can help these people and so we should. Based on our research, we know today that we can prove, we can diagnose the governmental torture. Today the governments of course can lie about the torture and so they do but we can prove that they are lying. This a very important weapon in our hands today. We could not do it five or six years ago. We can today.

Now, what can you do? You - the decision-makers? Well, you can do several things and they are not difficult.

There is United Nations Voluntary Fund for Victims of Torture. It exists. The United Nations should give a very high priority to this Fund. Today it has a tiny budget – 1.6 million dollars. Shameful compared to the need. There exist today a global network of extremely courageous colleagues. They help torture victims. They are out in the countries where it is very difficult and very dangerous to help. They need money. Money for these courageous doctors could come from the United Nations Voluntary Fund for Victims of Torture. These doctors and psychologists who are working in great danger of being victims themselves. Many of them are. They need finance; they need protection; they need your protection; money from you. Only forty-two countries are contributing to the Fund. It is very easy for you to contribute, very easy for your governments to do it and thereby you will show the disgust towards the states and régimes, the dictatorships who use torture. It will have a great effect thereby showing action, a moral action, that you are against the governmental torture. You show you are against the dictatorships who use the governmental torture. This is also prevention of course and by this you can help the democratization process in many countries. We can get rid of the governmental torture before the year 2000. If only you, the decision-makers, wanted we could get rid of the governmental torture.

May I say that the torture victims never boast about the torture. They are full of shame. They are full of guilt. This is the government who perform the torture who should be full of shame and guilt. But it is the victims who are full of shame and guilt and, therefore, they are not talking about the torture. We, the professionals, have to talk on their behalf and so we are doing. We had to be eye-openers and I hope you understand my appeal.

The other thing you can do, which is very easy, is that there is the United Nations Convention against Torture. It is ratified [inaudible] and not by many countries. Seventy-two countries ratified, more should do it. Beautiful words are not enough; the implementation is lacking. We can implement easily Article 10 that talks about the education and information; and Article 14 that talks about rehabilitation. At our Centre in Copenhagen, we have programmes, we have educational materials, we have books in English, Arabic, Urdu, Russian and so on. We could help you and it is not difficult. There are programmes for rehabilitation and for education.

Let me end by saying that it is in your hands, you - decision-makers - to abolish the governmental torture and thereby create democracies. We can do it before the year 2000. Why not do it? Why not, as Albert Camus the French philosopher said, why not? You have an ethical obligation here in the UN. Why not turn words into moral actions and then you will become a human being and if that is so then with these moral actions the world will become more human.

Thank you.

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank the representative of the IRCT for her statement and now I give the floor to His Excellency Mr. Moustapha Niassa, Minister of State for Foreign Affairs of Senegal. Excellency, you have the floor.

NIASSE, Moustapha (Senegal), spoke in French:

Keywords: HUMAN RIGHTS PROTECTION - DEVELOPMENT - INTERNATIONAL COOPERATION - UN. Centre for Human Rights - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS - HUMAN RIGHTS INSTITUTIONS - HUMAN RIGHTS EDUCATION

Mr. President, the Secretary-General of the United Nations Organization, distinguished ministers, Secretary-General of the Conference, distinguished delegates, ladies and gentlemen,

It is a very great privilege for me to have the honor to address this august assembly and to transmit to you our warmest congratulations from Mr. Abdou Diouf, President of the Republic of Senegal and

acting President of the Organization of African Unity, on behalf of the government and all of the people of Senegal.

Already at the African regional conference held in Tunisia, the acting president of the AU recalled the commitment of our continent to the promotion and international protection of human rights and formulated the wish that Vienna would inaugurate a new page in the protection of human dignity, which is the basis for all genuine development.

Forty-five years after the Universal Declaration of Human Rights and twenty-five years after the first Conference in Teheran in 1968, here we are in Vienna, this great historical city, to give another occasion to the odyssey of the Community of Nations for the reflection on the future action of the United Nations in the sphere of the international protection of human rights.

This is a historical event, it is a forum of hope through which the Secretary-General of the UN Mr. Boutros Boutros-Ghali and his dynamic team headed by our compatriot Professor Ibrahima Fall remind us the ideal of the United Nations Organization that of a human being freed from fear, freed from hunger and misery, freed from poverty and oppression. Let us all here and now thank them warmly for the remarkable preparatory work they have carried out before during this Conference.

By deciding to convene this meeting not only has the General Assembly of the United Nations invited to evaluate the monitoring mechanisms but it has also launched a real call for a universal awareness in favor of safeguarding the human dignity. It is, beyond the diplomatic significance of this Conference, the question of seizing the opportunity offered by this framework with a renewed political will of reaching the practical solutions that will commit our respective governments, because the promotion of human rights does not stop at a political discourse. It must reflect an approach, even a responsible attitude from the international community aimed at giving a better content to our declarations and at the same time an efficiency in the application of the conventions, covenants and legal instruments relating to human rights.

Because one of the objectives of the Conference should be to demonstrate the capacity of the United Nations to adapt to the new requirements of international relations. Indeed, the credibility of our Organization is at stake here.

Mr. President,

With the disappearance of ideological blocks, the antagonism of which has marked the normative conception and the debate on human rights and the advent of the democratic movements throughout the world, we believed that we were taking a big step forward in the United Nations actions. Now we are facing the new challenges because human rights violations are multiplying and becoming more sophisticated and they continue to call into question what has been achieved by the international community.

Indeed, the generalization of internal conflicts, often having their sources in racial or ethnic motivations, the upsurge in racist and xenophobic violence, which shakes the world today, must encourages us more than ever to show greater vigilance and determination to bring an end to the scourges threatening humanity.

The crisis in the former Yugoslavia, with the horrors of the ethnic cleansing carried out against the Bosnian Muslims is clear evidence of man's inhumanity to man, persists still and is a challenge to the conscience of the international community which must today more than ever face its responsibilities.

In fact, the transformations which have taken place throughout the world since the first World Human Rights Conference in 1968 and the current tensions that are being felt within the international community in the implementation of mechanisms relating to the preservation and protection of human rights as well as the excessive tendency of states to take refuge behind the banner of their own

sovereignty, show us to what extent the requirement for the respect of human rights is linked to the very stability of international society, the right to peace, to solidarity and the right to cooperation amongst peoples.

Mr. President,

There is no doubt that the approach to human rights must be universal if we are to faithfully translate the objectives of the United Nations Charter. This universality must be expressed both in the standard setting concept and in the implementation of international human rights instruments, but also within the UN supervisory bodies and mechanisms, far from strategic calculations and far from the ideological disputes. Because the selective approach in the implementation of human rights alters the credibility of our Organization and, at the same time, it removes all safeguards to the victims in cases of denial of justice, that is to say in cases of flagrant violation and absolute and willful ignorance of their rights.

Naturally, the application of international instruments for human rights must not neglect the social and cultural realities of states. It is not a question of opposing permanent values that are conveyed by the universal instruments to regional concepts, nor as we have said of “creating sub-standards for a subclass of men” and it is still less a case of establishing priorities between them, but it is above all and rather to enrich the heritage of the human rights. It is in this framework that the United Nation has always encouraged and supported the preparation of instruments for human rights at the regional level and is in this same spirit that, for example, in African Charter on Human Rights have been prepared.

It is no longer a time, therefore, for semantics nor for theory and the doctrinal or ideological quarrel about the universality of human rights compared to the particularities and specificities of the regions. Our Conference has to reaffirm the necessary complementarity between these two requirements that we have to reestablish by means of recognition of international solidarity in the face of the many dangers, which today threaten the survival of humanity.

Moreover, Mr. President, if it understood in this way, the universal approach to human rights has still not responded to the expectations of the developing countries, since it has not been able to integrate the global dimension of human dignity, which is not merely a question of civil and political freedoms, whose real meaning seems uncertain for millions of men, women and children who live at the present time below the poverty line and who vegetate dangerously in poverty and illiteracy.

In this respect, we note the hesitant nature with which the implementation of economic social and cultural rights has been undertaken by the United Nations, if they have not been purely and simply neglected.

In other words, our Conference will have to take the opportunity to reaffirm the indivisibility and interdependence between the two categories of human rights. Our Conference must envisage by means of practical measures an appropriate mechanism designed to correct the imbalance in the treatment of economic, social and cultural rights compared with traditional civil and political rights.

It is only in this framework that our country, Senegal, supporting an integrated and practical approach to human rights has always favored the recognition of the right to development as a human right and wishes to see the effective implementation of the Declaration adopted by the General Assembly in 1986. Man is the main actor and the exclusive beneficiary of development and, therefore, it does seem to us that it is vital to translate this objective of the Declaration on the Rights to Development by integrating it into all emergency programmes of the United Nations system. I would like to emphasize in this respect the fact that the Rio de Janeiro Conference “The earth Summit” has given great diplomatic importance to our concern by integrating the sustainable development dimension in Agenda for the 21st Century.

We have to go further. We have to do more and do better, thanks the genius of the international cooperation based on necessary solidarity at the national, regional and international levels. Because we must never lose sight of the irreducible essence common to the human species in the quest of a new space of freedom and responsibility, in the face of the values and standards relating to human rights.

Definitively speaking, a practical approach to human rights is necessary as being the best alternative available to the international community. It is in this context that the developing countries have always maintained that the activities of international organizations, such as the ILO, WHO, UNESCO, WIPO, WMO, ITU, UNIDO, without forgetting UNICEF, UNIFEL, HCR, UNFPA, UNDP and UNCTAD, must more than ever be part of a more dynamic perspective towards the recognition and respect for the implementation of economic, social, and cultural rights, which are the two underpinnings of democracy at the national level, as well as at the international level.

Mr. President,

To conclude this in more concrete terms, the integrated approach to human rights, which goes along with the Senegalese view of human dignity, fits perfectly into trilogy: democracy, human rights development. In fact, there can be no development without freedom. Along the same lines of thinking, democracy, which is a long apprenticeship for peoples, is only viable if it is supported by a favorable economic and social environment. In other words, development is also a *sine qua non* condition for the stability and peace of nations.

It is in this framework that the delegation of my country at the African regional conference in Tunis favored the establishment of an international mechanism to support the efforts of developing countries in the democratic transitional phase, who are unfortunately facing the drastic consequences of the adjustments policies of their national economies. Our Conference in order to truly achieve its objectives has to re-evaluate the United Nations programmes, having in mind the global and integrated approach to human rights. This is possible in the framework of harmonized cooperation commensurate with the concerns of the developing countries and aimed at reducing the obstacles to their efforts towards democratization.

Political democracy can only operate if it is supported by social democracy. Of course, if political democracy is a requirement in order for freedoms to flourish, it must not remain an end in itself, it has to respond to the aspirations of peoples for the improvement of their wellbeing.

Moreover, cooperation to promote human rights has to favor dialogue over the confrontation and start with a new philosophy in the programming of United Nations system activities by measuring the obstacles faced by the developing countries. The conditionality to development assistance to the respect of human rights has to be seen in its positive final result and not in result I sanctioning the populations already victims of violations of their basic rights. However, if the respect of the principle of national sovereignty is one of the pillars of the United Nations Charter, no state can validly invoke it in order to evade the obligations to promote and protect human rights under this very Charter. The protection of human dignity, indeed, transcend the strategic contingencies.

Mr. President,

The credibility of the United Nations in the field of human rights can be assessed by its capacity to strengthen the existing monitoring mechanisms and also to ensure the coordination of its activities in this field.

In this regard, we must provide the Centre for Human Rights with adequate resources enabling them to play a role in encouraging, coordinating and monitoring our action in favor of promoting human rights, both within the United Nations system as well as outside it.

From this viewpoint, it will be necessary to strengthen this structure by conferring on it the necessary political authority in order to enable it to carry out its mission, whatever form or name one would like to give it. It is essential for us that any initiative taken in this sphere does not alter the existing system and is not in competition with it.

From this point of view, the creation of a post of High Commissioner for Human Rights, as has been proposed for more than a decade by various states including Senegal, comes up at a timely moment. Obviously, the United Nations Organization has to adapt itself to the new requirements of the world. Rapid responses to the aspirations of peoples for an improvement in the human rights situation means that we have to meet the expectations of all of those who have faith in the universal mission of the United Nations.

In this light, Senegal will study with great attention any mechanism aimed at dealing effectively with human rights violations, particularly in times of emergency and armed conflict.

This exercise presupposes, more than has been done today, the necessary junction between the imperative of the protection of human rights and the imperative of the protection of humanitarian law, because the violation of the former becomes more systematic in the event of negligence of the latter.

It is in this spirit that the Senegalese delegation welcomed the decision of the Security Council to establish an international tribunal to judge crimes and violations of the international humanitarian rights that are committed every day in the former Yugoslavia. This initiative, however, is only one step that would make it possible to go beyond the framework of an ad hoc mechanism towards the establishment of a permanent structure with a greater degree of power, particularly relating to the creation of an international criminal court entrusted to the International Law Commission, in which we are proud to have Maître Doudou Thiam as a member.

But beyond the strengthening of the current human rights protection mechanisms we have to in order to eliminate the risks for unspeakable sufferings unjustly imposed on victims, conceive and develop a strategy to prevent human rights violation.

Mr. President,

The ambition of preventive diplomacy to maintain peace and international security can only meet its objectives if it is seen from the point of view of the protection of human rights, democracy and international cooperation in the service of development.

The priority axis of this prevention policy goes through by means of education and information because this need to identify with the others needs to be shaped in the minds of men.

A true human rights culture is an absolute necessity for preventive action to become effective and lasting in the framework of the activities of the United Nations for the better future of humanity.

Promotion of education and popularization of human rights at all levels will see its successful result in the implementation of concrete projects aimed at supporting the efforts of states in this area. This educational work must also involve the civil society, public popular movements, the media, political parties, trade unions and non-governmental organizations whose central role in the promotion of human rights is vital today. And this is an opportunity for us to pay tribute to those non-governmental organizations who have played an active role in the organizing this Conference. On this subject, the experience of the specialized agencies such as UNESCO should in the context of the implementation of the advisory services programme of the Centre for Human Rights.

In this respect, the United Nations in cooperation with governments must develop a true partnership with regional organizations and non-governmental organizations so as to better coordinate their activities in the promotion and protection of human rights to the benefit of all strata of the population.

This is the place when all the importance to be given to the encouragement and creation of national human rights institutions whether these take the form of an autonomous structure like the National Human Rights Commissions or whether they are entrusted to an independent person like a mediator or an ombudsman, which are indispensable levers for the consolidation of the state of law and democracy.

In Senegal, we have been able to justly evaluate the contribution of these two institutions in the efforts of our government to further consolidate and protect what has been achieved in the field of human rights.

In this process, a particular attention has to be given to the worrying situation of the most vulnerable groups such as the minorities, women and children. The day after the celebration of the Day of the African Child, our Conference should give some thought to a better strategy to ensure protection to this category, which is the very first victim of the turbulences in our societies. I would like to remind you that within the framework of the cooperation among the French-speaking countries that hope to become a space for active solidarity, a Conference of Ministers of the French-speaking countries with responsibility for children will be organized in Dakar, in Senegal, next July. The main objective of this Conference is to propose and implement the concrete measures aimed at improving, organizing and consolidating the system for the protection and education of children who will be the artisans of the society of tomorrow, who will inspire and govern the future societies.

Mr. President,

The international community, that is concerned and ask questions, is waiting to hear the practical results that will emerge from our meetings. Our conclusions have to reflect our political will restore the trust and hope in the future of the United Nations to make the promotion and protection of human rights a living reality.

Thus, our recommendations should not remain wishful thinking but reflect through constructive measures the needs and aspirations of our peoples for greater freedom, greater justice and greater dignity.

By renewing to you the commitment of Senegal to the triumph of human rights, our delegation would like to express the sincere wish for success of this Conference, which will remain forever in the march of time and in the pages of history on the eve of the third millennium that should be a world where, as we say back home, "the man will be the man's remedy."

Neither the threats to the international peace nor the dangers, which seem to compromise humanity's efforts for a united and fraternal society should lead us to be discouraged and to doubt. On the country, with determination, with courage, avoiding doubt, armed with our own faith and willing in our convictions, we will have - like the rowers in the old Greek tragedy - "to go towards the shore with our backs to it," so that the man remains the most accomplished creation of God, capable of acting in his own environment in peace, in unity, in freedom, in equality, and in fraternity.

I thank you.

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank His Excellency for his extremely interesting statement. I now give the floor to His Excellency Mr. Rashid Abdullah Al-Nuaimi, Minister of Foreign Affairs of the United Arab Emirates. Your Excellency, you have the floor.

AL-NUAIMI, Rashid Abdullah (United Arab Emirates), spoke in Arabic:

Keywords: SELF-DETERMINATION - CULTURAL HERITAGE - ISLAM - UNITED ARAB EMIRATES - WOMEN - CHILDREN - PALESTINIANS - BOSNIA AND HERZEGOVINA - INTERNATIONAL COURTS AND TRIBUNALS - UN High Commissioner for Human Rights

In the name of God, most Gracious, most Merciful.

Thank you, Mr. President,

It is an honor for me on behalf of the United Arab Emirates and on behalf of the Gulf Cooperation Council, which is participating in this Conference, to present to you our most sincere congratulations on your election as President of this Conference. This Conference is the proof of your competence and the major role that you play in your country Austria, a fraternal country for us, in addition to your experience on many international issues and particularly on everything related to peace and security in the world.

The holding of this World Conference on Human Rights in Austria is a reaffirmation of the prestigious role played by your country on the international stage and particularly with respect to questions related to human society and civilization. I am happy to be able also to congratulate all those who have contributed to the preparations for this Conference and particularly His Excellency the United Nations Secretary-General Dr. Boutros Boutros-Ghali. I extend his congratulations to His Excellency Mr. Ibrahima Fall, Secretary-General of this Conference and the Secretariat of the Centre for Human Rights for the efforts, which all of them have made in the preparatory process leading up to this Conference.

Mr. President,

For forty-four years the United Nations have been working on human rights since they adopted the Universal Declaration. The Declaration is a historic document that stipulates recognition of and protection for fundamental human rights by the international community. There is also recognition of the inalienable rights of all members of society. Since then, the United Nations of course has adopted various instruments, protocols, agreements and conventions containing definitions of economic, social, cultural and political as well as civil rights for all mankind. Regulations and mechanisms have been developed for the application of these conventions and instruments.

The first World Conference on Human Rights held in Teheran reiterated the same principles and the same values and urged the international society and the international community to act in accordance with the content of those conventions and to apply the contents thereof and to respect those contents. However, despite all these recommendations, and despite these international resolutions, including those in the Universal Declaration and the UN Charter, we still see how these rights are being violated, in particular and inter alia, in the Palestinian and Arab occupied territories, in Bosnia and Herzegovina, in South Africa and in various other regions of the world.

This is being done through arbitrary and inhumane measures, which are in no way in accordance with the international conventions and instruments, which exist. Furthermore, they are incompatible with the values contained in the United Nations Charter and in the Universal Declaration on Human Rights.

Mr. President,

This Conference is made more important than it might usually be because it is taking place in the international circumstances that are very confused, particularly since the end of the cold war there has been an outbreak of regional conflicts and a trend to narrow-minded nationalism, religious intolerance and ethnic cleansing. In addition to all that, we have seen in new cases of instability and challenges to

international peace and security as well as a rise in a general feeling of insecurity and uncertainty about the future. This is especially true for the developing countries.

At the same time, there has been an increase in the danger of armed conflict as became clear with increases in the human rights violations and with threats that we see on the horizon such as famine, underdevelopment, population problems, ecological damage and economic hardship.

For all these reasons, it is essential for us to do what we can to find solutions to these problems.

Mr. President,

The international community seeking to enhance the international peace and security based on peace and justice as well as on equality of rights and duties must ensure that all peoples are in a position to exercise their legitimate right to self-determination. This should be done so that they can protect their culture, so that they can preserve their history, defend their religious beliefs and promote their economic interests. Only then will future generations be able to inherit an international system that is fair, reasonable and based on human rights, justice, equality and peaceful coexistence between peoples and states throughout the world.

Mr. President,

The United Arab Emirates, its people and its government attach a particular importance to human rights and fundamental freedoms. We base ourselves on our traditions and on our heritage, which in their turn are based on generosity, compassion, tolerance, understanding and peaceful coexistence between various members of society. Our society is based on the teaching of the Islamic Sharia and on the tenets of the Islamic religion. The Sharia is the major source of legislation.

The United Arab Emirates brought in the Constitution with basic points included from the Holy Quran, which promotes and defends respect for human rights. The individual is considered as being the creation of the Almighty on Earth. The man was given preference by the Almighty, all was given by the Almighty to man. Therefore, in our Constitution man the individual has been granted all rights necessary for his survival.

The Almighty said in the Quran that different and varying societies were created so that they could coexist with each other. This great Divine generosity is a source of protection for the individual and assures his freedom and his freedom to exercise his own will. This generosity is the real freedom of the individual, conscious and responsible freedom.

The Constitution of the United Arab Emirates stipulates that all members of society, all individuals in society are equal. There is no distinction between them. Their freedom is guaranteed as is the freedom of expression within the framework of the implementation and application of the law.

The United Arab Emirates, Mr. President, has attached particular importance to the role of women in society because they are the real wealth of society. The importance of women's contributions in all aspects of life plays a fundamental role in the building of the state and the development thereof in accordance with our traditions and with our great religion. With this in mind, Sultan Al Nahayan, the Head of State of the United Arab Emirates, gave women an important major role to play in society and I quote:

Young women have the right to work in various areas and no obstacle should be placed in the way of their doing whatever they want to do to contribute to the building of society. Women make up half of the society and no state that wants to develop can leave half its society out, trapped in ignorance or paralyzed therein.

The first woman to participate in the development of our state was the wife of our Head of State who has always worked very hard in favor of women, encouraging them to take their deserved place in society and encouraging them to participate in all areas of state development.

The same importance is also attached to children. Children are provided with all the education and health services they require because obviously this is a long-term investment and investment in the future. The Head of State reiterated this when he said and I quote again:

The importance, which we attach to children, is our most important priority. We give our children all the necessary services free of charge and this is done because we love them and because we are concerned for them and for their future. After all, they are the men and women in the future who will have to contribute to building tomorrow's society.

Mr. President,

The sufferings of the Palestinian people in the Occupied Arab Territories in the shadow of Israeli occupation are incompatible with international resolutions and particularly resolutions relating to human rights and the rights of men to live in dignity in a homeland in safety and under their national authority. In the same way, the blockade imposed by Israel on the Occupied Palestinian Territories is a flagrant violation of the Universal Declaration of human Rights and the relevant provisions of the Fourth Geneva Convention.

The policy of ethnic cleansing practiced by the authorities of Serbia and Montenegro against the Muslim population in Bosnia and Herzegovina requires and demands concern from this Conference because it is a policy that is based on murder, disappearances, expulsion of the population, rape of women and destruction of places of worship, cultural and religious buildings.

This Conference should not only condemn these inhuman practices but, at the same time, it should take immediate action to ensure that all possible ways and means are sought to compel the Serbian authorities to comply with the United Nations resolutions and particularly those passed on the subject by the Security Council. They should also be compelled to observe humanitarian law and the territorial integrity of the Republic of Bosnia and Herzegovina. An end must be brought to the crimes being perpetrated against the Muslims in Bosnia and Herzegovina. Those who are responsible for the perpetrating of these crimes must be brought to an international court and brought to justice.

We would like an explanation to express our appreciation for the resolution passed concerning the establishment of an International Criminal Court.

The United Arab Emirates requires of this Conference and of the international community that they take urgent measures to bring about the release of all Christian prisoners in Iraq because the fact that they are imprisoned is a violation of Security Council resolutions and a violation of international human rights provisions.

Mr. President,

The United Arab Emirates considers that human rights are indivisible and interdependent. We do not believe that they can or should be used in such a way as to advance personal concerns. If you look at the human rights situation in the world now, it is clear that there tends to be a certain amount of double standards, where the application is concerned. We must have a global vision of human rights and must attach due importance to all of them to avoid falling into the trap of a selective approach that cannot help observance and protection of human rights.

For all of these reasons we believe that the appointment of a United Nations High Commissioner for Human Rights is at the stage when we see, as I have said, dual standards in the way human rights are

looked at. The way they are implemented is something that would not help the promotion of human rights. Quite on the contrary, it could well end up worsening this selective approach and that, in its turn, would mean that the mechanism would not be as effective in playing the role for which it have been designed. If we reach a general agreement on how to defend human rights taking into account the specific features of each individual state and their cultural and religious backgrounds, then it would be easy to subsequently reach agreement on a new mechanism that would be capable of encouraging respect for human rights. On that basis, we could then nominate a High Commissioner for Human Rights.

We would also like to confirm the content of the Jakarta Declaration on Human Rights in accordance with what was said by the Organization of Islamic Conference, the League of Arab States and the Jakarta Declaration of the Non-Aligned Movement. I should also mention the Bangkok Declaration published by the Asian Group.

Here we should like to reiterate the universal nature of human rights, that we think there should be the nonselective approach to them and that we think we should avoid making human rights a political issue or using double standards with respect to human rights. The sovereignty of all states should be respected and should be the principle of nonintervention in their internal affairs. All human rights must be respected on this basis.

There is no doubt, Mr. President, that this Conference is a new starting point in the world's attempts to set up a society based on justice and on equality without any racial hatred, without ethnic cleansing, without the flouting of human rights. We hope that this Conference will implement all decisions likely to be taken here.

In conclusion, Mr. President, I would like to reiterate our thanks to you and to your country for your warm welcome here.

Thank you, Mr. President.

VELAZQUEZ, Igor (President), spoke in Spanish:

Thank you, Your Excellency for your statement. I now give the floor to His Excellency Mr. U Ohn Gyaw, Foreign Affairs Minister of Myanmar. Your Excellency, you have the floor.

GYAW, U Ohn (Myanmar):

Keywords: HUMAN RIGHTS ADVANCEMENTS - SOVEREIGNTY - INTERNATIONAL COOPERATION - DEVELOPMENT - MYANMAR - HUMAN RIGHTS MONITORING

Mr. President,

I should like at the outset to congratulate you, Sir, on behalf of the Myanmar delegation and on my own behalf on your assumption of the high office of the presidency of the Conference. I am confident that given your wide experience and well-known diplomatic skills and personal attributes you will be able to guide this Conference to a fruitful conclusion.

Allow me also to take this opportunity to express a personal note of friendship and appreciation to Madame Warzazi who has devoted so much of her time to the cause of human rights. My delegation fully appreciates her endeavors and notes with satisfaction the exemplary manner in which she guided the work of the Preparatory Committee.

We are meeting, Mr. President, at a time when vast transformations are taking place and when events are unfolding at a dramatic pace. Who would have foreseen a quarter of a century ago when nations gathered in Teheran for the first World Conference on Human Rights that the cold war and its

attendant power struggles would forever be relegated to history or that the political map of a good part of the European continent would be so dramatically altered? Yet, it will be some time before the faint outlines of a new order become clearer. While we welcome the positive transformation taking place around us, we view with concern the strife and turmoil that prevail in many regions of the world. It is essential that we have an appreciation of where the momentum of present-day events is leading us to. We should take care not to be intimidated by the problem we face or be swept overboard by the euphoria over the changes. We must seek to build a truly better world for all the peoples of the world.

It is, therefore, appropriate that we meet at this juncture to take stock of the developments in the field of human rights, assess the effectiveness of the International Bill of Human Rights - consisting of the Universal Declaration and the two International Covenants, complemented by a corpus of other instruments - and to reflect on how best we can ensure a higher degree of international cooperation in the promotion of human rights worldwide without attempting to create novel doctrines that would upset established understandings. Indeed, if there is to be a better tomorrow we must while consolidating the positive accomplishments gained so far seek to enhance international cooperation to encourage genuine respect for human rights.

Mr. President,

There is in our world today no cause that is being accorded more attention than human rights. But I would like to emphasize here that concern for human rights is neither new nor unique to any one culture. Even before the advent of the UN Charter that in its Preamble reaffirms the faith of the Peoples of the United Nations, "in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women." Many a society upheld the dignity of the human person through cultural and religious teachings about correct behavior, the just society and wise leader. Religious teachings of all faiths emphasize tolerance for fellow human beings. In our own Myanmar culture, there are precepts about the duties and obligations of the wise ruler to his subjects, parents to their offspring, husband to wife, and vice versa. I believe, therefore, that even as we seek universality of human rights, our diversity in historical, cultural and religious backgrounds must never be minimized nor forgotten. There is no unique model of human rights implementation that can be superimposed on a given country. What we should strive for then is not the imposition of one's view on another but universal acceptance on agreed norms through dialogue and persuasion. Any international endeavor to promote and protect human rights must be made in accordance with the Charter of the United Nations.

Mr. President,

In order to narrow the gap between aspiration and reality in the field of human rights we firmly believe that certain facts must be recognized.

First and foremost, the clear signals sent by the Bangkok, San José and Tunis meetings, which were convened under United Nations General Assembly resolution 45/155 of December 1990 must be given the attention they deserve. The three regional meetings provided an opportunity for representatives of sovereign nations as well as non-governmental organizations to discuss and coordinate views. The concluding documents of three regional meetings represent the considered views of the overwhelming majority of the international community. Much has been included in these mutually reinforcing declarations providing the seeds of a universal culture of human rights. The Bangkok Declaration reaffirms the principle of national sovereignty, territorial integrity and non-interference in the internal affairs of states, while the San José Declaration complements that by steering the principles of peaceful coexistence and respect for pluralism. The Tunis Declaration too sends an important message in reaffirming the importance that Africa attaches to collective rights of peoples.

Mr. President,

My delegation was pleased to have taken an active part in the deliberations in Bangkok and to be associated with the Final Declaration. We were happy to join our neighbors and friends from the Asian region in reaffirming our commitment to principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights. It is clear that any attempt to use human rights to encroach on the essential domestic jurisdiction of states and to erode their sovereignty can only result in confrontation and spell chaos for the world. The last thing the world needs is another round of rivalry and confrontation. We are, therefore, encouraged by the reaffirmation of the principles of respect for national sovereignty, territorial integrity and non-interference in the internal affairs of states. That is not to say that human rights can be systematically violated with impunity behind the protective barrier of the principle of non-interference. Far be it. We wish to see the consensus on accepted norms of human rights and to encourage the promotion of those rights through international cooperation and consensus-building and not through confrontation and the imposition of incompatible values. What we should strive for is not the right of intervention but genuine international cooperation to bring relief and redress to human rights situations wherever they may occur — whether in the inner cities of developed countries or in some poverty-stricken area of the developing world.

It must also be clearly understood that the principle of protection of human rights, like any other principle, cannot be invoked in a particular situation and disregarded in another. The call for the promotion and protection of human rights will become a vacuous claim if the principle of human rights is applied selectively. This is a clear need to avoid double standards and the temptation to use human rights as a means to achieve political ends.

This leads me, Mr. President, to my third point. It is simply that when we speak of human rights we must not fail to address the whole spectrum of economic, social, cultural, civil and political rights. In recent years, while civil and political rights have been highlighted the right to development has not been given the attention it deserves. One has only to look at the millions in developing countries who live below the poverty line to see the urgent need for the promotion of their right to development as an integral part of basic human rights. It is worth recalling that the right to development as a fundamental human right has already been recognized by the UN General Assembly that in 1986 adopted the Declaration on the Right to Development. In my own country priority is given to the elimination of poverty and we are striving to promote all round development of our citizens — city dwellers as well as our brethren who live in the remote border areas. We consider it important that they have equal opportunity in their access to food, housing, transportation, employment, education and health services. The national races living in remote border areas had traditionally been economically and socially backward as they struggled to survive under the yoke of terrorism. They lived in abject poverty and had no rights to speak of. Today with the return to the legal fold of many terrorist groups and the restoration of law and order the situation has changed. The government is taking comprehensive measures for the development of the border areas and national races as a national priority. This has not only raised the living standards of those peoples but have made it possible for them to enjoy fully their political and civil rights for the very first time. Representatives of the remote border areas are today taking part in the National Convention that would pave the way to a genuine democratic state.

Developing countries, particularly the least developed among them, continue to be faced with the problem of negative net financial transfers, large foreign debts, deterioration in terms of trade, shortage of foreign exchange and falling commodity prices. In view of this situation, the developed countries should cooperate with the developing countries to eliminate all obstacles to development. This can be achieved only through constructive dialogue based on the shared belief that the right to development is as important a human right as any other. Any attempt to link developmental assistance with human rights is to debase those very rights. It bears to be repeated that poverty is a major obstacle preventing the full enjoyment of human rights.

In view of the growing attention being given to the theme of human rights and the role of the United Nations in protecting and promoting these rights I cannot but agree with those who see the need to rationalize the work of the UN bodies dealing with human rights and the need to avoid the multiplicity

of parallel mechanisms. Instead of encouraging the proliferation of new mechanisms, what is required is the improvement of existing procedures to make them more efficient.

Mr. President,

There is no doubt in my mind that this Conference in Vienna will mark an important milestone in our quest to promote human rights. Much can be achieved if we can proceed with an appreciation of the rich and varied cultural, racial, linguistic, economic and religious backgrounds that make up our world. If genuine efforts are made here in Vienna, obstacles in the way may no longer prove insuperable. The atmosphere of confrontation that has characterized human rights debates needs to be replaced by cooperation and understanding. That, I believe, is an impelling call if our quest to promote human rights is to succeed.

I thank you Mr. President.

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank His Excellency for his statement. I now give the floor to Mr. Bacre Ndiaye, Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions. He will be speaking on behalf of the Special Rapporteurs, Chairmen of the Working Groups of the Commission on Human Rights. Sir, you have the floor.

NDIAYE, Bacre Waly (Special Rapporteur on extrajudicial, summary or arbitrary executions), spoke in French:

Keywords: HUMAN RIGHTS MONITORING - SPECIAL PROCEDURES - COORDINATION
WITHIN UN SYSTEM - UN. Centre for Human Rights

Thank you, Mr. President.

Mr. President, distinguished delegates, ladies and gentlemen,

I have the honors to address you on behalf of my fellow independent experts who serve as Special Rapporteurs, Representatives, Experts, Members or Chairmen of Working Groups of the Commission on Human Rights' public procedures. Being responsible for implementing the so-called special procedures of the United Nations Human Rights Programme, we feel that it is appropriate that we take stock of our work on the occasion of this important meeting, the World Conference.

As the Conference considers all the work accomplished by the United Nations over nearly half-a-century, it is fair to say that the development of standards in the area of human rights is one of the most positive objectives that the Organization has accomplished. The inventory of standards currently applicable bears witness to the multiple and persistent efforts - albeit with results sometimes uncertain - that have enabled us to reach the stage where we are. But we must avoid complacency for all that has been achieved is now being put to the test by the peoples of the world who all hope that the will of the United Nations is as strong as its discourse. The time has come to better demonstrate the effectiveness of the work accomplished and consequently to give it a greater impact.

Despite all that has been achieved, the pain and suffering that persist — even near to where we sit today — does not permit any celebration. The task before us is to implement this impressive inventory of human rights standards into practice. Certainly, there is still some refining of standards to attend to as this is an on-going process and may, in fact, be assisted by the already considerable experience we have gained in implementation of existing norms over the last twenty years, during which a fine web of implementation mechanisms was carefully spun. The system of special procedures holds an original place in this network, because we are on the front-line of the international monitoring of universal standards. It falls to us to address many of the most serious violations in the most difficult situations.

At present, the number of the special procedures of the Commission is well over twenty. Thirty-four independent experts coming from twenty-three countries, from all continents have been appointed to implement these procedures. We, thus, represent a wide breadth of cultures, legal systems and professions. Eight of us come from Africa, eight from Latin America, six from Asia, seven from Western Europe and five from Eastern Europe. Two kinds of mandates have been entrusted to us, on the one hand are thematic mandates that address specific practices or rights and on the other hand the geographic procedures that address human rights situations in a given country or region.

It may be recalled that the development of this system has its origins in the 1960s when it was found necessary to respond to the persistence of the system of apartheid. Despite some progress, that repugnant system has yet to be fully eradicated, and racism and discrimination may still be seen in numerous parts of the world. But, having responded to the odious and audacious affront to humanity that is apartheid, the United Nations was, and still is, compelled by the same logic to respond to intolerable situations and practices elsewhere. Thus, procedures responding to other types of massive human rights violations in other countries and regions followed through the creation of new thematic procedures concerning, for example, the dramatic situation of displaced persons or the fight against religious intolerance.

This broad range of procedures constitutes a unique and crucial element in the implementation of the body of specific standards that are the subject of the universal consensus and that have been sanctioned by the United Nations General Assembly. While it may never have been conceived as a "system", the evolving collection of these procedures and mechanisms now clearly constitutes and functions as a system of human rights protection. Over the years, the area of concern has been progressively enlarged, the procedures have been refined and new methods of work have been adopted.

Our task is clear, what we do is render more effective the international norms that have been developed. Also, beyond the theoretical questions we strive to enter into constructive dialogue with governments and to seek their cooperation regarding concrete situations, incidents and cases. The core of our work is to study and investigate in an objective manner with a view to better understand the situations so as to be able to recommend to governments possible solutions to overcome the problems that they may encounter in securing respect for human rights. Certainly, we have a delicate task when we undertake in situ investigations, when we take testimonies in difficult circumstances that often involve risks for the witnesses, even for ourselves.

The ability, when the situation demands, to intercede immediately with governments at the highest level represents the undeniable progress. Urgent interventions of this nature take place regularly when there may still be hope that the rights to life, physical and mental integrity and security of person can be safeguarded. This type of intervention has saved and continues to save human lives. Moreover, we are able to intervene on purely humanitarian grounds to protect victims of violations.

Apart from the specifics of our respective mandates, we would like the Conference to underline the more general scope and significance of our mission within the United Nations system. In our reports, we strive to encourage states to comply with the principles and purposes of the Charter of the United Nations, in order to establish or restore peace through justice. For this cause, be assured, we give the best of ourselves, of our knowledge and of our experience striving to ensure that the work in progress produces concrete results.

Clearly, it is not only the action and the goodwill of the Special Rapporteurs alone that we owe the realization of this ideal. In truth, the system relies heavily - we rely heavily - on the support structure of the Centre for Human Rights, which is dramatically over-burdened. If the special procedures are to remain credible, the support structure of extra-conventional supervisory mechanisms must be strengthened. One thing is clear: nothing meaningful can be done without a solid support structure. The structure must be capable of painstakingly examining and processing each and every piece of information, to follow the evolution of the situations and particular cases, to study the policies and

trends. Human rights work, if it is to be done seriously, requires attention to detail and a deep understanding of the circumstances of each situation and each case. A truly professional approach is not only in the interest of those in need of our help, it is also in the interest of all, including, of course, the governments.

In order to strengthen the system, it is necessary to examine some of the present shortcomings. Our tasks invariably depend upon the quality of the information available to us. We, therefore, must consider ways of improving access to primary sources and ensuring their subsequent verification. We must also improve our ability to monitor situations in a continuous fashion. It is clear that, as the information load increases, a small group of experts acting part-time on a pro bono basis inevitably comes up against certain limits, especially since the precious resources of the Centre for Human Rights are constrained and administrative hurdles persist. While many of these problems are the direct result of chronic under-funding and critically inadequate resources, there are also structural deficiencies that need to be overcome.

The fact that – in the field of human rights - the system has evolved in a gradual manner explains why it has never benefitted from a coherent administrative design in its construction. The special procedures have always received a weak institutional support. Substantive work has also been hampered because of the lengthy delay in the approval of mandates: several months are lost each year between the adoption of the Commission's resolutions and the approval by the Economic and Social Council. During this period, the victims are abandoned to their own fate. The absence of regular budgetary allocations also undermines our effectiveness, because, in order to plan our activities we should know what financial resources we may rely upon on a sustainable basis. Unfortunately, despite positive steps in the last couple of years, such as the decision to extend established thematic mandates for periods of three years, the negative implications of the budgetary and scheduling problems still remain considerable.

The promotion and protection of human rights requires a universal system of monitoring. In this respect, the established system constitutes an essential element of the United Nations. The experience gained can thus make a positive contribution to overcoming the challenges of our time.

The mandates, whether thematic or country-specific, should be granted for reasonable periods of time so as to permit continuous and therefore in-depth work. In fact, we must face cases of enforced disappearance, summary executions and torture for a long time to come. Unfortunately, such gross violations are common to most of the mandates, especially those concerning the situation of internal displacement and the fight against the religious intolerance.

We would also like to draw the attention of the World Conference to one of the major concerns, which is to intensify the field missions. They alone allow us to truly identify the objective reality of situations. The clarity gained in the process is vital to accurate assessments and reporting, which also serves the best interests of the governments concerned. Consequently, the field missions should be seen by governments as a natural component of every mandate. Likewise, such missions need for appropriate follow-up because the process undertaken cannot satisfactorily be conducted without subsequent review.

Institutionally, the work of the special procedures should be integrated into the work of the United Nations in a general fashion, in particular, by taking advantage of the complementarity of the United Nations capacities and resources to facilitate the receipt, verification and transmission of information concerning human rights. It is essential to strengthen the coordination at least on three levels: among the special procedures themselves, between the special procedures and the treaty-based bodies, and finally between the special procedures and the larger United Nations system. To optimize the mechanism, as it already exists, the work of the procedures may be better harmonized, beginning with establishing periodic meetings of all special procedures' experts and through joint examination of thematic reports or through joint missions. One very promising development is that, for the first time -

namely in the former Yugoslavia — a Special Rapporteur has been assisted by the thematic rapporteurs and supported by a team of field monitors.

Beyond the human rights programme itself, the coordination should be achieved among other United Nations departments and the specialized agencies in a truly integrated approach to human rights. This could first be accomplished by instituting a human rights reporting responsibility in United Nations field offices and operations. In this way, and in view of limited resources, already existing valuable information, knowledge and access could be put to better use. Working together, much can be achieved. Human rights work should no longer be seen as subsidiary or compartmentalized, on the contrary, they should permeate the Organization. In this way, the results of the Special Rapporteurs' work could be better taken into account by other bodies of the United Nations as common efforts are directed towards fulfilling the aims and objectives of the Charter. To this end, greater and more effective publicity for their reports is essential.

The work of the special procedures may also be a valuable source of information and experience — notably thanks to the non-governmental organizations to whom we pay tribute here — when it comes either to refining of existing standards or to proposing overall solutions, particularly in the negotiation process concerned internal conflicts.

Obviously, while we imagine how the system may be improved, we must also be careful to preserve what has been achieved. To guarantee the independence and credibility of the procedures and to preserve the confidence necessary for their effectiveness, the United Nations must provide the required resources. Despite our best efforts, we sometimes appear ineffective in critical situations simply because the most basic support structure is not available or sometimes because of inexcusably bureaucratic slowness in administrative and budgetary offices or budget shortfalls. How can we allow piles of files concerning the individual cases to lie unprocessed and unanswered because of inadequate human and material resources? If this continues, what will be the meaning of the inventory of standards then? Moreover, in terms of financial resources, what we are asking seems almost ridiculous given the minimal sums at stake compared to the overall costs of the United Nations.

Certainly, we are not here to champion our work. We have come here, in our independent role, to offer our views at this critical juncture. A world in transition is challenging what has been achieved. We must rise to the occasion in defense of the human rights values that are at the core of the United Nations. In fact, as insecurities mount, the more the world seems to be rediscovering the lesson of the Second World War: namely, that the respect for human rights is integral to the maintenance of peace and security. Moreover, in his *Report on the Work of the Organization*, the Secretary-General has clearly proposed "empowering ... expert human rights bodies to bring massive violations of human rights to the attention of the Security Council together with recommendations for action." We note that there is already a precedent in the case of the former Yugoslavia. This development should be encouraged.

We will say in conclusion, that a developed system of human rights comprising a group of independent experts drawn from all walks of life, offers, in our view, considerable possibilities of supervising respect for human rights. It still needs to be able to rely on a strengthened support by the Centre for Human Rights. Such an effort would also offer a guarantee against the risk of the procedures being politicized and scattering of the resources that are already limited. It is on this condition that we will be able to contribute to the strengthening of the United Nations' work and, indeed, to its credibility, in both the promotion and protection of human rights.

In conclusion, the Special Rapporteurs, Representatives, Experts, and Members and Chairmen of Working Groups of the special procedures recommend that:

Firstly, the procedures and mechanisms be established for reasonable periods of time, not suffer delays in their approval by competent bodies, include field missions as a natural component and, as

necessary, obtain the support of field monitors. In all cases, the missions should be receive appropriate follow-up.

Secondly, the Special Rapporteurs, Representatives, Experts, and Members and Chairmen of Working Groups be enabled to harmonize their work through periodic meetings, joint examination of thematic reports and, as appropriate, joint missions.

Thirdly, the work of the special procedures benefit from access to information available in the United Nations offices throughout the world, and that the reports rendered be taken into account by the United Nations bodies, including, as appropriate, the Security Council. These reports should be widely publicized and disseminated.

Fourthly, the last recommendation to achieve the above objectives and support the effective work of the procedures and mechanisms, human and material resources must be raised to a level commensurate with the responsibilities carried by each procedure; that in addition sufficiently flexible administrative procedures must also be devised so as to allow for maximum efficiency, especially in urgent situations.

Mr. President, ladies and gentlemen,

Allow me in closing, on behalf of my colleagues, to express our appreciation for having had the opportunity to meet — for the first time in the history of the special procedures — thanks to the World Conference.

Thus, it is only natural for us to express our appreciation to the Conference organizers, especially its Secretary-General, Mr. Ibrahim Fall, as well as his collaborators.

For my colleagues, as for myself, this meeting has been a significant, enriching and encouraging experience: thank you to all those who have shared it with us today.

Thank you for your attention. Thank you, Mr. President.

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank the Special Rapporteur for his statement. I now give the floor to His Excellency Mr. Alecos Michaelides, Foreign Affairs Minister of Cyprus. Your Excellency, you have the floor.

MICHAELIDES, Alecos P. (Cyprus):

Keywords: HUMAN RIGHTS ADVANCEMENT - INTERNALLY DISPLACED PERSONS
INTERNATIONAL OBLIGATIONS - CYPRUS - INTERNATIONAL COURTS AND
TRIBUNALS - UN High Commissioner for Human Rights

Mr. Chairman,

On behalf of the Republic of Cyprus and the people of Cyprus, I would like to congratulate Foreign Minister of Austria Mr. Mock on his unanimous election to the Chairmanship of this important Conference. The Conference that, I believe, will make a significant contribution in furthering the cause of human rights. May I also express my appreciation to the government of Austria for hosting the Conference and for the hospitality so generously offered to us during our stay in this most beautiful and historic city of Vienna.

Mr. Chairman,

This World Conference is a manifestation of our concern on the issue human rights. We are here to take stock of what has been achieved so far but primarily to consider how we can all work together to meet the great challenge of our time, which is the universal respect of human rights for all people in all countries around the world.

There is no doubt that, when back in 1948 the Universal Declaration of Human Rights was adopted and later on appropriate institutions were installed, the humanity looked with optimism to a new era when hopefully human rights would be respected.

Indeed, a lot has been achieved. However, our presence here signifies that still much needs to be done. We cannot fail the aspirations of the common people who long for the respect of their rights and freedoms, regardless of whether they live in West or East, South or North.

It is, therefore, our common responsibility to seize this opportunity to build a better world where the human rights of all would be safeguarded.

The legal edifice for the protection of human rights, which has been gradually established since the Second World War, is indeed imposing. Conventions on human rights we do have. We also have institutions with lucid charters and defined mechanisms to safeguard these rights.

What we urgently need now is not adding more conventions and more protocols. We need to put our declared principles into practice. The problem at issue is not merely to identify nor even it is sufficient to condemn the perpetrators of violations, but to restore the rule of law and prevent such violations from being committed in the future.

Prominent among our objectives should be to strengthen the institutional framework for the respect of human rights. We must avail the means to act in all cases of violations with speed and determination and without any other considerations than the effective protection of human rights.

Mr. Chairman, distinguished delegates,

We are all too familiar with the spectacle of long lines of refugees deprived of their dignity, their properties and the bare essentials to life. We have witnessed the forcible expulsion from their homes populations in order to create ethnically and religiously homogeneous territories.

We feel the agony of the parents and relatives of missing persons. Do not we all know that should good will prevail it would be possible to solve this purely humanitarian problem?

The suffering, the fear and degradation of human beings in search for a safe haven who are trapped in the tentacles of war or enclaved in occupied territories or being victims of torture is a shame still appearing in this last decade of the twentieth century.

Such violations of human rights, and the list is far from being exhaustive, are everyday experience of thousands of people in the world.

All these human rights, and I repeat all, were violated and continue being violated in the occupied part of Cyprus for nineteen years whole years.

We ask ourselves: What went wrong with the International human rights institutions? How can it be that they proved so ineffective in restoring human rights in Cyprus and elsewhere in the world?

Cyprus had numerous recourses to the Security Council and the General Assembly. We had recourses to the United Nations human rights institutions. Cyprus brought its case before the Council of Europe and the European Commission of Human Rights. Numerous United Nations Resolutions were adopted but none has been so far implemented. Cyprus brought its case before the Council of Europe and the

European Commission of Human Rights. Numerous United Nations resolutions were adopted but none has been so far implemented.

The European Commission of Human Rights, following the second application of the Republic of Cyprus in 1977, thoroughly studied the violations of human rights in Cyprus. It adopted its report in 1983, some hundred and sixty pages long, which identified clearly those responsible for the violations. Yet, the report remained in the drawers of the Committee of Ministers for nine whole years until it was made public in 1992. Despite the findings, no action has been taken in order to redress the situation and restore the human rights of the people of Cyprus as a whole.

It is evident that the continuation of violations of human rights in so many countries around the Globe is not due to the failure of principles or the shortcomings of the charters of the institutions. It is the lack of political will by all to lend the necessary support to the institutions to render them effective.

The application of principles should never be conditioned to self-interests, for inevitably it leads to double standards and selectivity.

Let us, therefore, stand by the human rights institutions and provide them with the necessary tools to render them effective. It is in this spirit, dear colleagues, that Cyprus wholeheartedly supports the setting up of both an international, human rights court and an office of the High Commissioner of Human Rights.

Mr. Chairman,

This Conference is meant to be an important step forward in making human rights universally protected and guaranteed for all peoples in the world.

Let us all work together in a spirit of co-operation and good will to fulfil this great opportunity.

Thank you.

VELAZQUEZ, Igor (President), spoke in Spanish:

I Thank His Excellency for this statement. I now give the floor to His Excellency Mr. T.S. Suleimenov, Minister of Foreign Affairs of the Republic of Kazakhstan. Excellency, you have the floor.

SULEIMENOV, Tuleutai Skakovich (Kazakhstan):

Keywords: KAZAKHSTAN - WOMEN – HUMAN RIGHTS EDUCATION – DIPLOMACY - UN High Commissioner for Human Rights

Mr. Chairman,

It is obvious that the world has changed in the twenty-five years since the last World Conference on Human Rights. Now we no longer have either the struggle between the two systems or the cold war. We have all come to this Conference with a completely new outlook and with a new mentality.

In these difficult times, the World Conference on Human Rights became a beacon that inspires us with hope for the positive renewal and improvement of the present world order. And this is not an exaggeration for the purpose of this ceremony but a desire for the success of this world forum devoted to people, because there is no greater virtue than care for human beings and their rights.

Kazakhstan occupies its own place in the mosaic of the world processes. The Republic has finally chosen the path of building a sovereign state with a socially oriented market economy. The Constitution of the Republic of Kazakhstan has confirmed our adherence to the international norms

and principles of democracy. The Constitution recognizes the priority accorded to human rights and freedoms; it elaborates the primacy of the interests of the individual over the interests of states and society: it proclaims the idea of civil peace and ethnic harmony and the equality of all nations and nationalities residing in my Republic. We believe first in the individual and then in his or her nationality. At the same time, we take into consideration the rights of all nationalities living in our Republic.

We in Kazakhstan believe that an individual can only be free when the conditions are created for everyone to enjoy their economic, social, cultural, civil and political rights. The present situation in the Commonwealth of Independent States is an obvious example of where the universality, indivisibility and interdependence of all human rights are declared; however, the reality of the economic, social and cultural features of each states should not be ignored. At present time, we have to acknowledge with regret when international agreements signed by world leaders, which proclaim the inherent rights of each individual for life, are not fulfilled. We are witnesses to the fact that situations of conflict among or within states, are often settled at great human cost.

We are entering a new century with grave statistics of destroyed cities and villages, of profound human grief and suffering. Our world has become two-faced: on the one hand, democracy and progress and, on the other hand, the complete negation of the God-given right to life.

In this connection, we cannot but draw your attention to the fact that some of these countries also abuse their own understanding of human rights as a means for making pressure on these newer states in the settling of bilateral or multilateral issues.

It is our view that in the present world with its variety of peoples, its thousands of nationalities and languages, customs and traditions — confrontations based on opposing ideas, should be replaced by the search for a common and universal understanding of human rights. We believe that this approach should be reflected in the final document.

In addition, I would like to note that the idea of convening an Asian Forum on Human Rights has been received with great interest in Kazakhstan. We are ready to contribute to this effort.

It is not an easy task to rank the rights of human beings according to their degree of importance; however, the rights of women and children, as it is justly stated in Principle 9 of the Draft Final Document of the Conference, constitutes an integral part of United Nations efforts in the field of human rights.

Kazakhstan can be proud of its achievements shown in the level of participation of women in the political, economic, cultural and social life of the Republic. No one has ever been discriminated against on the basis of gender; however, we are obliged to acknowledge that any social disasters always affect the most vulnerable members of the society, invariably women and children.

The efforts of our lawmakers are aimed at the protection of the rights of women and children. It is not a secret that in conditions of declining production, women are the first to be dismissed. Much is being done in the Republic to introduce quotas for women in the job market, as well as to introduce favorable terms of taxation for enterprises in which mainly women are engaged, and to forbid hard labor and work in harmful industries.

However, it is only part of the struggle to adopt laws on human rights; the protection of human rights is determined by the level of legal education aimed at stimulating respect for human rights and basic freedoms.

We agree with Principle 20 of the Draft Final Document, which states that such education should promote mutual understanding, tolerance and friendship among peoples, racial and religious groups as well assist the efforts of the United Nations aimed at the maintenance of peace.

The process of law making in the Republic of Kazakhstan embraces the world experience, international agreements, treaties, conventions and United Nations documents. In Kazakhstan the steady process of legal reform is underway.

We intend to follow the ideals of democracy, development and social justice, as well as the universal observance of human rights among peoples and cultures. All this would hardly be possible without the broad involvement of the international community and its institutions. It is necessary to hold conferences on this issue under the aegis of the United Nations. It would raise interest and attract attention to the problem of human rights on a global scale and would promote a deeper understanding of a great range of issues.

When addressing issues of human rights we attach great importance to the principles and methods of preventive diplomacy recommended by the UN Secretary-General, Boutros Boutros-Ghali. The provision of an all-encompassing and independent analysis, always based on fact, objective information on the human rights situation in various parts of the world, all this, no doubt, is indispensable for the fulfillment of the UN Charter and stability in the world.

Kazakhstan also intends to instruct its representatives to participate in the work of the United Nations Commission on Human Rights. We would like to express, in anticipation, our deep confidence in the effective functioning of the High Commissioner for Human Rights, should this body be established.

Human rights would be more successfully promoted in Kazakhstan upon the acceptance of all the fundamental treaties and conventions on human rights by the government of the Republic of Kazakhstan.

Kazakhstan supports the aims and efforts of the United Nations in improving and developing of the economic and social conditions of all nations; we also support the search for new ways of strengthening the United Nations mechanism in the sphere of human rights.

Thank you very much.

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank Your Excellency for your statement. I should now like to give the floor to His Excellency Sheikh Hamad bin Jasim Al-Thani, Foreign Affairs Minister of Qatar. Your Excellency, you have the floor.

AL-THANI, Hamad bin Jasim (Qatar), spoke in Arabic:

Keywords: HUMAN RIGHTS PROTECTION - QATAR - ISLAM - TERRITORIES
OCCUPIED BY ISRAEL - BOSNIA AND HERZEGOVINA - HUMAN RIGHTS
VIOLATIONS - CULTURAL PLURALISM - UN High Commissioner for Human Rights

In the name of God, most Gracious, most Merciful.

Mr. President,

I am happy to be able to express to you our most sincere congratulations in your election to the Presidency of this very important World Conference on Human Rights. We are particularly happy to do this because of your known skill and wisdom, which we are sure will lead our work to a successful conclusion. I can only pay tribute to the efforts made by His Excellency, the UN Secretary General, Dr. Boutros Boutros-Ghali and his assistance for the very considerable efforts to prepare successfully for this Conference. I should also like to express my thanks and due esteem on behalf of my country to the Republic of Austria for having agreed to host this Conference. We wish the Conference due success and to meet the aspirations of the peoples around the world.

Mr. President,

The issue of defense of human rights and the consolidation of human rights are priorities for the international community. They have become the slogan of the 1990s and, indeed, the symbol of future generations. The consolidation of international cooperation has become an urgent necessity if we are to build a better future.

Mr. President,

The principle of human rights is a priority for the State of Qatar. Given that it is one of the inspiring principles of our noble Islamic religion and because we want them to be compatible with the fundamental principles of our society, with its generous teaching Islam was the forerunner of movements to protect and defend human rights and rejects any racial, religious or national discrimination between individuals. Islam believes that all men are equal in rights and in duties.

Mr. President,

The State of Qatar attaches all due importance to establishing the best possible living conditions for the people of Qatar. We emphasize human achievements in all areas. We have a system of free education and guaranteed rights for our citizens as well as social protection and the advantages of a social welfare system through the institutions set up for the purpose. The state provides citizens with all necessary housing up to a standard in accordance with world levels. The state has never forgotten people with small income, the disabled, orphans and others in need. In accordance with the precepts of Islamic law, we set up an Advisory Committee that brings together experts and scholars who give their assistance and their knowledge to the state so that plans and programmes can be developed and implemented and so that political, economic, social and cultural rights can be guaranteed. Despite certain difficulties, we have been able to attain the noble objectives of setting up a society that will be a better society for the future.

There are, of course, Mr. President, disparities between the ways in which different states look at human rights. However, these disparities should not distract us from the main objective about which, I think, we are all unanimous, namely the need to intensify our efforts so as to set up the ideal conditions for the people of tomorrow to live in. Because it goes without saying, Mr. President, that we are meeting today to defend men and women and their rights.

But at the same time, there are many, many violations of human rights taking place in various regions of the world. Men and women are being deprived of the rights that we are here to defend. Practices used against the people of the occupied Arab territories: disappearances, torture, expulsions, the establishment of settlements to bring about a *fait accompli* are all illustrative of the fact that human rights are still being violated and most seriously jeopardized and that this will continue so to be as long as the world does not decide to bring an immediate end to the situation causing them.

Muslims in Bosnia and Herzegovina are being exposed on a day-to-day basis to the most atrocious crimes and to the most inhuman practices. Such abuses are a challenge to the efforts being made throughout the world to promote and defend human rights and possible threat thereto. The statement made by His Excellency the Foreign Affairs Minister of Bosnia and Herzegovina reflects fully the tragedy that his people are going through and it is perfectly normal that we should give unanimous support to what he said. It is also natural that we should send an urgent appeal to the United Nations Security Council to take all necessary practical measures to bring an end to the carnage, which we are witnesses in Bosnia and Herzegovina.

Mr. President,

The consolidation of human rights will be more effective if the concept behind it is agreed and if it is fully understood by all. This can only occur, however, if we take into account the religious and

cultural peculiarities of individual states when we draw up guidelines for the protection of human rights and apply those. We think that any delay in our procedures is likely to be due to a lack of understanding of these peculiarities that I have just mentioned.

In conclusion, Mr. President, I should like to reiterate that this humanitarian principle should not in any way be used for objectives or aims that are to the detriment of others. We should also like to state clearly that the mechanism that the international community is working towards should be above any suspicion, free of any distortion and in accordance with human right principles as contained in international instruments.

Thank you, Mr. President.

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank His Excellency for his statement. Thank you very much. I should like now give the floor to His Excellency Mr. Mnangagwa, Minister of Justice, Legal and Parliamentary Affairs of the Republic of Zimbabwe. Your Excellency, you have the floor.

MNANGAGWA, Emmerson Dambudzo (Zimbabwe):

Keywords: HUMAN RIGHTS MONITORING - DEVELOPMENT - ENVIRONMENT - EXTERNAL DEBT - INTERNATIONAL FINANCIAL INSTITUTIONS - DISCRIMINATION - WOMEN - CHILDREN - HUMAN RIGHTS INSTITUTIONS - UN High Commissioner for Human Rights

Mr. President,

Allow me to join those that have spoken before me in congratulating you, all the Vice-Presidents and all other office bearers for the well-deserved election.

Mr. President,

That we are gathered in Vienna for the World Conference of Human Rights is a memorable and historic occasion. That the World Body has succeeded in holding this Conference is in my view worthy of special commendation.

In 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights that was followed thereafter by a number of other international human rights instruments. In addition to other monitoring bodies set up under those Conventions, the Human Rights Commission in particular has established a number of mechanisms, both of a thematic and country-specific nature, to supervise the protection and implementation of human rights standards.

In 1948, the Universal Declaration of Human Rights has remained the basic instrument of human rights standard setting. A number of notable achievements in the field of human rights have been made since then.

Notwithstanding these achievements and successes, there is no doubt at all that a number of human rights violations and abuses continue to occur in virtually every part of the world. Even the most developed countries have not been spared.

Against this background, we are gathered in Vienna to review the progress made in the area of human rights since 1948, to identify any obstacles to the full implementation and protection of human rights and to strengthen international cooperation in this field. In particular, one of the most important objectives of this Conference is to evaluate the effectiveness of the methods and mechanisms used by the United Nations in the field of human rights.

Mr. President,

Whilst there are a number of important issues before this Conference, it is the view of my delegation that the implementation and protection of existing human rights standards must be accorded due importance by this Conference.

Despite the notable achievements by the World Body since 1948, this should not be an occasion for the World Body to engage in fruitless rhetoric and to congratulate itself on these achievements.

The World Conference must also be alive to the need to avoid drafting new standards. The present standards contained in the various declarations and instruments on human rights are adequate. What is needed is to improve or enhance their effectiveness. It would be sad were this Conference to spend time discussing or listening to speeches on the human rights situations in the various countries represented here today. Twenty-five years after the Teheran Conference, we have a unique opportunity to renew the effectiveness of the international human rights systems including the machinery in place to protect these rights. What is required are concrete recommendations on how this can best be done.

Mr. President,

There are of course a number of issues before this Conference. It is not possible within the time allocated for me to comment on all of them. I would, however, wish to comment on those issues to which my delegation attaches considerable importance.

There is need for the World Conference to once again reaffirm the indivisibility, interdependence and inter-relationship of all human rights. Whilst the protection, implementation and promotion of all human rights must be considered a priority objective of the United Nations, it is the responsibility of Member States in the first instance to ensure that these rights are fully protected and implemented.

It is appreciated that the countries represented here have different approaches to this matter due to cultural, historical and religious considerations. States should however be encouraged to implement and promote all human rights irrespective of these differences. No state should be allowed to use cultural, historical or religious considerations to suppress the rights of its citizens.

Mr. President,

This Conference must also stress the right to development, identify obstacles which thwart the realization of this right and take corrective action to ensure that this universal and inalienable right is enjoyed by all. The need for international cooperation on this matter goes without saying.

Related to this issue is the linkage between democracy, human rights and development. For far too long, we have ignored the effect that development or the lack of it can have on human rights. This august body now has the opportunity to demonstrate as much commitment to the enjoyment and promotion of economic, social and cultural rights as it has to the promotion and protection of civil and political rights. In this regard therefore, this Conference should clearly indicate the undesirability of tying development aid to the enjoyment of civil and political rights only.

I should hasten to add that the lack of development should not justify the denial of a citizen's human rights.

Mr. President,

Coming from a developing country, it is necessary that the right to a clear and safe environment be, once again, emphasized. The Tunis Declaration, amongst other things, urges the World Conference to take action against the dumping of toxic waste particularly in the developing countries.

Mr. President,

The impact that external debt and the huge trade and economic imbalances between the North and South, developed and developing, rich and poor states, must come under sharp focus at this Conference. The current international order is such that the poor and developing countries of the world are deprived of the economic means to promote and protect human rights. The trading system is not transparent and is heavily biased against the developing and poor states of the world. The result is that serious inroads are being made into the successes that had been achieved in the field of human rights as almost all the resources are used up in serving unmanageable external debts.

Related to this issue, Mr. President, is the role that the international financial institutions play and the effect that their programs have on human rights. It is not a secret that these institutions have in almost all cases prescribed painful programmes that have immediately reversed any successes made in the area of human rights particularly in the provision of social service like education, adequate shelter, health and clean water.

The international community should therefore review the *modus operandi* of these institutions so that assistance to developing countries is more meaningful and the debt burden alleviated. We cannot, at this Conference, talk of standard-setting when some states are daily being deprived of the means to implement and protect human rights.

Mr. President,

This Conference should also stress the need for all human rights and fundamental freedoms to be respected without considerations of race, sex or religion.

The United Nations should take as one of its priorities the need to stamp out racism and racial discrimination, particularly in its new forms, extremism, fanaticism, xenophobia or related intolerance. To ensure international peace and stability, the speedy dismantling of apartheid, which has been declared a crime against humanity, should be stressed at this Conference.

Mr. President,

This Conference should re-affirm the rights of vulnerable groups such as women, children particularly the girl-child, indigenous peoples, disabled persons, persons suffering from HIV, migrant workers, etc.

Action must be taken to stamp out gender-based violence and other forms of sexual harassment and exploitation. The status of women and the human rights of women must remain at the fore. Customary, cultural and religious prejudices must be eliminated.

All states should be urged to intensify efforts to ensure the promotion and protection of women and the child. In respect of the latter, particular attention should be paid to the predicament of the girl-child, street children, refugee children, children victims of drought and armed conflict and economically and sexually exploited children.

Mr. President,

This Conference should come up with concrete recommendations to put in place mechanisms to deal with situations involving massive human rights violations such as the fighting in Bosnia and Herzegovina, Angola, Liberia, Somalia, Sudan and South Africa. Genocide, ethnic cleansing and the systematic rape of women in conflict situations are areas deserving of speedy action.

Mr. President,

This Conference must stress the need for national and international institutions involved in promotion and protection of human rights to be strengthened even further.

It is the view of my delegation that at the national level, beside the office of the ombudsman, consideration be given to the creation of national institutions, semi-autonomous and funded by states, to look into all issues of human rights in their respective jurisdictions.

A number of countries have not been able to fully protect and implement human rights largely because national mechanisms have not been put in place to ensure that this is achieved.

In an effort to enhance the protection and implementation of human rights, my government a few months ago constituted an Inter-ministerial Committee on Human Rights. In particular, it is the responsibility of this committee to: ensure that all those human rights instruments that have been ratified are incorporated into domestic legislation; consider the ratification of the remaining instruments; more importantly, ensure that reporting obligations are complied with; look at ways and means to further enhance the implementation and protection of all human rights.

It is the view of my delegation that similar committees or institutions could be constituted at the national level. There is also need for additional resources to be made available to assist those institutions involved in the administration of justice.

Mr. President,

The suggestion made at various fora including this very Conference for the appointment of a High Commissioner for Human Rights is a matter deserving of further and serious consideration. The matter as a whole must be transparent as there is suspicion in a number of quarters that such an office could be used by the more powerful Member States to victimize the poorer and weaker members of the world community. We would need to know how the office of the High Commissioner would in practice operate and whether uniform rules will apply to all countries be they rich or poor, small or great. It is undesirable to create an institution that does not have the support and respect of the very people it is supposed to serve.

It appears there is no political commitment on the part of the international community to support the institutions currently in place. The budget for the Centre for Human Rights has remained static for the past twenty years and now accounts for less than 1% of the total budget of the United Nations.

Instead of providing additional financial resources to the Centre to enhance its operational efficiency, we are now contemplating establishing a new institution that will require additional funding.

Mr. President,

The efforts of non-governmental organizations in the field of human rights and their activities at national and international level must be recognized. States must be urged to ensure greater cooperation with these organizations.

Mr. President,

I am conscious of the need for us to conserve time but allow me to conclude by wishing for a successful conclusion to the World Conference on Human Rights.

I thank you.

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank His Excellency for his statement. I would like now give the floor to His Excellency Dr. Joseph Fenech, Minister of Justice of Malta. You have the floor, Sir.

FENECH, Joseph M. (Malta):

Keywords: DEMOCRACY - UN. Centre for Human Rights - HUMAN RIGHTS MONITORING - MALTA - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS

Mr. Chairman, distinguished delegates, ladies and gentlemen,

I would like on behalf of the government of Malta to express appreciation and thanks to the Secretary-General and to all those who participated in the excellent preparatory work and organization of this historic Conference. Their hard work and the information collected has made the task of the Conference so much easier. One notes with satisfaction the successful effort put in by the Secretary-General to ensure convergence on several issues while delineating the remaining areas of divergence which, with courage and a political will prevail, will no doubt be successfully resolved.

Mr. Chairman,

Malta firmly believes that there can be no democracy without full respect for human rights nor can there be human rights without democracy. We uphold the indivisibility, universality and full development of human rights, and feel that the task of this World Conference is to adequately equip the international community's human rights machinery to fulfil its responsibilities to attain these fundamental goals for mankind by the turn of this millennium.

This World Conference on Human Rights is an accepted unique historic occasion coming at a difficult and sensitive time in the history of mankind. The recent profound and traumatic political, social and economic global changes call for courageous efforts and bold decisions to determine a future for humanity firmly built on a culture fully respecting the value and universality of human rights to enable states to secure and ensure for each individual the dignity and respect that are the birthright of every person.

The decisions we shall reach during this World Conference, the second to be held since the Universal Declaration of Human Rights in 1948 and twenty-five years after the last similar conference held in Teheran, will hopefully usher the twenty-first century in with true democracy firmly set on solid foundations and based on human rights, fundamental freedoms, justice and the supremacy of the rule of law. We look to a new international order able to guarantee for humanity peace, security, social justice and the full respect, constant enhancement and comprehensive enjoyment of human rights and fundamental freedoms. An international order that would not tolerate situations to erupt into conflicts and barbaric actions as unfortunately happening unabatedly in Bosnia where human rights are being flouted with impunity by the perpetrators of the aggression. This Conference will hopefully lead to the determined commitment of all states to implement and enforce in a concrete manner the principles and purposes of the UN Charter and the Universal Declaration of Human Rights through intensive education, promotion by the mass media and an unbending political will to affect and improve the lives of all people around the world.

Let the Human Rights Centre be the focal point, monitor and promoter of initiatives, programmes and strategies on human rights so that it would be in a position to ensure steady progress by one and all towards the noble goals we all proclaim to uphold. The individual is the central and fundamental component in society and all activities should be directed towards the constant development of his wellbeing. It is important that the human dimension should be regularly highlighted in all our endeavors, without being underestimated. Malta attaches importance to this concept and is confident that this Conference will produce the desired concrete results within this context.

Collective and harmonious action aimed at ensuring protection of all human rights enshrined in the United Nations documents should not in our view be constrained by arguments dictated by convenience nor unduly limited by issues of national sovereignty. We believe that the UN mechanisms

and its instruments and bodies should be streamlined, strengthened, and fine-tuned, and have their mandate enlarged beyond their present monitoring function to enable the United Nations to fulfil a more important role with effective concrete measures whether at state or international level in the prevention, address and redress of violations of human rights wherever they occur.

Mr. Chairman,

Our task is to assess the success achieved so far and to analyze the challenges ahead, to be able to resolve with determination the difficulties that may be encountered in the process of fulfilment of the aims, principles and purposes of the Charter, the Universal Declaration and documents of the United Nations. One priority should be to focus on improving the implementation process of existing human rights standards and instruments.

The General Assembly of the United Nations during its 47th session late last year expressed high expectations regarding this World Conference. We are confident that these expectations will be met by concrete results, whereby human rights will be transformed from solemn declarations into living realities, for the benefit of mankind. While huge progress has been recorded since 1948, momentum should be maintained for the full fulfillment of the original objectives of the Charter and the Universal Declaration in the shortest possible time. The global advancement achieved so far in the recognized standards for the promotion, protection and the prevention of violation of human rights should not be reduced. In solving problems, we have to assess fully the realities of life but we should under no circumstances prejudice the future for humanity by confounding principles with convenience or political expediency or by introducing national concepts of divergent values alongside the universal concept of human rights. Human rights know no frontiers, nor are they confined to regions - Man, as the true beneficiary, has a right to their full enjoyment wherever he is found.

Mr. Chairman,

The process of decolonization remains one of the most important historical socio-political achievements since the adoption of the Universal Declaration of Human Rights, a process that held the promise of freedom for peoples to participate fully in the building of a social order based on equal rights and human dignity. Unfortunately, that promise did not always materialize. There were several instances when the dawn of a new beginning was quickly overcast by the dark clouds of dictatorship and the imposition of authoritarian rule. The high price paid by those who struggled for independence and freedom demands a fair and just historic justification.

Just as the consolidation of human rights and fundamental freedoms merits praise, those instances where human dignity was degraded and trampled upon deserve outright condemnation.

Mr. Chairman,

The dismantling of bipolar confrontation has stimulated the transition towards greater democracy not only in states formerly ruled by totalitarian regimes in Europe but even in many former authoritarian states in other parts of the world.

This transition is welcomed for through it the aspirations of generations who struggled for freedom can now, finally, bear fruit.

Likewise, Mr. Chairman, the world community appreciates the courageous steps and political developments taking place, which win hopefully pave the way for a just solution in the Middle East and in South Africa.

Mr. Chairman,

Malta, a 320 square kilometre island in the centre of the Mediterranean, has a population of 360,000 with a strong unique identity molded in time from a unique blend of Semitic origin, Latin culture and Anglo-Saxon grooming. This island, at Europe's southernmost frontier, is the only European country that speaks a Semitic language and has the only Semitic language which is written in the Roman alphabet. This small island people has a university that dates among the older ones in Europe, having a history of 400 years and that has ever since prepared our professionals in the several disciplines. It is probably because of this educational base and the political maturity at our people that Malta emerged from colonial rule in 1964 peacefully and virtually unscathed. With independence, Malta took its place among the great community of nations and has ever since modestly contributed towards peace, security, international solidarity and rule of law in both UN and European fora. It has taken important initiatives in the United Nations General Assembly, introducing the concept of the seabed as the common heritage for mankind as well as that of common concern of the environment for all mankind. The former culminated in the Law of the Sea Convention and the latter resulted in creating international awareness in the short term to the gravity of the problem that calls for immediate redress.

Mr. Chairman,

I humbly feel that the Maltese experience in endeavoring to fulfill its political, social, educational and economic aspirations could perhaps serve as a model for others in the international community's efforts to achieve a universal culture whereby respect for human rights as a birthright become a way of life. The modern state of the twenty-first century should aspire to social and communitarian goals but always keeping foremost the respect for fundamental rights and liberties of the individual who is the central component of any society. We do not invoke individualism but communitarian values and solidarity in full respect for the dignity of the individual. States necessarily exist to serve the individual and not to be served by the individual.

Mr. Chairman,

We modestly feel that Malta has a good track record in the sphere of human rights. Despite centuries of domination by foreign powers, we have always struggled and succeeded with pride to maintain our identity, our language, our way of life and our creed. Malta, now a sovereign and independent state with a parliamentary democracy, has passed through eras of slavery, feudalism and colonialism. However, we have been among the first to outlaw slavery and to abolish all feudalistic remnants from our statute book. In 1802, when Malta sought the help and protection of the British Crown, our forefathers drew up and sent to the British Monarch a declaration of rights which together with the declaration of 1811 stressed their fundamental rights to freedom of worship, to a free press, and to be judged by one's own peers.

After years of popular insistence for an autonomous constitution, the Maltese were granted their first self-governing constitution in 1921 and freedom of worship and the independence of the judiciary, which had always been regularly respected, were for the first time constitutionally established. Constitutional recognition of other human rights developed ever since while the 1961 Constitution and the 1964 Independence Constitution entrenched and protected fully the vast majority of human rights and fundamental freedoms of the individual. In recent history, we had a short period of political turbulence when human rights in Malta bore the brunt of highhanded rule; yet with political maturity, determination and perseverance, Malta came out a stronger democracy with its people deeply imbued with a deep sense of freedom, social justice, tolerance and respect for the rule of law. In 1987, the Malta government endorsed the right to individual petition thereby granting to each citizen the additional safeguard of the right individual petition to the European Court in Strasbourg. In that same year, just after the election of my government to power, the first law to be promulgated, by design, was Act XIV of 1987 which incorporated the European Convention of Human Rights and the first protocol as an integral part of our domestic law. Thus, government wanted to demonstrate its determination and its commitment to the total observance of human rights as outlined in our Constitution and the European Convention. All Maltese individuals were consequently given the additional protection of the Convention and access to justice in the European Court of Human Rights.

Malta has also ratified the Optional Protocol the International Convention on Civil and Political Rights granting to every individual the right to lodge a complaint before the UN Human Rights Committee. Just before the May elections in 1987, Parliament unanimously amended the Constitution to ensure that a political party obtaining the absolute majority of votes in a general election acquired a majority of seats in Parliament. To ensure total transparency, amendments to the electoral procedures were later unanimously approved granting all political parties contesting general elections the right to verify, control and supervise the whole electoral process to ensure that elections are free and fair. In that same year, an amendment to our Constitution added gender to race, color, creed, place of origin and political opinion as a ground upon which a person may not be discriminated against.

Mr. Chairman,

Slavery, as I mentioned previously, has been abolished in Malta since 1798. We have for a long time been parties to international conventions which forbid slavery.

The right of freedom of expression, traditionally observed and constitutionally safeguarded, has recently been further enhanced by a liberal broadcasting law, which ended state monopoly in radio and television. This new law on broadcasting revolutionized the relationship between the broadcaster and the receiver ensuring pluralistic transmission and reception to satisfy public demand for balanced and extensive information on all issues.

Mr. Chairman,

Malta is a full party to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. The aims of the former Covenant can now be said to have been reached as the vast majority of social rights are fully protected by our Constitution or by our ordinary law. In Malta there is complete freedom of association, and its social security laws guarantee an adequate standard of living for every citizen and his family. Health standards are good and every individual has a right to free hospitalization while all Maltese citizens enjoy the right to free education from kindergarten to university. The objectives of the latter Covenant are also fully protected by our Constitution and by Act XIV of 1987, which incorporated the European Convention on Human Rights in our law.

Mr. Chairman,

More than two decades ago, Malta abolished the death penalty, except for specific crimes in times of war. The last execution in Malta took place in 1944. Malta besides being a party to two important Conventions on the Suppression of Cruel and Inhuman Treatment and Torture has secured protection for these rights both in our Constitution and in the said Act XIV of 1987. Furthermore, political sensitivity and awareness on human rights is maintained by information through the mass media about Court pronouncements. Our police recruits, prior to their being entrusted with responsibility for law and order, are instructed on human rights, about the rights of arrested persons, about the law on illegal searches and arrest, about the importance of dignified and correct treatment and about the right to privacy, *et similia*. In the suggested reform of our Criminal Code a new provision has already been included that makes torture, a special form of bodily harm that justifiably attracts to it very severe punishments. Imprisonment for a civil debt disappeared from our statute books long ago.

Mr. Chairman,

Malta has also ratified the UN Convention on the Rights of the Child and most of the rights therein enshrined are also protected by our Constitution and our Civil Code. Nevertheless, Malta is closely following the work of the Council of Europe Family Law Committee to further refine and fine-tune, if needs be, our laws to safeguard more fully the rights of minors.

Malta is also bound by the Convention on the Elimination of All Forms of Discrimination against Women. The equal status of both sexes is now constitutionally guaranteed and the amendments to our family laws are presently being debated in Parliament to make them better reflect the new social reality.

To implement further the principle of subsidiarity and to bring power closer to the people, the Maltese Parliament is also presently debating a bill to decentralize and transfer certain powers from central authority to local councils, which are also being constituted by this same law.

Mr. Chairman,

One can only provide possible solutions to problems if one assesses in depth the real causes and is fully cognizant of their true facts. The problems in the way of rapid application, implementation and enforcement of human rights are of a socio-political and economic nature, and so long as these persist, full implementation and enforcement of human rights will remain elusive.

The International community, while appreciating these socio-political and economic realities, has to excogitate innovative transitory measures, which will help accelerate the process of universal application.

We welcome the idea of appointing a High Commissioner for Human Rights to ensure vigilance and be a focal point for the proper organization of initiatives. Malta feels that if the UN, as an initial step and as a transitory measure, were to emulate Europe's time tested instruments and set up a world court on human rights by means of a Convention, the international community would have by this instrument taken a bold step forward in the process of universal implementation and enforcement of human rights.

This would be the instrument of enforcement applicable initially to the States Party to the Convention. It would also demonstrate in concrete terms to the non-party states the determination and commitment of the UN Organization to implement human rights and appeal strongly to the peoples of non-party states.

This instrument would also serve to accelerate the process of enforcement by making it possible for States Parties to enter into bilateral or multilateral treaties with non-party states extending thereby the protection of such Convention to nationals of State Parties who happen to be within the jurisdiction of such non-party states.

By these treaties non-party states would grant nationals of State parties the right of recourse to the world court on human rights. The basis of such treaties would be one of reciprocity as nationals of non-party states found in the jurisdiction of State Parties would also be guaranteed such recourse.

The implementation of this proposal would ensure that nationals of States Parties would enjoy this privilege to be born, to live and to travel under the protection of the Universal Declaration of Human Rights and the world court.

Mr. Chairman,

Future generations will judge us all by the way we respond to the challenges of change. The crucible test of human rights is felt most in times of economic, social and political upheavals and as my Prime Minister stated "times of change create new challenges and call for new relationships, new responsibilities and new initiatives." This demands determined action out of conviction. Nothing strengthens democracy and human rights more than dynamic and broadly shared economic growth coupled with solidarity and subsidiarity. Violations of human rights are of serious international concern not only because they annihilate human dignity but also because they inherently destabilize nationally and a constant potential threat to peace internationally. The international community

conscious of its global responsibility should be equipped to respond rapidly, efficiently and effectively to safeguard peace and reaffirm human rights wherever violated.

Thank you.

VELAZQUEZ, Igor (President), spoke in Spanish:

Thank Your Excellency for your statement. I should now like to give the floor to Mrs. Marjorie Thorpe, the Deputy Director of UNIFEM. You have the floor.

THORPE, Marjorie (UNIFEM):

Keywords: WOMEN'S RIGHTS - UNIFEM - GENDER-BASED VIOLENCE - DEVELOPMENT - ENVIRONMENT - CUSTOMS AND TRADITIONS

Mr. President, Excellencies, distinguished delegates,

Two days ago, more than a thousand participants at this World Conference attended a Global Tribunal on violations of Women's Human Rights. In the course of their presentations, the witnesses, drawn from countries Of the North and of the South, explored many diverse forms of abuse experienced by women the world over. Many of the stories recounted were harrowing in the extreme and the audience shared in the horror and the pain. But everywhere in the gathering one could also discern a profound sense of frustration - frustration that such obvious violations of women's human rights should still being tolerated and this some forty-five years after the Universal Declaration of Human Rights.

Mr. Chairman,

UNIFEM has supported the global campaign for women's human rights because we accept the universality, indivisibility and interdependence of all human rights. Because we have come to understand that as a Fund established to support the economic and social advancement of women of the developing world, the fulfillment of our mandate depends on the elimination of those laws, policies, practices and customs that discriminate against women.

Sustainable development depends equally on the efforts of women and men in the North and the South; and the survival of our planet depends on our achieving sustainable development. When we allow women to be targets of gender-specific violence, when we prevent their full participation in the economic and social life of their communities, when we limit their access to positions of leadership and decision-making within their own societies and in the larger international community, we are not only negating those principles of human rights that constitute the cornerstone of our organization but we are also compromising the very viability of the development effort on which our common future depends.

Development has been defined "as an effort by people themselves to take maximum advantage of their resources and opportunities not only to attain higher living standards but also to achieve a new status in the world based on an improved sense of identity, self-respect and self-reliance." Cast in these terms, development may be seen as an empowering process, a process that seeks to enlarge people's choices, to create an environment in which people's abilities, talents and creativity can find full expression.

Mr. Chairman,

UNIFEM subscribes to this concept of development and for this reason the issue of violence against women is for us a matter of the first importance. When UNIFEM was founded nearly a decade ago, it did not occur to us to focus on gender-specific violence as an obstacle to economic and social

development. In 1992, however, UNIFEM published *Battered Dreams*: an analysis of the ways in which violence against women subverts the development process.

UNIFEM has also placed a senior advisor in the Department of Humanitarian Assistance to assist the Department in elaborating gender-sensitive policies in relation to women in especially difficult circumstances including internally displaced and refugee women. In Latin America, UNIFEM has helped to fund the formation of a region-wide network to end violence against women. In Asia, we have supported the establishment of India's first resource center on sexual violence. In Africa, UNIFEM launched an effort to provide Liberian women refugees with the counselling and skills training they would need to survive the trauma of uprootedness and to advance their progress along the continuum from relief to development.

These initiatives have all been necessary because everywhere women, because they are women, live with the threat of systematic and structural violence that denies them their fundamental rights to life and security of person. Moreover, while we know this to be an experience shared by women of the North and of the South, data recently released suggest the greater vulnerability of women in the developing world.

By way of example, we have been told that under normal demographic and economic circumstances a female to male ratio significantly below 100 in the general population reflects the effects of discrimination against women especially with regard to nutrition and access to health care as well as the cumulative effects of excessive childbearing.

We have now learnt that in the less developed countries as a whole there are only 97 women for every 100 men. And that's an average. In many countries, the number of women falls well below that average. Indeed, on the basis of demographic data, the United Nations Development Programme recently estimated that in Asia alone 100 million girls and women appear to be missing.

Mr. Chairman,

We believe that in all regions of the world, millions of missing women have been victims of female foeticide, selective malnourishment, neglected health problems and other forms of gender violence. Moreover, as pointed out by the author of *Battered Dreams*, "Women experience violence as a form of control that limits their ability to pursue options in almost every area of life: from home to schools, work places and most public spaces".

Violence against women hinders the human development of women themselves. It also affects the development and wellbeing of children and families and it deprives society of the critical contribution that women can and do make to the entire development process.

Mr. Chairman,

It has been observed that "the process of change does not begin as a positive experience but as a profound disturbance to people, whose overcoming of their apprehensions and doubts will alone make it a positive experience." We do not deny that changing women's social, economic and legal position in any society falls into this category of experience or that such an undertaking requires extraordinary political will.

And yet at the Earth Summit held in Rio last year, the international community acknowledged the connection between women, environment and development and approved a number of measures designed to include women's perspectives in the discussion of environmental issues and to promote women's contribution to the resolution of the environmental crisis.

Today, UNIFEM is again urging the international community to integrate women's experiences into another mainstream discourse by ensuring that issues of women's human rights also inform all levels

of debate and all discussions of human rights policy and by endorsing the call of the Conference's Secretary-General for "an attitude of equal vigilance and equal treatment for all human rights violations whatever their origin".

Mr. Chairman, distinguished delegates,

We at UNIFEM know only too well that the move from margin to center is never easily accomplished but I would like to share with you an analogy developed up by the Fund's Director, Sharon Capeling-Alakija, at a recent meeting:

"Imagine", she tells us, "a discrete group in any nation of the world, North or South, numbering - say - two or three million. Imagine the government of that nation allowing its citizens, with impunity, to beat members of this group in their own homes; to abuse them sexually at will; to mutilate them; to kick them to death or burn them.

Imagine that government routinely denying this group land ownership rights or seats in schoolrooms and universities; imagine its demanding their labor with little or no compensation. Imagine the use of culture and religion to legitimize these acts. And imagine, finally, that these people are subject to all of this abuse simply on the basis of their membership in this group.

We would have no trouble recognizing these acts as blatant and massive violations of human rights. We would have no trouble persuading human rights activists to champion their cause".

Women have struggled throughout the twentieth century for equality at the economic, social and political levels. They have made much progress but much more needs to be done. We have to ensure that in all our institutions of governance decision makers are aware of women's concerns and that more decision makers are women.

We must develop public accountability systems that will reward those who support and protect women's rights and will censure those who fail to do so.

We must strengthen those institutions within the United Nations system and in the larger society that advocate on behalf of women. We must promote the equal responsibility of men for advancing gender issues. And we must develop alternative strategies to combat gender ideology that holds women trapped in what has been described as "the silent emergencies" of gross poverty, underdevelopment and violence.

Mr. Chairman,

Implementing the widely articulated commitment to women's human rights is not an act of chivalry nor an act of grace. Nor is it a matter of choice to be negated in the interest of ethnicity, culture or religion. It is a responsibility that our interdependence obliges us to accept.

I thank you.

VELAZQUEZ, Igor (President), spoke in Spanish:

Thank you very much for your statement. I should now like to give the floor to His Excellency Mr. Mohammed Salem Basindwa, Minister of Foreign Affairs of Yemen. Your Excellency, you have the floor.

BASINDWA, Mohammed Salem (Yemen), spoke in Arabic:

Keywords: HUMAN RIGHTS VIOLATIONS - HUMAN RIGHTS PROTECTION - YEMEN - DEMOCRACY - DEVELOPMENT - FINANCIAL ASSISTANCE - PALESTINIANS - BOSNIA AND HERZEGOVINA - SOUTH AFRICA

In the name of God, most gracious, most merciful.

Mr. President,

First of all, we would like to express congratulations, my own and those of my delegation, on your election to the presidency of this historic Conference. I am certain that your wisdom, your skill, your personal qualities will make it possible for us to achieve success and positive results, judicious decisions, which will make it possible to strengthen the concept of human rights.

The concern of the country of Austria to host this Conference shows the interest of the Austrian people in human rights. However, these rights are being violated quite close to here. Also, you are concerned to help to spread peace throughout the world.

I would also like to express Yemen's pleasure at participating in this Conference in an effective manner because we consider that this is a remarkable event and a turning point in the life of humanity, in international relations following the end of the cold war.

Mr. President,

Human rights have become an element in the new world order. This world order is to be based on the Universal Declaration of Human Rights proclaimed in 1948 as well as the Geneva Conventions and the two Covenants relating to civil and political rights as well as economic, social and cultural rights as well as other international instruments in the field of human rights. The respect by states of these principles and their implementation will lead to the strengthening of democracy and peace throughout the world and it will open up new prospects for fruitful cooperation amongst the various peoples of the world on the basis of equality and complementarity.

We do not want to attribute a special honor to ourselves in saying that Yemen was the precursor of democracy in adopting the principle of consultation. This has contributed to the progress of human society. Against this historical background, the Republic of Yemen since its creation in May 1980 after reunification has adopted democracy based on political pluralism and a multiparty system providing to the people legislative and jurisdictional rights, which guarantee the economic, social and cultural rights in accordance with the Convention ratified by the popular referendum as well as the laws on parties, political organizations and elections and the laws on the press.

In spite of all of the problems we face, nevertheless, we have succeeded in laying down the basis for democracy according to the principle of political pluralism and peaceful alternation. We have held parliamentary elections that took place last 27 of April, which thus made concrete our absolute respect for human rights and fundamental freedoms as a precondition for democracy.

Mr. President,

The proof of Yemen's respect of the United Nations Charter and the Universal Declaration of Human Rights lies in the fact that the 27 Articles of our Constitution mention that all subjects are equal without any consideration of sex, color, origin, language, confession, social status or religion. Article 39 says that citizens have the right to organize politically, professionally and from the point of view of trade unions and to organize scientific, cultural and social organizations. The state adopts all necessary measures to make it possible for citizens to enjoy their rights and to guarantee freedoms to institutions, to political, cultural, scientific and social bodies and trade unions.

The Republic of Yemen gives particular attention to women. The Constitution guarantees women the right to contribute on an equal footing with men in all economic, political, social and cultural spheres to make it possible for them to contribute effectively to the transformations underway in our society.

In order to create a propitious environment for the wellbeing of the child, Yemen is undertaking every possible effort to bring about for children the protection and family stability enabling them to develop the qualities and their talents.

In the same way, we are dealing with the purpose of the disabled in accordance with the provisions of the Convention on the Rights of the Child adopted by the General Assembly.

The state attaches particular significance to the aged, to the disabled and gives them every possible social protection making it possible for them to be integrated socially and to have stability of the family.

Mr. President,

We affirm that the right to development is in direct relation with all human rights because all rights and fundamental freedoms are complementary and cannot be divided. Dr. Boutros-Galli, the Secretary-General of the United Nations, stated that the concept of human rights is meaningless for those who do not have enough to eat, who are homeless and are deprived of the necessities of life. The freedom of the press is meaningless in a society where illiteracy prevails. Given that the right to development is an alienable right of humanity and the greatest threat to human rights and is represented by poverty, the international community must create appropriate mechanisms to take into account this right and to act in such a way as to enable the least developed countries, the countries of the South, to overcome poverty and to put an end to tension and international conflict and preserve international peace and security.

International assistance to developing countries must in no way be subject to preconditions or political transformation because economic, political and social transformations of countries must take place bearing in mind their own objective, circumstances. Yemen here adopts the principle of democracy and development, which means the participation of the people in the planning, execution and monitoring of programmes as well as cooperation amongst all participants in society aimed at progressively eliminating differences in standards of living and bringing about economic and social development of an integrated nature in accordance with the provisions of our Constitution.

Mr. President,

From day to day, we see human rights violations in Palestine, in Bosnia and Herzegovina and elsewhere. The sufferings of the Palestinian people under the Israeli occupation every day provide tens of martyrs and those who are wounded, homes are destroyed, the children are expelled. There is the creation of Israeli colonies on the ruins of their homes. There is every form of persecution and violation of the dignity of man while the Zionists are creating new ways of persecuting the Palestinians. This is worse than everything done by the fascists and the Nazis. All of this represents war crimes in accordance with Principle 3 of international law and in violation of the Geneva Convention. The granting of the right to self-determination to the Palestinian people to make it possible for them to exercise their inalienable national rights and to create the Palestinian State would represent *sine qua non* condition for the success of peace negotiations in the Middle East and to respect the rights of the Palestinian people.

The international community takes on the responsibility of obliging Israel to respect resolutions 242 and 338 of the General Assembly; and the UN must work at to bring about the implementation of its resolutions in accordance with standards of justice. There should be no selectivity here in accordance with the objectives of humanity as a whole.

Another tragedy, Mr. President, resides in the policy of ethnic cleansing, the shameful policy carried out by the Serb forces against the Muslims of Bosnia and Herzegovina where we see crimes, rape, assassination, deposing and persecution of tens of thousands of Muslims. What we see, what is happening in Bosnia and Herzegovina is a scandal not only for those who go to international meetings to make speeches about human rights but for the humanity as a whole. The humanity remains stupefied and silent before the acts of this tragedy, which we are present from day to day. We are quite close to Sarajevo.

We are holding our international meeting with our Conference on human rights is a time when the disabled throughout the world are meeting in Budapest and from there they are to walk towards Sarajevo so that the cries of pain can be heard throughout the world. We also should imitate them and we should also march to Sarajevo keeping at our head the NGOs and perhaps we could have at least one meeting somewhere in this town Sarajevo, which is currently a sorry place and formerly it was such a beautiful city, in order to bear witness to our spirits of solidarity with the victims, so that we can show a condemnation of the butchers and rapists. Perhaps, the conscience of the decision makers could then be awakened in order to put an end to this tragedy and to utilize all possible ways and means to safeguard the political sovereignty and independence of Bosnia and Herzegovina and the return of Bosnian refugees thus bringing an end to a genocidal war.

The continuation of acts of violence in South Africa is ongoing so is the apartheid in the framework of flagrant violations of human rights. We were optimistic when we heard that the general elections were due in April 1994 with the participation of all citizens of South Africa. However, we must be cautious and make sure that this is the case and that the apartheid does not persist under another name. The United Nations system must work to create a national government making it possible for all inhabitants of South Africa to eradicate apartheid.

Mr. President,

This Conference should represent a starting point for the consolidation of human rights for the respect of national sovereignty, the avoidance of interference in the internal affairs of peoples to give a priority to the culture of non-European peoples and their principles and their noble revealed religions.

We should also grant the necessary assistance to these peoples so that their development may really be launched. This Conference will give rise to conclusions strengthening human rights, creating a new civilization for all peoples and the preparation of new international relations on the basis of reciprocal respect of rights and the consolidation of international peace and security.

Permit me, Mr. President, to express to you and to the people and government of Austria our thanks for hosting this Conference in your splendid country, in this beautiful city of Vienna. Let us hope that this Conference will represent a milestone here. We would like to thank you, we would like to thank the city of Vienna and we would like to thank the participants for listening so late in the evening to our statement.

Thank you, Mr. President.

VELAZQUEZ, Igor (President), spoke in Spanish:

I thank your Excellency, for your statement. I would now like to inform the meeting that due to the lateness of the hour I am going to have to adjourn this meeting very soon. The next speaker is His Excellency the First Deputy Minister of Foreign Affairs of the Republic of Moldova, His Excellency Mr. Ion Botnaru. Unfortunately, he will not be able to speak because we only have the interpretation services for a very short time now. I wonder whether His Excellency would be prepared to be the first speaker on the list for tomorrow morning?

Thank you very much Your Excellency for your understanding. Tomorrow morning you will be the first speaker in Plenary.

I should now like give the floor to the delegation of Iraq because it wishes to make use of the right of reply. Could I remind that delegation that the right of reply implies that the floor is taken for a maximum of five minutes in accordance with our Rules of Procedure. I give the floor to the delegation of Iraq.

AL-TIKRITI, Barzan I. (Iraq), spoke in Arabic, right of reply:

Keywords: IRAQ - UNITED ARAB EMIRATES - PRISONERS

Mr. President,

In the name of my delegation, I wish to express our deep regret that the representative of the United Arab Emirates has referred to my country, to a matter that is unrelated to the work of this Conference or the issues to be discussed by it. It is most surprising that this reference by that delegation regarding that question was made in a way that indicates full ignorance of the dimensions of the matter. Moreover, the government of my country has exerted all efforts to put an end to that question totally. The delegation of the United Arab Emirates in this most inappropriate reference wishes to pull our leg to discuss a political matter that would lead to peripheral matters deviating from the topics of this Conference. If that delegation was actually interested in the matters that he has referred to, he should have not taken such an opportunity to tackle such a question in this forum at a time when he is fully aware that there are international and Arab efforts underway in order to settle the question according to international rules and regulations in the interest of all. Thank you, Mr. President.

VELAZQUEZ, Igor (President), spoke in Spanish:

Thank you. I now close the tenth plenary session of the World Conference on Human Rights. Thank you, the meeting stands adjourned.