



لتظلّ الشعلة وهّاجةً - 保持火焰永不熄灭

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

Que no se apague la llama

7th plenary meeting, 16th of June 1993

World Conference on Human Rights

Vienna, 14-25 June 1993

7th plenary meeting, 16 June 1993

[A/CONF.157/PV.7]

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

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Compiled and published by the OHCHR Library, Geneva, 2021.

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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.

GARRETON, Roberto (President), spoke in Spanish:

I call to order the seventh meeting of the plenary of the World Conference on Human Rights.

In accordance with the decision this morning, we shall begin the meeting with the exercise of rights of reply. Nevertheless, before giving the floor for rights of reply I should like to express the solidarity of this Bureau with the delegation of Chili, which I have the honor to represent, with the staff members of the United Nations who today conducted an event in the Hall of this building in memory of United Nations staff members who were killed as a result of violence or people who have disappeared. The Bureau associates itself with this tribute. Particularly, on my part, I would like to associate myself with the disappearances of two people.

Now to begin this meeting, I should like to give the right of reply for five minutes, which will be strictly observed, as in Article 24 of the Rules of Procedure, first of all to the distinguished representative of India.

ABDULLAH, Farook (India):

Keywords: INDIA - PAKISTAN - GOOD NEIGHBOURLINESS - HUMAN RIGHTS VIOLATIONS

Mr. President,

We condemn the extraordinary offensive intervention of the leader of the Pakistani delegation in raising country specific issues. This is against all the rules and norms under which this Conference is required to function. This is the only case where the delegation of one country has indulged in malicious, motivated and baseless allegations against another country participating in this Conference.

Mr. President,

We are all assembled here to fashion the structural framework of upholding human rights at the global level. We are assembled here not to indulge in the polemics of rationalizing criminal acts of interference against a neighboring country under the pretense of talking about human rights. A country with an abysmal record of dealing with human rights of various sections of its own people has no business to preach to a vibrant democracy like India on human rights using the forum of Human Rights Conference. A state like Pakistan, which is supporting terrorism, trying to indulge in using slogans of human rights to further its narrow interests, encouraging secessionism in India, which will

never succeed; continued attempts to internationalize an issue that is emerged as an issue because of Pakistan's activities will not be allowed to go recruiting on India's territorial integrity; continued speeches at international Conferences cannot disturb the status of Kashmir as an inseparable part of India.

Mr. President,

As many of you know, Pakistan launched three wars on India to take Kashmir. When they did not succeed by force, they resorted to terrorism, took boys from the state across the border, trained them with the latest sophisticated weapons that they got and sent them back. They terrorized the people, burned schools, hospitals, colleges, every single building of the government that they felt should be destroyed was put to fire. When they did not succeed at that, every other person who did not accept acceding to Pakistan was shot. Summary trials were held by them and they hung them by the trees, many of them were burnt in their houses. When they did not succeed at this also, many of the women were raped and many of the boys who went across the border were sodomized. If this is what the human rights are? And I would like to ask this assembly, is this what Pakistan wants to do, India wants to live in friendship with that country.

They have said repeatedly at all international conferences that under the Shimla Agreement we are ready to discuss any issue that is there between the two countries. But they still continue to pursue the war, the methods of war. Terrorism should be opposed by every nation that is attending this Human Rights Conference. It is not by force they will be able to dismember India. India is going to stand on its feet. It is going to fight for its territory that it has got. The whole India has to be maintained and the people of India be it Hindus, Muslims, Sikhs, Christians, whoever they are, have to live together in harmony not only with each other but with the others also.

Mr. President,

India will continue to strive for human rights and will continue to lead a democratic life in this world. I may mention that I belong to Kashmir and that I was its last Chief Minister. In 1990, January, I left the Chair. So, I know fully well as to the amount of terrorism that was promoted from the other side. We have instances but, unfortunately, the Pakistani delegation, the Chief, has raised so many false things in her speech here. I request her as well as her delegation that we should try for peace in the region and not create problems that will further escalate war in our region. That will not help our region in progress. We are a backward country and we want to progress with this world.

Mr. President, thank you again.

GARRETON, Roberto (President), spoke in Spanish:

I thank the distinguished representative of India. For the first time, I now give the delegate of Pakistan the right to reply. Delegate of Pakistan, for the time mentioned in the Rules of Procedure, as I said.

Khalil-UR-REHMAN (Pakistan):

Keywords: INDIA - PAKISTAN - GOOD NEIGHBOURLINESS - HUMAN RIGHTS VIOLATIONS

The leader of the Pakistan delegation specifically referred to the situation in Jammu and Kashmir because like Bosnia and Palestine it is an area where every human right enshrined in the UN Charter and in the Universal Declaration of Human Rights has been and is being violated.

Mr. President,

The deliberations of the Conference would be absolutely futile if they do not take cognizance of atrocities perpetrated by nearly half a million Indian military and paramilitary forces against the people of Jammu and Kashmir. Jammu and Kashmir is a UN designated disputed territory. The United Nations has been seized with this problem from the very outset. The Security Council adopted several

resolutions calling for the holding of a plebiscite under the UN auspices to enable the Kashmiris to exercise their rights to self-determination. These resolutions were agreed to by India. Even today, there is UN personnel posted on both sides of the line of control. The Security Council has not rescinded its resolutions on Jammu and Kashmir. Jammu and Kashmir is, therefore, not a bilateral problem, it is an item on the unfinished UN agenda. The international community has never accepted India's claim that Jammu and Kashmir formed part of its sovereign territory. Even the Indian Constitution gives Jammu and Kashmir a status not according to areas constituting integral part of India. New Delhi's claim that Jammu and Kashmir is an integral part of its sovereign territory is a flagrant violation of UN Security Council resolutions and an insult to this forum.

The root cause of the problem in Jammu and Kashmir is India's unilateral, illegal annexation of a UN designated disputed territory and its persistent refusal to allow the implementation of resolutions of United Nations Security Council. The Indian spokesman, as expected, tried to deflect attention from the brutal suppression of the Kashmiri struggle by accusing Pakistan of interfering in Kashmir and of giving alms and other material support to Kashmiri freedom fighters. Pakistan has repeatedly denied the absurd Indian charge of interference in the internal affairs. Pakistan has offered India bilateral arrangements to monitor and prevent illegal trans-border movements. India has refused these offers. One only wonders as to why. In regard to Jammu and Kashmir, we have suggested the stationing of an independent neutral monitoring mechanism to verify the situation along the line of control and to suggest ways and means of preventing any infiltration or exfiltration of persons across the line of control. India has consistently refused this proposal. One again wonders as to why.

Mr. President,

India has not been able to hide its brutal crackdown in Jammu and Kashmir. The gross violations of human rights committed by its military and paramilitary forces, these have been thoroughly researched and meticulously documented by several reputed Indian human rights organizations such as the People of the Union of Civil Liberties, the Coordination Committee and Kashmir and the South Asian Documentation Centre. Indian human rights bodies were, in fact, the first to highlight and condemn the atrocities committed by the Indian forces. Indian print media has also frequently denounced the reign of terror unleashed by India in Kashmir. A number of leading international human rights organizations such as Amnesty International, Asia Watch, Physicians for Human Rights, the International Federation of Human Rights and the Human Rights Committee of the British Parliament have published reports containing details of terrible human rights situations in Jammu and Kashmir. Asia Watch and Physicians for Human Rights sent a team to Kashmir in October last year. These two leading human rights organizations have since produced two reports. The first report titled "The crackdown of the Kashmir: Torture of the Detainees and Assaults on the Medical Community" was published in March in 1993. In May 1993, they released their second caption "Rape in Kashmir: A Crime of War." These two documents catalogue hundreds of specific instances of state-sponsored violations of human rights. No wonder India consistently opposed the role of NGOs at this forum.

I thank you very much, Mr. President.

GARRETON, Roberto (President), spoke in Spanish:

I now give the floor to the delegation of India to exercise the right to reply. Time limit is three minutes. You have the floor, Sir.

ABDULLAH, Farook (India):

Keywords: INDIA - PAKISTAN - GOOD NEIGHBOURLINESS - HUMAN RIGHTS VIOLATIONS

I would not like to waste any more time of this august house and, therefore, would not want this right of reply. Thank you.

GARRETON, Roberto (President), spoke in Spanish:

I thank the delegation of India. The delegation of Turkey has asked for the floor on the point of order. Turkey has the floor.

AKTAN, Gündüz S. (Turkey):

Keywords: GENOCIDE - BOSNIA AND HERZEGOVINA - UN. Security Council

Thank you, Mr. President. I am sorry for taking the floor on the point of order.

Mr. President,

Yesterday an appeal was adopted unanimously by the plenary on Bosnia and Herzegovina. That was a moment of honor for this Conference. Today we are informed that the text of this appeal has not been forwarded yet to the UN Security Council. This text has not been circulated either. As you know, the appeal talks about nothing less than genocide in Bosnia and Herzegovina and Goražde, which is about to fall to the aggressors. The utmost urgency of the matter is evident. I would greatly appreciate if an explanation can be provided, thank you.

GARRETON, Roberto (President), spoke in Spanish:

I now give the floor to the Secretariat to provide an explanation.

WCHR. Secretary:

Keywords: GENOCIDE - BOSNIA AND HERZEGOVINA - UN. Security Council

Mr. President,

The Headquarters in New York were informed in the course of the evening yesterday of the appeal adopted by this Conference in the course of the normal communications that this Conference conducts with Headquarters. The formal notification to the President of the Security Council from the President of this Conference is about to be sent at this time. We regret any delay, which was due to the technical need to ensure that the text was in proper and due form. Thank you, Mr. President.

GARRETON, Roberto (President), spoke in Spanish:

I thank the Secretariat. We hope the communication will be transmitted as expected. The delegation of Bosnia and Herzegovina to speak on a point of order. Is it a point of order, I am asking? So, a point of order. I give you the floor, Sir.

ARIFHODZIC, Nerkez (Bosnia and Herzegovina), spoke in French:

Keywords: GENOCIDE - BOSNIA AND HERZEGOVINA - UN. Security Council

Thank you, Mr. Chairman. I associate myself with the request of the Turkish delegation asking for the document formulating our common decision to be distributed. I would be grateful if this document can be proposed as soon as possible.

GARRETON, Roberto (President), spoke in Spanish:

That will be done.

With the consent of the Conference, I have the honor to invite Her Excellency Ms. Corazon Aquino, invited by the Secretary-General of the United Nations, to address this World Conference on Human Rights.

Ms. Aquino, it is an honor to receive you. You have the floor, Madame.

AQUINO, Corazon Cojuangco (Special invitee of the UN Secretary-General (Philippines)):

Keywords: PHILIPPINES - EXTRALEGAL EXECUTIONS - POLITICAL PRISONERS - DEMOCRACY - HUMAN RIGHTS MONITORING - SOVEREIGNTY - GOVERNMENT POLICY

Mr. President,

I address you today from a unique perspective. I am here both as a victim of human rights violations and as one privileged to have helped liberate my country from the dictatorship that imposed these violations. I have learned not only that oppression can be conquered but that it can be conquered without the greater tyranny of brute force.

But freedom is a strange gift, almost as difficult to use wisely as it is to lose. As a leader, I have discovered that upholding and promoting human rights as the first priority of government has often had to be done at great personal and political cost.

I hope today to impart to you that this is, nonetheless, possible and not only possible but necessary. My commitment to freedom has been criticized as ill-advised because it has been viewed as leading to a corresponding lack of discipline in my countrymen. Some equate democracy in the Third World with chaos. My contention is that there is no greater chaos than order when it is used as a rationale for depriving people of their freedom.

My people lived through fourteen years of martial law under the one-man rule of Ferdinand Marcos. In these fourteen years, thousands were jailed without charges, tortured or killed merely on suspicion they were enemies of government. My husband Ninoy Aquinos was among these victims. Throughout his imprisonment of seven years and seven months and his mock trial and sentencing to death by a military court, my children and I drew strength from knowing that we were not alone, that a substantial number of our countrymen silently supported my husband's peaceful struggle.

It was not a total surprise, therefore, that when Ninoy was murdered by agents of the state at the steps leading to the tarmac of the Manila International Airport on August 21, 1983, Filipinos turned out in the millions to express their anger and their grief. And that less than three years later, their anger and grief had turned into the revolutionary courage needed to drive out the dictator. Those heady days of peaceful change in my country were recorded by the media and flashed all over the world as a triumph of the human spirit. EDSA, that strip of highway where our people converged to express their solidarity with all anti-dictatorship forces, including portions of the military, became a part of the world map.

Our peaceful revolution made us international darlings but we learned there is a great difference between reaction and concrete action. Governments and political leaders paid us lip service but hardly any meaningful assistance. Financing institutions stalled behind the shield of banking principles instead of acknowledging the universal principles of human relations. The international community praised us and then came up with reams of analysis on the EDSA revolution. Meanwhile, our economy was bankrupt after having been raided by the Marcoses and their cronies. How were we to sustain our newly won freedom without rice in our bellies? Although the Philippines had laid claim to have set the stage for such struggles, our moment had passed. It would dawn on us that we would have to go it alone.

Fortunately, the lessons of EDSA were not altogether lost. Soon, EDSA reappeared in Berlin, spread to East Germany, the whole of Eastern Europe and even to the Soviet Union. Repressed peoples all over demonstrated that more than academicians, statesmen, politicians, international bankers and world leaders, it was they who truly understood what EDSA meant. No praise, no applause, no analysis and no sympathies for them – just emulation.

When we deposed Mr. Marcos in 1986, the highest expectation from the new government was that it would restore democracy and protect and promote human rights. During my presidential campaign, the loudest cries I had heard were not for food, not work nor money but for democracy.

And so, along with the dismantling of the political and economic structure of the dictatorship, I proceeded to restore press freedom and the respect for human rights.

My first act as president was to release all political prisoners including members of the Communist Party despite opposition from the military. Then I created the Presidential Committee on Human Rights led by human rights lawyer Jose Diokno who had once been imprisoned with my husband. Its mission was to investigate human rights violations during the Marcos regime and to recommend steps to further promote human rights in the country.

On the recommendation of the Diokno Committee, I repealed repressive presidential decrees issued by Marcos, among them those which suspend the writ of *habeas corpus*; which authorized the president to issue arrest orders during a state of emergency, in the interest of "public safety" or to "quell invasion;" and which authorized him to arrest those who had taken part in political offenses. Last year, my government repealed Presidential Decree 1850 that guaranteed a military trial for armed forces personnel suspected of human rights violations.

Repealing repressive laws, I was sure, would not be enough. Those in the cutting edge of the fight against insurgency and crime would have to understand, appreciate and internalize the concepts and values involved in human rights protection. I, therefore, issued an order that would require all police and military personnel to undergo training in human rights concepts, principles and laws. To help preclude a repeat of government sponsored human rights violations and to make human rights violations anathema to the succeeding generations of Filipinos, I issued another order that requires the teaching of human rights in the formal and informal school systems.

When I first took office, understandably without the benefit of an orderly turn-over, we had to spend time studying the real situations as opposed to the lies pandered by the dictator. What we saw made not a few of my advisers blanch with fear for the future of our country. There were many who concluded that the damage wrought by fourteen years of martial misrule could not be corrected overnight. There were those who, even while blushing, counselled that perhaps we could really only bring our country back to its feet with the use of authoritarian powers favored by Marcos. But I have made my promise to our people. I said we shall restore democracy. And I decided to restore democracy through the ways of democracy.

In 1986, I created the Constitutional Commission, named a number of martial law activists as its members and tasked them with writing a new constitution for our newly restored democracy. The following year, our people overwhelmingly ratified this new Constitution, said to be one of the most eloquent expressions of a people's democratic aspirations in modern history.

This Constitution enshrines respect for human rights as state policy. Article II, Section II reads "The state values the dignity of every human person and guarantees full respect for human rights."

This Constitution declares "the state shall promote social justice in all phases of national development."

This Constitution guarantees that in maintaining peace and order "the protection of life, liberty and property and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy."

In May of 1987, I signed Executive Order 163 organizing the Philippine Commission on Human Rights in accordance with the Constitution. The Commission investigates all forms of human rights violations involving civil and political rights. It provides legal measures, which protect the human

rights of all Filipino citizens and all residents of the Philippines. It provides for legal aid for underprivileged victims of human rights violations. It exercises visitorial powers over jails, prisons and detention facilities, and handles the training of our police and military officers in human right concepts, values and principles.

In line with my policy of transparency, government invited various monitoring bodies to observe our efforts to restore and promote human rights. The Special Rapporteur on torture and the Working Group on Enforced and Involuntary Disappearances visited the Philippines in 1989 on our invitation. Though these groups' reports were critical of the country's human rights situation, we continued to cooperate with them because we believed in the integrity of the international instruments they were enforcing.

The policy of transparency also encouraged the proliferation of non-governmental organizations, many of them critical of my government's efforts in human rights protection and promotion. These organizations helped government appreciate the gravity of our human rights situation. In response, I created an advisory body, the Presidential Human Rights Committee, to advise me directly in human rights matters. The Committee was headed by the Secretary of Justice and had representatives of the human rights NGOs as members. Together they examined laws, processes, military guidelines in armed conflict, the treatment of prisoners and the arrest of those suspected of subversion; and they also drew up draft presidential issuances to improve the situation.

My human rights policy was also one reason a small group of officers who had enjoyed immunity during the previous regime were able to mount as many as seven coup attempts against my government. But it is a measure of the strength of our democratic institution that the majority of the armed forces stood by government. The army belonged to the people again, as EDSA had shown.

The Commission on Human Rights has reported that human rights violations decreased thirty-six percent from 1989 to 1992. By last year, the Philippines had ratified nineteen of twenty-four international treaties, instruments and conventions on human rights; six of them during my presidency: the International Covenant on Civil and Political Rights and its optional protocol; the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Elimination of All Forms of Racial Discrimination; and Protocol II relating to the Protection of Victims of Non-International Armed Conflicts.

It has become convenient for some nations today to invoke their sovereignty when their human rights records are criticized. Each state is, indeed, sovereign in the political and legal sense. National sovereignty is a sound legal principle and serves to shield weak countries against domination by the strong.

But we are all members of the human race first and individual sovereignty is by definition without geographical boundaries. For a nation to invoke its sovereignty while depriving its citizens of theirs would be the worst inhumanity. For other nations - no, other peoples — to swallow this sort of hypocrisy and do nothing would be no less a form of tyranny. The seeds of compassion, respect and justice lie in the hearts of men and women not in the abstractions of law, nor in that vast political machine called the state. They flourish in no particular race, in no particular country.

In 1986 at the United Nations General Assembly, I said there were "many ways to run a country but only one way to treat people: with decency and respect for their uniqueness as individuals. Only if those of us who have the responsibility of leadership respect our fellows and their essential right to find fulfillment in their lives can we hold our heads high." This respect of other countries in the free world for universal human rights rather than the rights of particular governments or nations was what helped my country overthrow a dictator. I am sure there are other aspiring democracies here who believe as I do in the effectiveness of human solidarity in protecting and restoring human rights and freedoms. I must stress here that this solidarity, should it take the form of intervention, must be pro-

people and non-political for it is all too easy for powerful nations to use restoration of democracy as a rationale for expansionism. All nations must express equal concern and initiate humanitarian action for both the victims of their allies and of their enemies, in both dictatorships and democracies. Only in this way can the community of nations succeed in ensuring the universal respect for human rights that it says is its goal. Nations, which have two sets of policies for human rights - one for their shores and a more accommodating one for friends who are useful for the moment - have no place in this community.

In my United Nations address of 1986 I had said that "to be free, you can, as a people, appeal effectively to international standards for human rights set by others such as the United Nations. Yet, in the end, to vindicate those rights, to achieve freedom you are on your own."

After six years as president, I have reached other conclusions.

First, if the restoration of civil and political rights is to succeed, it must be led by one committed to the seriousness of her mission. Serious danger comes from those threatened by reforms.

Second, it must have the support of the majority of the people who would be ready to die in its defense.

Third, it must be subject to the scrutiny of non-governmental organizations and the international community. Transparency keeps one honest and deprives one of convenient excuses.

Fourth, it must have the support of the bureaucracy. Government must be responsive. Public servants must be sensitive to the plight of victims. The proper laws must be passed and followed and the judicial system fair, effective and efficient.

Fifth, it must have the support of the military and the police. This does not come automatically but should be nurtured.

Sixth, human rights must not be used as a political or propaganda tool by government nor by any other entity in order to discredit the opposition. Any reporting on human rights must be truthful.

Finally, a government that undertakes this difficult but necessary task must not be thin-skinned. Criticism will be inevitable from those who expect dramatic change overnight, who will leave no room for honest mistakes, who will not be satisfied with anything less than perfection. These naysayers must not be made an excuse to abandon the whole exercise altogether. The majority have too much to lose.

In 1986, I told the Lawyers Committee for Human Rights in New York "The rule of law is the only human order. Its perversion, going by the name of "law and order" or "national security," should fool no one except those willing to be fooled. To think of human rights at all, to be concerned about them should be to think universally of human rights for all." I also said that the struggle for human rights was far from over.

That is true today as then and as true for my country as it is for others. We are still struggling under economic and political burdens. But I would like to think we have not forfeited our humanity for them. It is a lesson I hope the world can learn.

Thank you, Mr. President.

GARRETON, Roberto (President), spoke in Spanish:

Thank you, Madame President, for your outstanding statement. Before I call on the next speaker, I would like to give an explanation. The different countries that have put their names on the list of speakers would have liked to have more time to be able to decide on which day they spoke. Finally, all of the countries are on the list. It is very difficult for the Bureau to change the list if people do not

follow the order of the speakers' list. So, the Bureau, for the time I am here, will be keeping to the list as the speakers have put down their names. We will only allow bilateral changes between two countries. We cannot add anyone because that will be to the detriment of those who have put down their names earlier.

Thus, I now call on Mr. Mustafizur Rahman, Minister for Foreign Affairs of Bangladesh. You have the floor, Sir.

RAHMAN, Mustafizur (Bangladesh):

Keywords: HUMAN RIGHTS MONITORING - HUMAN RIGHTS VIOLATIONS - DEMOCRACY - DEVELOPMENT - ENVIRONMENT - UN High Commissioner for Human Rights - BANGLADESH

Mr. President, Excellencies, distinguished delegates, ladies and gentlemen.

At first, I would like to congratulate you, Mr. President, and all the distinguished members of the Bureau on your well-deserved election. I am confident that under your wise and able guidance the deliberations of the World Conference on Human Rights will lead to a better understanding of human rights issues in all its complexities; and the outcome would meet the needs of the time in a manner useful to humanity and constructive to the world legal order.

We meet today almost two score and five years after the proclamation of the Universal Declaration of Human Rights. The world, meanwhile, has seen major advances as well as setbacks in the observance of human rights principles and standards. While accomplishments deserve accolade, critical, sincere and comprehensive evaluation of setbacks and failures can alone on an occasion like this set us on the path of further achievements and progress.

Mr. President,

My delegation has come here with an open mind. We desire free and frank exchange of views in a rational manner. We would not like to engage in politics with ideas and values, which we consider part of fairness and justice; we will be nil on politics and full on the facts; we will offer practical solutions, not radical ones; we want the human rights and fundamental freedoms to take root in our society and prosper not because others are urging for it but that we ourselves want it; we will not be self-righteous and certainly not tell others what they should do or do not. In turn, we want others to be respectful to our views and realize that if the objectives of Universal Declaration of Human Rights are to be achieved, it could be best done by setting right example, only right examples and creating proper environment.

A glance at the meandering history of universal human rights shows that the international concern for human rights is a post 1945 phenomenon. The exploitation of human rights issues over the last few decades as a political weapon of the cold war has evidently given cause for reservations about the aims and objectives of recent human rights initiatives at international level.

History avers that political and civil rights were grossly violated in the past by the forces of colonialism and imperialism. The right to live in conditions of peace, security and freedom are equally violated by authoritarian forces. Today we find the economic rights are being practically denied by the unfair international trading system and the unjust and undemocratic international financial and economic institutions.

Global parameters of political and economic rights need to be seriously addressed if we are aiming at practical means of promoting and protecting all aspects of human rights.

In the complex and sensitive field of human rights the means are as important as the end. Cooperation and consensus can much better serve the international concerns about human rights than confrontation and coercion. Attempts at imposing certain set of interpretations and perceptions on others may defeat our noble objectives of upholding the universal principles. Constructive dialogue and positive approach would encourage a better degree of response and cooperation. Selectivity and politicization would be counterproductive. This World Conference will have to give equal importance to the review of the means while reiterating the universal goals of human rights.

My delegation firmly believes that we are here not to bury or override the international order and law evolved over last two centuries but to promote them as they gave us peace and security to a reasonable extent, particularly in the post 1945 era. It is from early 1990s we are witnessing massive upsurge of human rights violations in many areas of the world. Whatever may be the cause of such violations its continuance unabated speaks not of failure of present collective security mechanism and other international norms in place, which have served us quite well so long, but complete lack of will on the part of many of us who, otherwise, did a Yeoman's service to restore order in some other parts of the world on other occasions. In this respect we may do well by recalling Forrester's invaluable First Law that states:

In any complex system attack, however apparently intelligent, on a single element or symptom generally leads to a deterioration of the system as a whole.

Therefore, it is not our desire to see a workable system disappear without being sure the one that is going to replace it is superior beyond doubt.

The developments in the field of humanitarian laws as an integral part of international cooperation over the last four decades have been enormous and praiseworthy. We have now around sixty-seven international instruments covering, codifying, prescribing norms encompassing almost all facets of human concerns in the field of human rights. They cover civil, political, economic, social and cultural rights. They cover rights of groups such as laborers, women, refugees and vulnerable groups; they cover themes and concepts such as discrimination, self-determination, development; and hard areas such as crime against humanity including genocide. They come under different forms - conventions, protocols, declarations, encompass soft law, hard law, recommendations, principles, etc. Let us ask ourselves here, do we need more declarations or harmonization and implementation of existing instruments?

Apart from conventions and declarations we have Treaty Bodies, Human Rights Commission, Human Rights Centre to service some treaty bodies, thematic, country rapporteurs, Sub-Commission, regional and other international bodies, ECOSOC, General Assembly, Security Council and the Office of the Secretary General to look into and after these issues. In short, there are no dearth of instruments, bodies or offices besides the world public opinion to draw attention to acts of violation of human rights in any place on earth through due process provided by international law. Now do we need further proliferation of these human rights mechanism or should we try to effectively utilize them?

Yet, violations of human rights do take place, sometimes in small manner, sometimes in a massive way. It is our observation that the more powerful is the violator the lesser is the action it draws from the world community whereas the less powerful draws almost all kinds of attention and action. I do not have to mention names of such massive violators, the UN General Assembly, Security Council, etc. have adopted so many resolutions on them and, yet, they go on. They are going on not far from here in the heart of Europe, in Middle East, in Africa and in many other places.

We note with extreme pain that somehow the Muslims, whether minority or majority, are victims of the worst human rights violations in most cases. They are even denied the very basic rights of self-defense and self-determination. The violations go on because we apply different standards to different

situations. In our opinion, for human rights values to become universal and self-sustaining such dual attitude or selectivity on our part must go.

Politicization of minor issues out of proportion only trivializes the sacred concept and values of human rights and must be given up. Unjust and manipulative use of command of international languages, world press and electronic media against minor violators while treating the major ones with kid-gloves are cases of overkill not cure for deeper malaise that beset us. The World Conference cannot avoid such critical self-examination and correction if we are to be sincere to our purpose.

Mr. President,

We have realized through bitter experience that there is an inseparable link between the concepts of democracy, development and human rights. While political commitment and goodwill to human rights principle is a *sine qua non* for its practice, without a minimum education, proper resource, effective administrative, legislative and judicial structure, which are directly related to development, no sustained, broad based implementation of human rights is possible. If a hungry man can hardly understand the rights of others than his own survival at any cost what could be the situation for a whole community in poverty and in dire need of the basics of survival created by internal problems or external manipulations. One does not need much intelligence or the quality of empathy to understand this phenomenon.

We have also noted that the concept of right ecology and environment is intricately linked to the human rights. Degradation of environment seriously violates rights of the collective, their living and even their survival. We owe it to each other and to the posterity to ensure that we do not pollute or negate God given natural environment of others.

Mr. President,

We have further realized that as the best way to inculcate human rights values is to work from grass root up. Organizationally speaking there is no substitute for replacing state initiative and control to fulfill and realize these objectives. Further, we also feel that the most enduring basis for promotion and protection of human rights under proper development framework and ecological condition is to set up democratic polity in Member States through established checks and balances, separation of power among judiciary, legislature and executive and where additional institutions like ombudsman or national human rights institutions can function independently; where international principles to extent consistent with regional cultural milieu are reflected in the national laws; where educational system internalizes such values; where affirmative action programmes and special measures take care of the needs of vulnerable groups, women, children, girl child, disabled and such others without discrimination to minority or majority.

Consequently, anything that the world community can do to promote and sustain the aforementioned actions would be extremely helpful in consolidating and advancing the cause of human rights propagation in this world. Decentralization not centralization is the way for empowerment of individual who in turn is expected to place his country on a path of balanced development of rights for his own sake. As has been expressed by many other delegations, we do not favor the proposals for vertical and horizontal expansion of human rights mechanisms and creation of new higher posts in this field. The entire UN system for quite some time is engaged in rationalization of its work, offices and the Secretary-General of the UN has taken this task quite seriously. How are we expected to speak about hungry and leaner bureaucracy in one forum and expanded and more powerful bureaucracy in another forum? When we see the first cold war veto is issued on the issue of contribution, when we run short of money in critical development areas, how are we going to finance such expansions on a sustained basis? Here we do well to remember former Under Secretary-General Richard Thornburgh's valuable conclusion that "the UN is barely carrying through its present responsibilities, let alone capable of taking new ones."

Mr. President,

My country reaffirms its commitment to the principles of the Charter of the United Nations and, hence, as its component in the validity of the human rights principles. It is part of our culture and Constitution. We have a functioning democracy in our country with complete transparency of action. The government is fully accountable to the people and the parliament. The press enjoys full freedom and the opposition is very assertive. We will, therefore, pursue the human rights goals as a matter of principle. We will practice them in a holistic, integrated, objective, non-selective and apolitical manner. We will not accuse others if we have reasons to be accused. We will not sit on judgement. We will only nudge others to lend their helping hands so that human beings do not suffer, and humanity goes through an uplifting experience. Bangladesh has already acceded to nine major conventions and with increasing experience and confidence it shall gradually accede to all other major conventions.

Finally, Bangladesh lauds the efforts made by some international organizations, various UN agencies particularly UNICEF, UNFPA, etc. and some national and international NGOs who are doing excellent job in promoting rights of special groups in professional and apolitical manner. They are familiarizing people with the fundamentals of human rights concepts through dissemination of information and necessary tools at the grass root level. They deserve our sincere thanks.

In concluding, Mr. President, let me thank very sincerely the people and the government of Austria for the warm hospitality accorded to us in this old landmark of culture, music, art and history. We do hope by hosting the World Conference in this historic city the people and government of Austria offer the music of harmony and fraternity in the finest tradition of the compositions of Mozart for the people of the world.

Thank you very much, Mr. Chairman.

GARRETON, Roberto (President), spoke in Spanish:

I thank you for your statement and your kind words. I now give the floor to Her Excellency Ms. Noemi Sanin de Rubio, Minister of External Relations of Colombia. You have the floor, Madame.

SANIN, Noemi (Colombia), spoke in Spanish:

Keywords: WOMEN - MIGRANT WORKERS - SOVEREIGNTY - REGIONAL COOPERATION - DUTY OF THE INDIVIDUAL TO THE COMMUNITY – INDIGENOUS PEOPLES - COLOMBIA - NON-GOVERNMENTAL ORGANIZATIONS

Mr. President, Mr. Secretary-General of the Conference, ministers, distinguished delegates, representatives of non-governmental organizations, ladies and gentlemen.

I should like on this occasion to express the sincere gratitude of the government of Colombia to the Austrian authorities for the magnificent organization of this forum that we are attending today and particularly for the cordial welcome we have received in the historic and beautiful city of Vienna. We are sure that your election, Mr. President, is a guarantee of balance and effectiveness in this debate. The World Conference of Human Rights is a new and definitive opportunity for mankind. An occasion to renew the capacity of the international community to resolve its conflicts by the use of reason. We must enter into the celebration of this world summit in a spirit of firm optimism to face up to the terrible specter of violence and war, which are striving to reappear in our world even on continents that had succeeded in banishing them.

Since the Universal Declaration of Human Rights, almost half a century ago, the world has undergone a fundamental change. The colonial system has been put behind us. Peoples have recognized that it is not sufficient to win their independence in order to achieve wellbeing and that for genuine exercise of political rights there must be decent living conditions. Social groups that for centuries have been discriminated against and oppressed, such as women, children and old people, have now reclaimed

their voice. New scourges such as AIDS have appeared to which science has not been able to respond with a cure.

The World Conference of Vienna is beginning a new stage in the process of the consolidation of human rights culture as the underpinning of democracy. That is why the core of our study here is the indissoluble relationship between democracy, development and human rights and the need with determination to call on all the cooperation and solidarity that peoples need today in this area.

The United Nations General Assembly has stated that human rights must be considered from a universal and overall perspective. Democracies in poor societies, where there are tremendous inequalities, are weak democracies. To strengthen them it is necessary that all men and women can enjoy their culture, have access to housing, health services, justice, basic public services, education and political participation as active subjects of civil, political, economic, social and cultural rights.

Progress towards the achievement of human rights has been linked to the establishment of the rights of minorities and the great challenge of our society is to recognize those rights of minorities and bring them into harmony with the rights of society as a whole.

We have to create a genuine human rights culture that can only be achieved through the development of a broad spectrum of education policy that involves individual and collective rights, training of civil servants in respecting human rights and fundamental freedoms and the creation of the necessary conditions to ensure that the relationship between the individual and the society and the state is based on a principle of truly democratic identity, representativeness and participation.

It is also necessary to deal with the deficiencies and obstacles facing the realization of all the rights and to carry out a comprehensive assessment of the international human rights system to adopt it to the present circumstances and make it more dynamic.

The states and institutions of the system must consider this assessment as the most appropriate means for commending progress and recognizing the shortcomings in an attitude of constructive criticism.

The World Conference on Human Rights should recommend that the United Nations General Assembly take the most appropriate measures to carry out this assessment.

It is also necessary to analyze the present status of instruments that protect special groups such as indigenous populations, children, women, elderly people, the disabled and those who are affected with AIDS.

The enforcement of the human rights of women is still not an international fact. Existing organizations continue to promote international rules and standards here, but it is still necessary to develop broad-ranging programmes to eradicate covert discrimination. Social relations should be based on recognition of differences and on respect for opinions and for race, sex, cultural, economic and political status of all human beings.

We wish particularly to refer to the human rights of migrant workers, because the phenomenon of migration is the synthesis of the dynamics of our present-day society, the result of the imbalance in social, economic and cultural development of peoples; and this is a problem where xenophobia and the new forms of racial discrimination are concentrated claiming an alarming number of victims.

The proposals and recommendations that we are proposing at this world event will only be fully realized if we make the international cooperation and solidarity an effective priority.

That cooperation, which is offered on the various action fronts of the United Nations, provided by intergovernmental organizations and received by governments through bilateral agreements, should not be subjected to conditions that may be detrimental to full and sustainable development, without which it is difficult to achieve the full effectiveness of all human rights. We have affirmed this in the Governing Council of UNDP and in different human rights fora.

The cooperation, solidarity and tolerance are fundamental values for the achievement of human rights. Their politicization or manipulation distort their substance and interfere with their application just as the imposition or conditionality in the international field.

Obstacles to the enforcement of human rights must be overcome by national efforts and be strengthened by constructive international cooperation that respects the sovereignty of states.

Now, ladies and gentlemen, this appeal to respect full sovereignty should not be used as a means to justify violations of human rights. The universal conduct of states in respect for human rights should be completely transparent, completely open and objective.

In the way of reconciling the sovereignty of states with the promotion and protection of human rights, regional systems perhaps have a broad range of action. The Inter-American system, for example, has a long and productive tradition in the recognition, defense and protection of human rights. It has made great conceptual progress and set in motion machinery for the promotion and protection. The American Declaration proclaimed in Bogota by the ninth Pan-American Conference in 1948, which precedes the Universal Declaration of Human Rights, includes concept of duties that correspond to the rights promulgated. We speak very little of duties. Every time we speak of rights, we should speak of duties too.

The system also has a Commission with vast experience and an inter-American Human Rights Court of Human Rights whose competence and jurisdiction has been accepted by our country in a spirit of clear, moral and democratic understanding. Hence, in the deliberation that we propose for rationalization of the international system for the protection of human rights the strengthening of the regional system should be taken into account, which in the case of America has produced very positive results.

Mr. President,

The holding of this World Conference of Human Rights is an event of great importance because it is also an opportunity to carry out a conceptual exchange on the classic doctrine of human rights, which considers the state as the only violator of those rights.

Social developments in recent decades oblige to reflect about the validity of this concept in its strict sense, without by any means disregarding the fact that primordial responsibility for human rights falls to the state. The barbarity of terrorism and narco-terrorism that affects many societies among them Colombia brings respected non-governmental organizations and academic circles to consider non-state agents as human rights violators.

The government of Colombia reiterates its unreserved commitment to recognition of all human rights and the need to move towards their full implementation. This is a commitment that Colombians have undertaken in the conviction that peace and development can only be achieved if enjoyment of fundamental rights and the discharge of the duties derived from them is made more real every day.

Mr. President,

This year of the World Conference of Human Rights is also the International Year of the World's Indigenous Peoples. In our America, the society has been enriched by the wealth of indigenous cultures that have contributed to shaping a multiracial, multicultural and multilingual society whose indigenous heritage today we praise as a fundamental element of our identity.

Colombia's policy in the recognition of the autonomy of indigenous peoples has gone beyond the stages of discrimination, paternalism and indifference. The 1991 Constitution has led a real basis for full participation of indigenous peoples in the political, social and economic life of the country. Our Constitution among its principles exalts the multi-ethnic nature of the Colombian society, its bilingualism, the indigenous territorial jurisdictions, the special jurisdiction for the administration of justice and the autonomy and indigenous peoples to administer their territories.

We would like to express the satisfaction of the government of Colombia for this event and join our efforts with that of all states and non-governmental organizations, which have established the cause of the rights of indigenous peoples as one of their priorities.

The policy of the Colombian state in human rights is based on the creation of a culture through broad ranging education and the process of institutional modernization. We are carrying out in our country intensive educational campaigns consisting of school programmes and programmes of mass outreach directed towards our society in general through the media. We have also set up training courses for civil servants, particularly, for the armed forces and the police.

Colombia has developed an institutional system to consolidate the effectiveness of human right. At the same time, we have devoted human, technical and financial resources to increasing the effectiveness of the administration of justice.

The Constitution of 1991 was a result of an appeal by the people of Colombia calling for a new legal order that was more committed to the defense of human rights and that would be more effective in protecting and recognizing them. It was the decision of our National Constituent Assembly in which all political forces took part, including groups of guerrillas who had received amnesty and for the first-time in history the indigenous peoples participated in the formation of this national legal system.

The 1991 Constitution and the concomitant legal developments strengthened the existing institutions, such as the Office of the National Attorney General, municipal entities and the Presidential Council for Human Rights, and created other new ones such as the Office of the Ombudsman and the Attorney General. This system maintains a close link with international bodies and entities as well as with non-governmental organizations that deal with human rights. These initiatives and actions are part of our vast activity to advance the cause of human rights in our country.

National efforts have been complemented successfully by international cooperation that we have been receiving in solidarity. We would like to highlight the positive results achieved in joint undertakings with the United Nations Development Programme and the Centre for Human Rights, in what constitutes the world's first experience of joint collaboration between two specialized agencies and a government in the field of human rights.

Likewise, we would like to recognize the important role played by non-governmental organizations for their vigilant role and for becoming spokespersons for those who often cannot make their voice heard. All states must have clear policies to protect their people's lives and to allow them to carry out their work.

Ladies and gentlemen,

This is the largest and the best attended Conference on human rights that has ever been held on this subject. The eyes of the world are upon us, expectant. Victims of human rights violations are looking to this Conference with hope. We should rise to this occasion.

Thank you very much.

GARRETON, Roberto (President), spoke in Spanish:

I thank the Minister for Foreign Affairs of Colombia for her statement. I now give the floor to His Excellency Mr. Heikki Haavisto, Minister of Foreign Affairs of Finland. You have the floor, Sir.

HAAVISTO, Heikki (Finland):

Keywords: HUMAN RIGHTS ADVANCEMENT - INTERNATIONAL INSTRUMENTS - DEMOCRACY - DEVELOPMENT - MINORITIES - UN High Commissioner for Human Rights

Mr. President, Excellencies, ladies and gentlemen,

Allow me first of all to express Finland's deep gratitude to the government and people of Austria for hosting the World Conference on Human Rights.

Since the Universal Declaration of Human Rights and the first World Conference held in Teheran twenty-five years ago, human rights, fundamental freedoms and democracy have become essential for social progress and wellbeing in the world. The Declaration has manifested its viability in no uncertain terms. This World Conference has to build on that, it has to reform the achievements, but it also has to agree on a new concrete and forward-looking programme for human rights. While we celebrate advances, much remains to be done. Violations of human rights are a legitimate concern of the international community. Today, no government can escape its responsibility to protect and promote human rights.

Mr. President,

The Conference should endorse and promote the universality established by the Declaration. It has been the source of inspiration and the basis for the United Nations in setting standards, in particular in the two main Covenants. The universality and indivisibility of all human rights, whether civil, political, economic, social or cultural, derive from equal dignity of all human beings - women and men, young and old, persons with or without disabilities alike.

Universal ratification of the international human rights instruments and the will to implement them is necessary. This Conference should urge all governments to make every effort to accede to, to ratify and to fully implement the United Nations human rights instruments.

Furthermore, we should pay attention to the large number of reservations, which may erode recognized human rights standards. The States Parties should review their reservations with a view to withdrawing them wherever possible.

Human rights should no longer be seen in isolation of any part of the work of the United Nations. Human rights are an integral building block of both basic pillars, which the United Nations rests upon, namely security and economic and social development. Thus, the promotion and protection of human rights must be given priority on the United Nations agenda. Since all human rights are universal, indivisible and interrelated, they must be integrated system-wide within the UN family. In the field of sustainable development and the promotion of the status of women this approach has already yielded encouraging results. We should improve the operational effectiveness of the monitoring system of the United Nations and coordination between the different UN bodies. And, above all, we should find a way on how to react more promptly on human rights violations.

Mr. President,

This Conference should strengthen human rights education and training programmes, both nationally and internationally. This Conference should also strengthen the role of the non-governmental organizations.

Human rights, democracy and development are closely interrelated. Achieving sustainable political, economic and social development is difficult, if not unthinkable, without democracy and respect for human rights. The protection and promotion of human rights is the national responsibility of each government, irrespective of the development stage of the country.

People have the right to democracy. True democracy is based on the freely expressed will of the people to determine their political, economic and social order. Democracy also means good governance, more accountable and transparent political leadership and public administration. Free and fair elections are a central element of democracy, as are, inter alia, free press, independent judiciary and administration of justice.

The individual is the centre in development. This is the key to the understanding and implementation of the Declaration on the Right to Development. Individual rights and national responsibilities form the foundation for solidarity and a new partnership between the developing and developed world.

Development assistance can have sustainable impact only when it supports the objectives and efforts of the cooperating partners themselves. Increased development cooperation can contribute to more effective promotion of human rights.

The respect for human rights should be promoted and encouraged as an integral part of the main United Nations functions in maintaining and strengthening peace and security and advancing social and economic development. Lasting peace cannot be achieved without respect for human rights. Without peace, on the other hand, violations of human rights appear even more systematic and serious. We welcome the inclusion of human rights components in the peacemaking, peacekeeping and peacebuilding operations and activities of the United Nations.

Mr. President,

The promotion of the respect for the rights of minorities as well as of indigenous peoples plays a major role also in the conflict prevention. Ethnic conflicts are multiplying in many parts of the world not only endangering the unity and territorial integrity of states but also causing human suffering on an unprecedented scale. The General Assembly adopted last year the Declaration establishing minimum standards relevant to the national or ethnic, religious and linguistic minorities applicable in every situation. The implementation of this Declaration requires constant vigilance by all.

Mr. President,

The debate on the post of the United Nations High Commissioner stems from the 1960s. Since then, treaty monitoring systems and other human rights mechanisms have been established. Nevertheless, the functioning of the Commissioner should be seen as complementary to these mechanisms without replacing them. The Commissioner should be entrusted with the necessary authority and independence required for the performance of his/her functions under the authority of the General Assembly. I believe that the High Commissioner for Human Rights could play an important role in the system-wide coordination of human rights.

The existing resources for human rights do not even suffice to cover the present activities and obligations. Nor do they reflect the priority accorded to human rights in the Charter of the United Nations and the demands on human rights activities as mandated by Member States.

United Nations human rights activities as a whole need to be provided with increased resources, primarily from the regular budget and as appropriate supplemented by extra-budgetary resources. Particular emphasis in this context has to be given on the resources directly at the disposal of the Centre for Human Rights.

Mr. President,

Human rights require a global and national reaffirmation. I believe that this World Conference will be a significant step towards creating and fostering a culture of human rights.

Thank you, Mr. President.

GARRETON, Roberto (President), spoke in Spanish:

I thank for the Minister of Foreign Affairs of Finland for his statement. I now give the floor to His Excellency Mr. Philemon Embel, Attorney-General and Minister of Justice of Papua New Guinea. Excellency, you have the floor.

EMBEL, Philemon (Papua New Guinea):

Keywords: DEVELOPMENT - PAPUA NEW GUINEA - DISAPPEARANCE OF PERSONS - BOUGAINVILLE (PAPUA NEW GUINEA)

Mr. President, distinguished delegates, ladies and gentlemen.

Allow me first of all, to congratulate you, Mr. President, for your unanimous election to preside over this august Conference. We are confident that with your vast experience and able leadership you will guide us through this World Conference on Human Rights to a rewarding conclusion. My delegation also expresses its profound gratitude to the government and people of this great country, Austria, for according us generous hospitality since our arrival. Indeed, this historic city of Vienna, the seat of the erstwhile Holy Roman Empire, presents a most fitting venue for this second World Conference on Human Rights.

Mr. President,

This Conference has before it for its consideration fundamental issues relating to basic human rights and basic conditions of existence and human development. At the same time, we are also here to bear witness and to reaffirm the importance of these issues and to take stock of how the international community has worked together through our individual and collective commitment to the 1945 Charter of the United Nations towards the achievement of "universal respect for, and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion." The tasks and objectives of this Conference are many and the expectations for international action to further improve and develop from the experiences of the last forty-five years are enormous and, in many respects, urgent.

The promise of peace dividend at the end of the cold war is, yet, to be fully realized. Geopolitical changes continue to concern the international community. The tone of these changes brought about by the promise of peace, democracy and respect for human rights has not mixed comfortably with the emergence of ethnic nationalism, racism and xenophobia, religious intolerance and tribalism. They are all in one way or another linked ironically to the realization of principles of government and greater awareness for human rights.

This irony continues to pose adverse problems for the international community. The ingredient for supporting and sustaining human rights, democracy and development is the increased availability and efficient and equitable distribution of resources.

As a developing country, Papua New Guinea subscribes to the views expressed by His Excellency the UN Secretary-General, Dr. Boutros Boutros-Ghali, and I quote:

Human rights are an essential component of sustainable development; sustainable development is not possible without respect for human rights.

Indeed, Mr. President, we wish to emphasize that enjoyment of human rights can also be meaningless without development and equitable distribution of wealth and other amenities that nature as well as human endeavors provide for individuals. Thus, my delegation believes that economic, social and cultural rights including political and civil rights are intricately interrelated and inseparable. Obstacles to the full realization of certain rights can, therefore, never justify the denial of other rights. This

Conference's deliberations, therefore, - and we have no illusions about it - must be concerned with the fundamental questions relating to survival as well as human dignity.

Mr. President,

Every state, every nation is here to respond to the call of this Conference and to account to it and the international community regarding its government's and as may be appropriate its institutions' compliance or otherwise through its laws, decisions, policies and practices of the fundamental expectations adopted since 1948 in dealing with human rights and related issues.

Without overstating the case for the government of Papua New Guinea, it would be true to say that Papua New Guinea and its government ranks with the best in its record of respect for human rights and fundamental freedoms. From the very beginning of its life in 1975 as an independent state, Papua New Guinea has had embodied in its Constitution human rights provisions as entrenched fundamental rights and freedoms of the person.

These cover all internationally recognized human rights and more including the liberty of the person, freedom from forced labor, freedom from arbitrary search and entry, freedom of conscience, thought and religion, freedom of expression, freedom of assembly and association, the right to freedom of employment, the right to privacy, right to freedom of information, right to freedom of movement and the right to protection from unjust deprivation of property.

Mr. President,

Political and extrajudicial killings are by all indications alien to the way of doing things in Papua New Guinea even in the most bizarre twists and turns of its political life. The same applies to the disappearance of persons for politically related reasons. Disappearance as a fact of political life is a practice, which is unknown and unheard of in Papua New Guinea. In fact, on present showing of the socio-political structure and mentality of a people steeped in Melanesian culture such an occurrence would not only be completely out of step with our social norms but also impossible to imagine or contemplate because in Papua New Guinea each person is his brother's keeper or more popularly referred to as the *wantoks* system. Hence, the *wantoks* would never accept any such thing as disappearance of a clan member. Indeed, the notorious practice of the proverbial "knock on the door" at dawn followed by an "invitation" from the security service into oblivion does not and cannot exist in Papua New Guinea.

To the extent that lack of respect for human rights may be exhibited through torture and other cruel, inhuman or degrading treatment or punishment, I have to state that the Constitution of our country specifically contains entrenched provisions forbidding such acts against the person. However, it has been noted that spirited law enforcement agencies at times get carried away in the performance of their duties and step beyond the bounds of permitted use of force in their treatment of persons. But this should not be an indictment of the government on its human rights record. The government of Papua New Guinea must be judged rather by the policies and procedures that have been put in place by the system to combat any such human rights abuses and its implementation of these policies and procedures especially through our independent and highly efficient judicial system. In this connection, Papua New Guinea shows a remarkable display of maturity in its provision of avenues to aggrieved persons to vindicate the violations of their human rights. It is noteworthy to add, Mr. President, that the whole process of the legal action may be at no cost to the aggrieved person since he is entitled to be represented by the public solicitor free of charge.

Mr. President,

I would like now to present a short description of the background and circumstances surrounding the current law and order situation or crisis in one of Papua New Guinea's provinces, Bougainville.

Mr. President,

Please pardon me now for I will have to divert from the greater debate of human rights and concentrate on our internal Bougainville crisis, which has for the first time in our seventeen-year history cast doubts on the credibility of our government and raised concern that human rights [inaudible] including the passing of two UN resolutions.

Papua New Guinea's Bougainville situation has been the subject of disinformation, misinformation and completely nonfactual presentation by the criminal organization, the BRA and its sympathizers.

Mr. President,

In discussing the internal landowner uprising, which later developed into what is now referred to as the Bougainville crisis that has pre-occupied our minds and resources for the last four years, it is convenient to start off an account of the problems in the Bougainville province with a quotation from country reports on human rights practices for 1992 prepared for the United States Senate by the Department of State.

The passage describes the situation in Papua New Guinea as follows:

The Wingti government took office in July 1992 and made resolving the crisis on Bougainville Island a high priority. The government regained control over most of Bougainville partly because Bougainvilleans increasingly called for a restoration of public services and partly because of popular revulsion against human rights violations perpetrated by members of the Bougainville revolutionary army.

Mr. President,

This statement, coming as it does from the United States as a third party, is a clear vindication of the stance and policies of the government of Papua New Guinea and an endorsement of its commendable human rights record. It also shows that the government of Papua New Guinea has the backing of its people in this regard particularly the people on Bougainville Island who cry out loud for government services and protection.

Mr. President,

Now, let me enumerate just a few shocking instances of BRA atrocities.

As late as two months ago, on the 5th April, the BRA set on fire the residence of the catholic priest and the nuns' quarters at Tunuru in central Bougainville and also put to the torch a house in Arawa in central Bougainville. Such heinous crimes are in essence no different from the killings of priests in other parts of the world, which have shocked the conscience of all decent-minded people. These dastardly acts show up the BRA to be plain terrorists and common criminals.

In 1992, the ship MV Cosmaris that was carrying food and medicine on a mercy mission by the Red Cross was put to the torch in Kieta harbor by the BRA, thus, making it difficult for the government to allow further missions of this nature.

The abominable crime of rape is not only confined to women but extended to men as well by the BRA, for on the 3rd June 1991 three men captured by the BRA were mercilessly and brutally raped. One of them died.

In the first week of August 1990, BRA raided and set on fire several, villages in the Buka and Siwai areas of the province, women and children were killed or wounded and farms destroyed and pigs killed to deprive the surviving villagers of any means of sustenance.

A number of elders were taken away as prisoners for interrogation and some died under torture.

An ex-captain of the Papua New Guinea defense force was among those who died after the BRA had subjected him to a lengthy torture. Another person, was burnt alive.

In the early days of the crisis, that is from July to December 1989, the target of BRA atrocities were mostly workers at the giant Panguna mine. These defenseless workers were gunned down as they travelled to work or as they worked on the repair of pylons that had been destroyed by the BRA in the first place.

It was at this time that a provincial minister, John Bika, who was active in trying to resolve the crisis was shot dead. Another politician, Anthony Anugu, was later tortured and brutally murdered.

There have also been other BRA atrocities, which time does not allow to be all stated here.

Mr. President,

The death of the local politician, John Bika and the attacks on the copper mine in the early days of the crisis go to show what the crisis was about and to identify it purely as a matter of landowner dissatisfaction over benefits from the mining operations.

In fact, the genesis of the trouble in the Bougainville province stemming as it does from claims to compensation for the use of tribal lands in the process of development of a mining project makes all separatist claims, which are being canvassed by some commentators, ring very hollow.

For, compensation, Mr. President, claims are very common in all the provinces of Papua New Guinea, which is a country experiencing a mining and petroleum resource development boom. In Papua New Guinea, the ownership of land in which the mineral resources are located is vested in groups of clans or tribes or other congregation of extended families. In a very special way, their whole being is wrapped up in the land and environment.

Therefore, the determination of the legal rights of these groups to the benefits from any mining projects on their land becomes a very complicated and sensitive affair, indeed. This is the real basis of the Bougainville problem and it is a problem faced by the government in just about every province in the country.

The issue in Bougainville, therefore, has nothing to do with separatism. The separatist argument was developed as an "ex post facto" rationalization to give some color of legitimacy to continue BRA criminal acts and diverse atrocious deeds against the people and the state. A perfectly legitimate resource benefit dispute between the mining company and the traditional landowners was taken advantage of by criminal elements whose activities derailed the negotiations for a just solution on compensation for the use of land for the development of the giant Panguna copper mine, which, at the time, was the biggest foreign exchange earner for the country.

Mr. President,

Papua New Guinea comprises of a mainland and an idyllic collection of islands - about 600 of them. The mainland itself is actually one half of the island of New Guinea, and together with its islands it has been described at various times in highly romantic and exotic terms ranging from "the land of the unexpected" to the "last frontier on earth." Papua New Guinea presents a classic case of unity in diversity. The generally mountainous and rugged terrain and many islands, which put a premium on transport and communications from time immemorial, resulted in the growth of many pockets of communities with a wide variety of languages - about a thousand of them - and shades of cultural diversity, which add more color and richness to the overall content of our cultural existence.

We are, thus, one nation and one people reflecting a many-sided culture in a country whose territorial boundaries stretch from Indonesia to the Solomon Islands, and from the Federated States of Micronesia to Australia. Just as conventional political wisdom has in other regions of the world dictated the preservation of the national boundaries bequeathed by departing colonial powers at independence, so has the South Pacific region maintained the integrity of the national boundaries of its Member States. Accordingly, Mr. President, we, in Papua New Guinea, intend to maintain our national boundaries with uncompromising vigor of our sovereignty, which is the birthright of all nations.

It is within this context of a cultural mosaic as reflected in the many pockets of communities, which we have in Papua New Guinea, that the Bougainville question must be seen, because it is the criterion that conditions the decisions of the government and guides its actions.

The policy of the government throughout this difficult period on Bougainville Island has been and still remains confined to working with the chiefs and other traditional elders to restore services to the community. It is to the credit of the government that it refused to do anything to escalate the conflict at the inception of the Bougainville crisis. Because instead of responding to the guns of the BRA with the superior firepower of its security forces it did exactly the opposite, it withdrew all the security forces from the province.

Mr. President,

I submit that the strength of our government's commitment to human rights must be seen in this gesture that was of the highest humanitarian order. The government has since then only committed its law enforcement agencies and security forces to the humane task of restoration of public services in the province with the active collaboration of the chiefs and local representatives while rendering the area safe for the people to live in, and in the process calling upon the BRA to desist from further acts of violence and destruction. Although, this appears to be a longer route to the solution of the crisis in the province, it is from the government's point of view the best way to achieve lasting results. And the government is succeeding because at the present moment services have gradually been restored to ninety percent of the province. Naturally, in the process of restoring services, the security forces have since their return in 1991 at the request of the chiefs and the people often had to defend themselves against the BRA, and this has led to regrettable but unavoidable loss of lives on both sides.

Mr. President,

Finally, on the issue of Papua New Guinea's internal matter of the Bougainville crisis I would like to urge this Conference to know that there is only one democratically elected representative authority with which the international community including human rights and other non-governmental organizations must deal with - this is the national government of Papua New Guinea that includes the elected leaders from the province of Bougainville.

But in this regard, Mr. President, we must get one thing straight. The story put out that the people of Bougainville are up in arms against the government of Papua New Guinea is simply not true. The people know the BRA for what they are, that is to say, criminal gangs of arsonists and murderers who have been tormenting the lives of Bougainvilleans for the last four years. So far as the people are concerned, they had a dispute with the giant mining company, CRA, whom they perceived as cheating them out of their just desserts in compensation over the use and degradation of their ancestral land, and so they moved to stop them and to get rid of them. The mine has since closed. Hence, the people of Bougainville have condemned the BRA and have refused to subscribe to the cause of the BRA.

This state of affairs bears out the fact that the BRA are the leftovers from the legitimate struggle of the chiefs and landowners and have now become a handful of misguided Papua New Guineans wreaking havoc on their fellow citizens. In this nefarious role, they have collaborators and sympathizers who pretend to a mandate to speak on behalf of the majority of Bougainvilleans.

Unfortunately, these collaborators are being used to mislead the international community, and in this regard, I refer to the United Nations resolution requesting the Human Rights Commission's Special Rapporteur on agreements between states and indigenous peoples "to consider the implementation of the agreement between the Papua New Guinea government and the indigenous peoples of Bougainville passed in March this year.

Mr. President,

In this connection, I have to reiterate and emphasize the point made earlier on that Papua New Guinea is a reflection of many sides of the same culture and that we are one people and one nation. There are no minorities in Papua New Guinea. We are all of Melanesian indigenous stock and there is no basis for any division or distinction whatsoever between Bougainvilleans and other Papua New Guineans.

Consequently, the government of Papua New Guinea has no agreement with any minority group or a separate indigenous people within its borders. But yes, the government is a party to an agreement negotiated in Honiara, the capital of Solomon Islands, called the Honiara Accord, in January 1991, in an effort to get the BRA to walk the path of righteousness and legality in a peaceful manner; no more no less. By no stretch of imagination can this be seen or interpreted as an agreement with a minority or a separate indigenous people. Such a group does not exist in Papua New Guinea. Well-meaning individuals, organizations and institutions should, therefore, be wary of unscrupulous and opportunistic groups and individuals, which might wish to use them for their own selfish and improper ends as instruments of destabilization.

To dispel any doubts about the government's strategy and objectives in regards to Bougainville, Mr. President, I am happy to say that we are now in a position to consider properly coordinated visits to Papua New Guinea to discuss with and show to interested donors our efforts to restore peace, normalcy and rehabilitation in the whole of the province.

To further reassure this Conference and the international community, I am also pleased to announce that the government will soon set up a human rights commission to compliment the work of existing agencies in the area of human rights. To this end, the government has approached the United Nations Human Rights Commission through the resident representative of the United Nations Development Programme in Papua New Guinea for assistance in the formulation of the steps towards such establishment. We believe that a key factor in the establishment of the national commission will be education, and here we can see the nexus between human rights and development because access to guidance in the use of such rights and privileges enable the fuller realization of the worth of the human person and, thus, contribute in a very positive way to development.

Another very encouraging development is the progress made so far towards the formation of a non-governmental organization known as the Individual and Community Rights Advocacy Forum Incorporated, ICRAF. This is Papua New Guinea's first completely independent human rights and environmental defender. It is an office of lawyers and educators concerned with monitoring human rights violations, attacks on land rights of individuals and communities and on the environmental heritage of Papua New Guinea. It has a medium-term objective of establishing a South Pacific human rights and environmental law training centre.

Mr. President,

I have dwelt at length on the Bougainville situation because my country's impeccable human rights record has been unduly put in question. But I am not unmindful of the themes in other areas of great concern to the international community whose treatment impinges on the proper recognition of human rights issues.

I reiterate that the wide range of challenges we face today and the options that we have to take must on all account be based on the goodwill, on the good of the human person. That human person must be

viewed in its totality - that of the young, the old, handicapped, rich, poor, of all colors, creed, language, culture, religion and historical background.

In particular, we strongly adhere to and support the great boost given to the rights and aspirations of indigenous peoples in the realization of their full potential, and we firmly believe that human rights should embrace humanity fully for all that it is without any distinction whatsoever.

We, in Papua New Guinea, constitute in a unique manner a single unit of indigenous peoples sporting the fullness of a rich cultural diversity and that makes this Year of Indigenous Peoples a year of special significance in which we reach out in solidarity to other indigenous peoples everywhere.

Mr. President,

My government will welcome any move that will strengthen the United Nations system to attend to human rights matters more effectively. However, we would not welcome anything that will undermine the sovereign and territorial integrity of any state. Equally, any move that undermines the already established principles and norms of human rights would not have my delegation's support.

Once again, Mr. President, my delegation is attending this important World Conference on Human Rights with an open mind. We are here to render our support and solidarity to any cause that would truly enlighten the human person to enjoy fully his or her life whenever and wherever that may be.

My delegation commends the Preparatory Committee for attempting a difficult task of preparing for this World Conference. The task of the Committee was enhanced by the able leadership abundantly demonstrated by the Secretary-General of the Conference, Mr. Ibrahima fall, his support staff and the Bureau of the Preparatory Committee. We salute and congratulate them for their time and efforts.

Mr. President,

As the world pauses at a time like this to take a good look at itself and to take stock of its performance in the field of human rights, it is customary that the peoples of the United Nations and the international community at large should rededicate themselves to the reaffirmation of the various human rights commitments that have been made over the years.

In so doing, Mr. President, the government and the people of Papua New Guinea pledge themselves to an unrelenting prosecution of the task of eradication of all forms of human rights abuses and also commit themselves to the attainment of excellence in all aspects of human rights observance.

We trust that in this endeavor we will be able to join hands with the states of our region and the international community at large in a spirit of cooperation and in fulfilment of one of the main principles and purposes envisaged in the Charter of the United Nations.

Thank you, Mr. President.

GARRETON, Roberto (President), spoke in Spanish:

Thank you. I now give the floor to His Excellency, the Minister for Foreign Affairs and Worship of the Republic of Argentina, Dr. Guido di Tella.

TELLA, Guido di (Argentina), spoke in Spanish:

Keywords: ARGENTINA – LATIN AMERICA – HUMAN RIGHTS VIOLATIONS – DEVELOPMENT – DEMOCRACY - UN. Centre for Human Rights - UN High Commissioner for Human Rights

Mr. President,

I would like to begin by thanking the Republic of Austria and Dr. Mock for having offered us this charming city for this great Conference. I would also like to congratulate the members of the Bureau and the Preparatory Committee together with the Secretary-General of the Conference, Mr. Fall, for not having spared any effort to deal with methods of procedure as well as drawing up the agenda for the final document.

This Conference is a challenge not only for government systems but also for judicial systems, parliaments and non-governmental organizations. It is a unique opportunity to bring together experts, representatives of regional organizations and national institutions. I hope this Conference will be a landmark in which new concepts will be put out for discussion and we hope approved in future.

I should like to begin by a painful memory of more than seventeen years ago when a violent suppression of the democratic system occurred in my country. A fact that gave rise to serious violations of human rights, which we are still remembering throughout the world.

Today I wish to pay tribute once again before this assembly to those states, global and regional institutions and non-governmental organizations, which actively helped to free detainees and save many threatened lives. On a personal level and at the level of my family, we owe a lot to these organizations.

Mr. President,

I should like now to review what we have achieved since 1983 when our national Constitution was once more given force of law.

Argentina has ratified all the international instruments for the protection of human rights, both at the global and the regional level, conferring high priority in our internal and foreign policies to the implementation of all these standards.

A national Commission on Disappeared Persons, CONADEP, and a national bank of genetic data have been created to begin clarifying and identifying cases of disappeared persons. In order to reinforce this policy, President Carlos Saúl Menem made historical reparations to former political prisoners granting financial compensation to persons who had been detained without charges or as a result of actions by military tribunals.

Within Latin America and as a continuation of the internal policy of reparation for human rights violations, Argentina has reached an amicable agreement with the fourteen petitioners who approached the Inter-American Commission on Human Rights. This constitutes the first such precedent at the Inter-American Commission. This is something which I wish to emphasize and I am very grateful for the assistance given to us in this respect.

The national Commission on the Right to Identity has been established in order to solve the problems of disappeared children. When we speak of the right to identity peoples feel cold but this indeed is what is happening in my country.

With respect to the policy of protecting the rights of women, the law of quotas has been passed establishing a minimum of thirty percent of women in positions subject to election. We have also adapted our internal legislation to give rights both to mothers and to children.

The policy of support for and protection of the Argentine indigenous communities have been strengthened by giving them land in different areas of the country and through the creation of twenty-

four production centres for indigenous peoples in order to ensure their full participation in society. This is, perhaps, maybe seen as a small problem, the violation of a small area of human rights, however, it is just as great as any larger human rights problem.

Programmes to overcome the problems of extreme poverty are being carried out through a social plan endowed with the equivalent of USD 4 billion, with intermediary institutions, city councils and the church participating in the allocation of resources. In the last four years, both poverty and extreme poverty have been reduced to half what they were in 1978.

As a means to fully ensure the enjoyment of their political rights, this year Argentina's citizens residing abroad will be able for the first time this year to exercise their right to vote.

Equally important because of its international repercussions and as a means of contributing to the knowledge of the past of horror in the history of humanity, the Argentine government has decided to make public the police and immigration files so that the immigration so that the entry and settlement in our territory of alleged war criminals may be investigated. We believe that this could serve as an example to other countries that still await the maximum light to be shed upon this matter.

Argentine immigration policy has been broad and generous as befits our national spirit and according to its constitutional model. We have welcomed the citizens from our sister Latin American peoples. With respect to the recent migration within the European context, I hereby confirm Argentina's readiness as expressed by President Carlos Saúl Menem to receive all those persons having the indispensable means and may wish to live on Argentine soil.

Lastly, I have the honor of pointing out the positive evolution of mechanism for the protection of human rights in the Western hemisphere. In the Americas, we have an Inter-American Commission of Human Rights and a regional tribunal, which are non-politicized technical organs unprecedented anywhere else in the world.

Mr. President,

After this brief review of my country in America and the American actions, I would like to refer to the present international scene.

There are stark contrasts in the world today. Although, widespread human rights violations continue to persist, wars, persecution and discrimination, there have also been great changes in particular in Latin America and the Caribbean that allow to progress and persevere with a view to a better future for the coming generations.

Multi-polarity has been reborn after the end of the confrontation between the great military powers and an auspicious future is now open for the United Nations to strengthen its presence on the global scene through a more effective functioning of the system of collective security.

In our field of study, the duality of human nature has manifested itself. In this century, we have been able to codify human rights at the international level and advanced towards establishment of their universal protection, which benefits humanity as a whole. In this last respect, the Americas are undoubtedly an example. The Pact of San José, Costa Rica, established the inter-American Tribunal of Human Rights and Inter-American Commission on Human Rights, bodies of independent experts to adequately ensure the protection of these rights in the region.

Nevertheless, this century has also witnessed considerable regressions. In countries where in many respects a pinnacle of progress and civilization had been reached, political systems were established that institutionalized the most massive glaring and systematic violation of human rights. Now we are distraught witnesses to fratricidal wars in the most prosperous and educated continent in the world. We see, thus, before us the rights of minorities being trampled underfoot, and racism and xenophobia renascent.

We observe as well a trend against the freedom of movement of people, the practical effects of which could give rise to a significant limitation on the right to freedom of movement and work.

It is essential to eradicate the rise of intolerance, all forms of racial discrimination, anti-Semitism, xenophobia, neo-Nazism, and ethnic cleansing, that, once again, reappearing in some nations. We would like to condemn most categorically the terrible crimes that have appeared recently.

Although no country whatever its level of political, economic, social or cultural development is free from such regression, the world community must unite in its efforts to buttress the international system for the protection of fundamental rights. States should assume responsibility for any violations occurring and ensure there is no impunity.

We believe, Mr. President, that respect for these rights is essential if we are to achieve the basic objective of the United Nations, which is maintaining international peace and security together with promoting economic and social development.

The interrelationship of human rights, democracy and development is one of the central topics of this Conference.

We believe that full respect for these rights is achieved through the promotion of democracy and the full participation of all citizens in public affairs with all that this entails.

While this is fundamental, the political democracy in itself is not enough to ensure the enjoyment of other human rights. It is the only the basis by which to further the promotion of social justice in order to ensure the enjoyment of all other rights. Merely to safeguard public freedoms without promoting social justice threatens the stability of the democratic system of government.

With regard to the right to development, we believe that this idea is so dear to Latin America, refers to an economic, social, cultural and political process with a view to the sustained improvement and growth of social welfare for every individual and his family. But this right will only be possible through the establishment of sound macroeconomic policies based on rationality and transparency. We, therefore, reaffirm the importance of the dignity and worth of the human being. Any policy that restricts public freedoms and the name of the objectives of economic development is, therefore, unjustifiable. This is a central point in what we are doing and we hope that this assembly will do so too.

Mr. President,

We are well aware that the primary responsibility for the protection of human rights within that territory falls upon individual states rather than the international community. We also know that states must assume responsibility before the international community whenever they fail to abide by such obligations.

With respect to the universal character of human rights in the face of cultural, ethnic and religious specificities, we believe that it does not come through the imposition of one culture upon another but derives from the fact that all men share the same human nature and dignity. This universal character is based on the indivisibility of the human person, who is both the subject and the beneficiary of all human rights, which in turn can be assured or granted in different ways. The principle that all human rights and fundamental freedoms are indivisible and interrelated is more valid today than ever.

Let us reiterate, civil and political rights and economic, social, and cultural rights are interrelated and no policy can be justified that promotes and protects one set at the expense of the other. We do not think this is a vision just on our part. We believe this is a universal view. To our judgment, the non-respect of public freedoms, the absence of popular participation in decision-making and the electoral processes are, inter alia, the most significant obstacles to the enjoyment of fundamental rights.

Mr. President,

Respect for human rights requires stronger commitment on the part of the international community and international organizations as well as appropriate initiatives at the international, regional and national levels. This does not mean unnecessary interference in the sovereignty of states. What it

means is making effective the responsibility that we all have for the full enjoyment of human rights. This strengthens sovereignty and does not undermine it.

We must strive to make the system of international protection more effective, more technical and less politicalized. In this task, it is necessary to unite the efforts of governments, experts, treaty bodies, non-governmental organizations and the Centre for Human Rights. In this connection, the experience of the Americas might prove useful.

The Centre for Human Rights must be strengthened, its role and responsibilities have increased but that has not been matched by a greater budget. A redistribution of existing resources is necessary in order to increase the Centre's budget without raising its members' assessed contributions.

We shall also have to devote our efforts to achieve the universal ratification of the basic human rights instruments and a broader control of their implementation. It is through cooperation rather than confrontation that the eradication of the root causes of human rights violations will be achieved. When some countries express opinions on what is happening in other countries in areas of human rights, they perhaps are not fulfilling their primary obligations. We shall attain these objectives through effective education and training programmes in the area of human rights at all levels designed to establish or strengthen the necessary infrastructure for the promotion and protection of human rights in all countries.

Although this Conference cannot impose the conclusions we have arrived at, it can make recommendations to the General Assembly. The creation of one or several posts of United Nations High Commissioners for human rights according to the different regional groups without increasing the assessed contributions of Member States, who will be in a position to react more effectively to investigate, control and solve situations where human rights have been violated will be one of the recommendations that my country will definitely support.

We also believe, Mr. President, that we should agree on some kind of limitations so that countries that are involved in serious human rights violations may accede as full members to the bodies responsible for controlling their promotion, protection and enjoyment. This could be within the context of international human rights legislation.

Mr. President,

As a final thought, I should like to call upon all the delegations to unite our efforts in order to achieve a clear and sound political agreement to not only attain the goals proclaimed in the Universal Declaration forty-five years ago but also to advance even further towards global respect for the human person.

Thank you very much.

GARRETON, Roberto (President), spoke in Spanish:

I thank the Minister for his statement. I now call on His Excellency, Mr. Soubanh Srithirath, Vice Minister for Foreign Affairs of the Lao People's Democratic Republic. You have the floor, Excellency.

SRITHIRATH, Soubanh (Lao People's Democratic Republic), spoke in French:

Keywords: HUMAN RIGHTS ADVANCEMENT - SOVEREIGNTY - DEVELOPMENT - LAO PEOPLE'S DEMOCRATIC REPUBLIC

Mr. President, Your Excellencies, distinguished delegates, ladies and gentlemen.

On behalf of the delegation of the Lao People's Democratic Republic I should like, first of all, to congratulate you most warmly on your unanimous election as President of this important World Conference on Human Rights. Aware of your quality as a distinguished diplomat, your large experience in international affairs I, therefore, venture to hope that our work at this Conference will be highly successful.

I would like to take this opportunity to most sincerely thank the government and people of Austria for the friendly hospitality they have extended to us since we arrived in this beautiful, welcoming capital, Vienna. I should also like to take this opportunity to express our great appreciation to the Secretary-General of the United Nations and, in particular, to the Centre for Human Rights for the tireless efforts they have made to ensure proper preparations for this Conference.

Mr. President, distinguished delegates,

We all know that the aim of the United Nations is to develop friendly relations among states based on respect of the principle of equality of the rights of peoples, their right to determine their own fate and to take measures to promote international peace and security. Equally important, another goal of our international organization is to achieve international cooperation in resolving the international problems, whether of economic, social, cultural, humanitarian nature, by developing the respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. Aware of these noble aims of the United Nations, the delegation of Lao People's Democratic Republic would like to sincerely and actively contribute to the difficult task before the present World Conference on Human Rights.

The question of the promotion of human rights and fundamental freedoms is a subject of great importance, which deals with the very dignity of the human being.

It is, therefore, important for the international community to be particularly vigilant and careful in dealing with the subject. Given the dramatic change in the world's situation, we have seen over the last few years that the question of human rights has become increasingly predominant in the international agenda and is discussed most seriously.

At the same time, we regretfully note that human rights are still used as an instrument to achieve political objectives. In the view of our delegation, everything should be done to put an end to such activities.

The United Nations Charter did quite correctly state that the question of the promotion of human rights and fundamental freedoms was one that should be seen in the context of international cooperation. A consideration of this question, indeed, must be based on principles of non-selectivity, objectivity and impartiality and should also take into account historic cultural, political, social, economic and religious realities of each country. It would be not particularly wise or appropriate for a country, no matter how powerful, to arrogate the right to impose on others its own concepts, values or convictions in the field of human rights. All countries throughout the world, whether large or small, powerful or weak, rich or poor, have the sacred right to freely choose their own political or economic systems on the basis of respect for principles of national sovereignty, the right to self-determination and non-interference in the domestic affairs of others.

In their historic meeting in Bandung in 1955, the countries of Asia and Africa adopted the Universal Declaration of Human Rights on the basis of which the enjoyment of human rights and fundamental freedoms could be promoted.

This Declaration highlights, *inter alia*, not only the rights of individuals, but also their obligations to the community or to the state. A balanced view of these two aspects of the same question is important, in particular, for developing countries for the absence of such an approach would lead to instability, social disorder and, in short, a denial of the rights of the community itself.

In dealing with this highly sensitive subject, it is of great importance to stress the indivisibility and interdependence of human rights, which comprise civil, political, social, economic and cultural rights - all simultaneously. In this connection, we are particularly disturbed to see a developing trend loudly advocating for the enjoyment of civil and political rights while neglecting the exercise of social, economic and cultural rights, which are vital for developing countries, in general, and for poor low-income countries, in particular.

Mr. President, distinguished delegates,

In preparing for this Conference, the countries of Asia, Africa, Latin America and the Caribbean met and once again solemnly reaffirmed in their respective declarations in Bangkok, Tunis and San José that the question of the promotion of human rights and fundamental freedoms is one that falls purely within the national jurisdiction of each country or government. This is the application *par excellence* of principles of state sovereignty, the right to self-determination of peoples and of the non-interference in the domestic affairs of others. Since its creation, the United Nations as an organization has constantly paid particularly attention to and granted considerable importance to the question of promoting human rights. In order to monitor the application of these rights, it has created a certain number of bodies including the Human Rights Commission, the Sub-commission for the Prevention of Discrimination and the Protection of Minorities, special rapporteurs and representatives, *et cetera*.

Of course, our Organization has, so to speak, a certain number of achievements to its credit in this area but much still remains to be done. In the view of the developing countries, the United Nations has not yet paid sufficient attention to social and economic rights including the right to development, and which are the fundamental rights whose full exercise is the very basis for achieving the enjoyment of all the other rights. It would be unjust if we were not to take into account in our study any proposal aimed at creating new machinery designed to ensure the application of this aspect of human rights.

Mr. President, distinguished delegates,

Since the creation of Lao People's Democratic Republic on the 2nd of December 1975, our country has generally enjoyed political stability and social tranquility. We are pleased at the situation prevailing in the country as a whole and will do everything we can to consolidate and preserve it. The Laotian government has reached a new stage and promulgated a series of laws and regulations to progressively transform our country into a state of law. Indeed, a first Constitution of the Republic was adopted on the 14th of August 1991 by the Supreme People's Assembly and was promulgated subsequently on the 15th of August of the same year by the President of the Republic.

The aforementioned Constitution stipulates in Article 2 that the Lao People's Democratic Republic is a state of popular democracy where all power comes from the people, through the people and for the people, and that the workers, farmers and intellectuals form its pillar. Of equal importance is Article 6 that proclaims that the state protects rights and democratic freedoms of the people including the right to individual property and that any authoritarian act that jeopardizes the honor, dignity, physical integrity, life, conscience or belongings of the individual is forbidden.

Under Article 9, the state is obliged to respect and protect the legal activities of the practitioners of Buddhism and other religions and that any act aimed at creating division between religions and

devising and dividing the people is banned. As to the rights and duties of citizens, the Constitution clearly stipulates that all Laotian citizens regardless of their sex, religious belief or ethnicity are equal before the law. They have the right to make complaints, to undertake legal actions and to voice opinions to the competent services of the state touching the questions of general or personal interest. The citizens of our country have the right to the unviability of their person and of their home, freedom of expression, both written and oral, and freedom of association and demonstration, which is not contrary to rules presently enforced. In parallel to the rights conferred to them by the Constitution, they have the duty to respect the latter, to observe the rules of social life and public order, to discharge their military duty, to defend the country and to protect the security of the country.

As to the rights of mothers and children, the Constitution in Article 20 stipulates that the state shall ensure a policy favorable to mothers and children. In the framework of the implementation of this policy, the government created in March of 1992 an inter-ministerial body entitled the National Commission for the Mother and Child presided over by a Vice Prime-Minister and comprising the Minister of Education and the Minister of Health as Vice President and Vice Ministers from various ministries and concerned organizations as members. This Commission has, among others, the main tasks:

1. To help the government in devising strategies and policies, and in identifying approaches designed to protect and promote the interests of the mother and the child.
2. To assist ministries and organizations concerned in coordinating their activities with respect to the mother and the child.

Generally speaking, the multi-ethnic people of Lao live in a calm and stable social climate. The people participate enthusiastically in the implementation since 1986 of the politics of renewal proclaimed by the government. Strongly supported by our people and convinced of its correctness, we intend to vigorously pursue this policy in the coming years.

Mr. President, distinguished delegates,

The future of the world is still uncertain. However, the international situation as a whole is developing in a positive manner. Nations and peoples on the planet are looking at us and are very desirous of seeing our Conference prove successful. It is, thus, of the greatest importance that a sincere spirit of international cooperation should predominate during the work of our Conference. Bearing its importance and significance, this Conference must succeed and reach the noble aims it has set itself. As far as we are concerned, the delegation of Lao People's Democratic Republic, in close consultation with all the delegations present here, will do everything it can to ensure that this Conference is a milestone in the efforts by the international community to promote and protect human rights.

Thank you, Mr. President.

[Change of president]

MUSYOKA, Stephen Kalonzo (President):

I thank His Excellency for his statement. Before giving the floor to the next speaker, the President wishes to announce that the General Committee has recommended that the speakers' list in the general debate be closed at midnight today. Since I hear no voices to the contrary, it is so decided.

I will now give the floor to Dr. Aleya El Bindari-Hammad, representative of the Director-General of the World Health Organization. Excellency, you have the floor.

EL BINDARI-HAMMAD, Aleya (World Health Organization):

Keywords: RIGHT TO HEALTH - WOMEN - DEVELOPING COUNTRIES - POVERTY - WHO

Mr. President, Mr. Assistant Secretary-General, Excellencies, distinguished colleagues, ladies and gentlemen.

Dr. Hiroshi Nakajima, Director-General of the World Health Organization, has asked me to transmit his profound regrets at not being able to attend this critically important and very timely Conference and to deliver this address on his behalf.

Ladies and gentlemen,

The WHO Constitution states that:

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

The Constitution was adopted at the conclusion of the International Health Conference held in New York in July 1946. Another eighteen months were to pass before the adoption and proclamation by the United Nations General Assembly of the Universal Declaration of Human Rights.

WHO recognizes a strong linkage between the right to health, other economic and social rights recognized by the International Bill of Human Rights and the right to development. In 1978, WHO defined the minimum basis below which the right to health would not be met. In recent years, it has engaged in substantive health activities relating to the human rights of vulnerable groups, such as children, the elderly, persons with disabilities, persons infected with HIV and persons with AIDS. It has been an active partner in the process that led to the adoption by the United Nations General Assembly in December 1991 of Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care. It is working with a non-governmental organization to foster the role of medical ethics in the protection of human rights. These, Mr. President, are but a few examples.

In spite of the achievements in the protection of human rights in the health sector, WHO remains very concerned that the consequences of many developmental activities have not been sufficiently addressed as far as human rights are concerned. There has been a failure to make a significant positive impact on the highly vulnerable groups that comprise nearly one-fifth of the world's population. The size and condition of these groups are the best indicators of the effectiveness of the development strategies. A wide gap exists between awareness of the importance of health in development and its concrete expression in development strategies and policies.

Income levels, educational levels and life expectancy are good indicators of the outcome of development. In the final analysis, Mr. Chairman, all aspects of the development process, whether positive or negative, are reflected in health status especially of the most vulnerable groups. Among the most vulnerable are women. Close to 600 million women are living in poverty and suffering from poor health. These are the most vulnerable in the rural areas. If we were to add women in urban and peri-urban areas, the figure would be much larger. It is they who often carry the heaviest burden, caring for the sick and the dying and risking their lives in childbirth.

In parts of the developing world, there are more maternal deaths in one day than in all the developing countries in one month. Girls are born with a biological advantage over boys, which makes them more resistant to infection and malnutrition: but this is often canceled out by the social disadvantages they suffer. The legacy of poor health in childhood, manifested by short stature and low body weight, combines with overwork, anemia and lack of access to care, constitute the major factors in maternal

death. This is an unacceptable situation indicative of the social inequity and discrimination that women suffer often every day of their life.

Ladies and gentlemen,

In terms of modern human rights law, many of the health disadvantages of women can be classified as injustices. Women are denied the right to the fruits of development, they are denied the most basic right of all - the right to health.

Your Excellencies,

It is our common concern to preserve the health rights of all people on this planet. That this is a legitimate concern is clear from evidence that the health of millions of people is being threatened daily. I have cautioned in other forums that, if we are not careful, we shall have to face a global health crisis of serious proportions. This crisis can have consequences manifested by unnecessary human suffering, social discontent that may lead to civil disorder and political instability.

Let me give you some facts that illustrate the situation with which we are confronted. While the incidence of communicable diseases and tropical diseases is still much higher in the developing countries than in industrialized countries, the increased incidence of diseases such as tuberculosis in all countries is a cause for alarm. Non-communicable diseases are on the increase in the developing countries, and the trend towards a continuing increase in, for example, the global incidence of cancer, is a bleak testimony to the double burden carried by many developing countries. This is without taking into account the AIDS pandemic. Fourteen million people are now infected with HIV, and the number is expected to rise to 30 to 40 million by the year 2000.

Everywhere, development has had unintended negative consequences, with repercussions on both health and the environment. In some countries, and for some segments of the population, development policies have, indeed, contributed to major improvements in the overall standard of living, yet, in developing countries there are still millions of poor people. Even in the western industrialized countries there are many people living below the poverty line. Poverty has become particularly entrenched in young, single-parent families and among ethnic minorities. The linkage between poverty, poor health status and environmental degradation has been underscored in numerous international conferences.

Raising per capita income, increasing life expectancy and lowering infant mortality rates are major accomplishments on which governments are to be commended. But as we enter the 21st century is it acceptable that we should be considering only the barest minimum criteria for mankind to survive? Surely, we should be looking at what fulfilling human potential means. This goes beyond survival to ensuring that individuals and communities can develop in an environment that allows them to realize their full physical, emotional, intellectual and economic potential.

People, Mr. President, may be living longer but they may not necessarily be living better. Even the developed countries must struggle to ensure that not only are years added to life but life to years. We must work towards reducing preventable deaths, but we must also ensure that the living do not suffer from diseases and disabilities that destroy their quality of life and, yet, could be prevented or mitigated. Global attention to human health can become a profound unifying force in a divided world.

Ladies and gentlemen,

In conclusion, the World Health Organization wishes to congratulate the Secretary-General for his outstanding leadership in the complex process that led to this monumental Conference. The dynamic and challenging agenda for the future of international human rights merits our careful consideration. We would also like to reemphasize our strong commitment to continuing cooperation with the Centre for Human Rights. We should like to congratulate the distinguished Assistant Secretary-General for

Human Rights, Professor Ibrahima Fall, for the excellent work he and his staff have accomplished. The quality of the Conference and, in particular, the important conclusions, on which we are sure there will be consensus, will be a powerful testimony of their outstanding achievements in the years and decades to come.

Your Excellencies,

I can assure you that I shall spare no effort to ensure that the conclusions you adopt that are germane to the work of WHO are implemented to the full by our Organization in cooperation with all our partners.

May I just add one word, WHO does not claim that health is everything but, Your Excellencies, ladies and gentlemen, if we are to lose it what else do we have left?

Thank you.

MUSYOKA, Stephen Kalonzo (President):

I thank the representative of the Director-General of the World Health Organization. I wish to apologize to the delegation of Belarus for the delay, and now I wish to give the floor to His Excellency, Mr. Petr Kravchanka, Minister of Foreign Affairs of Belarus. Excellency, you have the floor.

KRAVCHANKA, Petr (Belarus), spoke in Russian:

Keywords: BELARUS - GOVERNMENT POLICY – RELIGION - CULTURAL PLURALISM - CHERNOBYL (UKRAINE) - HEALTH - NUCLEAR WEAPONS

Mr. President, ladies and gentlemen,

I should like, first of all, to express sincere gratitude to the people and government of Austria as well as to the authorities of beautiful city of Vienna for the cordiality and hospitality that has been extended to all of us. I should also like to congratulate you, Mr. President, and all the members of the Bureau on your election to the high posts of the World Conference and, on behalf of the delegation of the Republic of Belarus, to express our complete readiness to cooperate with you in achieving the highly humane goals of this very representative forum. I should also like to express our gratitude to the Preparatory Committee and to its Chairman, Madame Warzazi, for the work done.

Mr. President,

The 20th century enters the home stretch. Undoubtedly, among the problems that concerned the humanity over the last decades the dominant place was taken by the problem of human rights. Perhaps, this would be one of the main achievements of our turbulent, contradictory time, the time scorched by the flames of world and local wars, which were a tragic, critical but fortunately for all of us still a transient moment in the development of humanity.

The fundamental principle of the Universal Declaration of Human Rights that all people are born free and equal in dignity and right is being recognized by the most of humanity, albeit this process is not easy and often difficult.

The process of creating a democratic civil society in the Republic of Belarus is not easy and frequently contradictory. Undoubtedly, this process is still affected by the heritage of the totalitarian past and the absence of an integral legal infrastructure protecting the rights of the individuals from the omnipotence of bureaucratic structures as well as the existing and, in some places, worsening economic difficulties. At the same time, it would be neither objective nor just to ignore the structural changes occurring in

our society. Over thirty laws have been adopted regulating our transition to a market economy. The Parliament is in the final phase of discussing the new constitution that will make the democratization process in our state irreversible. In creating this constitution, we draw on the best elements not only of the constitutions of many countries of the world but also resurrecting from the historical oblivion a valuable experience of constitutional standards of the end of the 16th century, which were enshrined in one of the first legal codes in Europe - the State Statute of the great municipality of Lithuania, a multi-ethnic state that is of common relevance for the Lithuanians and Belarussians of today. The basic law and other legal documents enshrine the principle of the separation of legislative, executive and judicial powers, the primacy of international law over the internal legislation and unconditional guarantees for rights and freedoms of the individual by creating the necessary machinery for their protection. Belarus ratified an absolute majority of fundamental documents on human rights. Already in 1991, we had ratified the First Optional Protocol to the International Covenant on Civil and Political Rights and recognized the jurisdiction of the Committee on Human Rights pursuant to Article 41 of the aforementioned Covenant.

In Belarus, a new political structure is gradually taking shape. Since the proclamation of the sovereignty of the Republic of Belarus, eleven new political parties, six national community and political organizations and approximately 500 social and professional organizations are officially registered and actively involved in political activity. In overcoming the repeated mistakes of the past, we, first and foremost, deal with the problem of eliminating the state monopoly on the protection of human rights by creating conditions allowing the activities of non-governmental, non-official organizations. In Belarus, the League for the Protection of Human Rights was recently created and started to function successfully, it has its own printed publication.

In Belarus, the level of mutual respect and tolerance facilitated a unique confessional environment. The state has created conditions for the development of nineteen religious creeds, all with the same rights and possibilities. At present, we are apparently the only country in Europe where the main religious holidays of both, the Orthodox and Catholics such as Christmas, Easter and others, are celebrated by the entire society on an equal basis as official non-working holidays.

In our Republic, a favorable situation has been created with regards to international relations. We are able to get along with our neighbors, are able to live, work and create our future together with representatives of other peoples. The distinctive feature of our development is the almost complete absence of radical or extremist parties or movements that cultivate the ideology of violence, enmity, xenophobia, anti-Semitism or other phenomena leading to the violations of human rights. Tolerance and respect for other peoples have been traditional for centuries in the behavior, live and actions of the Belarussians. We will do everything to preserve in the centre of Europe this unique level of humanism and religious and inter-ethnic balance, which is a guarantor of the stability and irreversibility of the democratic transformation of our society. This is evidenced by the adoption of what are essentially democratic laws on, inter alia, national minorities, freedom of religion, the situation of foreign nationals and of stateless persons, on the granting of refugee status, on social protection and others. In adopting the law on citizenship, we have removed from our passports any reference to the ethnic origin replacing this by the universal concept of a citizen of the Republic of Belarus.

From our own experience we have seen how deeply the human person, the economy and the social life of a society all suffer when civil and political activities of a person are artificially narrowed, and that only a truly free person under an effective system of protection and promotion of human rights and freedoms can, with the greatest benefit for himself and for the society as whole, discern his calling in life and his talents.

We are aware that resolving the big tasks of democratization of all aspects of life of the society in a short period of time is quite difficult. The load of previously made deformations is too large. However, the firm belief that a democratic state ruled by law is in line with the aspirations of all members of society gives us the confidence that our approach is justified.

It is our view that presently, along with the adoption of new laws and standards, it is also necessary to do a lot of work to improve the already existing machinery. At the same time, it is important to support the existing standard in the field of human rights and not allow a departure from this level. In the end, the greatest degree of predictability in the questions of foreign policy and in the development of international situation is achieved also by respecting human rights, by bringing up the domestic norms to the international standards and by participating in an international control system. This is the way to create a world community of states ruled by law, the primacy of international law. We are clearly and unequivocally in favor of such a perspective.

We are seriously concerned by the fact that virtually one-third of the Member States of the United Nations still have not acceded to the covenants, conventions and other international documents that codify the universal norms and standards flowing from the provisions of the Universal Declaration of Human Rights.

I cannot fail but to draw attention to one other aspect of the problem under discussion. This is the right of a nation to life, to preserving their gene pool, on ecological and nuclear security. For Belarus, this is not simply a slogan but a cruel daily reality, the prose of life, a struggle of one of the oldest Slavic peoples for its own survival. The terrible echo of Chernobyl will still be felt over our territory, according to scientists, for over 400 years. The consequences of our national tragedy are impossible to foresee, but they are particularly hard for the 2,200,000 people directly affected by the black wing of Chernobyl. A particularly difficult situation has developed with respect to the health of younger citizens of our society, our children. It is clear already now that we hold one of the saddest and most tragic of world records. Belarus ranks in the first place in the world in the number of cases of thyroid cancer among children, and this index, and I draw your attention to this point, has increased by over fifty times since the 1986 Chernobyl tragedy! It is for this reason that our people, government and Parliament did not hesitate in ratifying the START Treaty and its Lisbon Protocol and in acceding to the Treaty on the Non-proliferation of Nuclear Weapons of 1968. For Belarus, which lived through its tragic history dozens of wars and which survived through Chernobyl, the nuclear phantom – in whatever guises, military or peaceful – is unacceptable. Unambiguously and without any preliminary conditions, we have stated that we are in favor of a non-nuclear neutral status of future Belarus, which is our constitutional goal. We should like to stress that in essence this is the first in the history of the 20th century example of a deeply understood and voluntary rejection by a nation of a possibility to possess nuclear weapons.

Mr. President,

In summing up what I have said, I should like to stress that according to the Republic of Belarus the priority areas of activity for the United Nations in the field of human rights ought to be as follows:

First, achieving universal participation in existing international legal documents and standards, which would make it possible to avoid the application of double standards in assessing their implementation;

Second, recognition of the indivisibility of human rights, which, while having their own value, are, nevertheless of equal importance in their entire range: civil, political, economic, social and cultural. At the same time, the very existence of an International Bill of Rights would preclude any doubts as to the interconnected and interrelated nature of all categories of human rights. The provisions contained therein cannot be interpreted in an arbitrary manner or applied selectively.

Third, expanding the consultative and technical services to Member States of the United Nations in the implementation by the latter of their obligations in the field of human rights.

Forth, expanding the public outreach activities including improvement in teaching and education in the field of human rights, the publishing of new textbooks, reference materials.

Mr. President,

The countries of the world community are in many way not alike: but remaining different, preserving their identity, differences and originality, they are an amazing source of mutual enrichment, complementarity and mutual development.

Ultimately, the imperative of the modern times is the cooperation of countries and peoples in ensuring and protecting human rights in all their diversity everywhere in the world. This is the pivotal, humanistic content and overriding significance of our times.

Thank you, Mr. President.

[Change of president]

BHUTTO, Begum Nusrat (President):

I thank His Excellency, the Minister for Foreign Affairs of Belarus, for his statement. I now give the floor to His Excellency, Mr. Vahan Papazian Minister of Foreign Affairs of Armenia. Excellency, you have the floor.

PAPAZIAN, Vahan (Armenia):

Keywords: ARMENIA - SELF-DETERMINATION - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS - HUMAN RIGHTS MONITORING - HUMANITARIAN ASSISTANCE

Mrs. Chairman, Excellencies, distinguished delegates, ladies and gentlemen,

Since the declaration of its independence two years ago, the Republic of Armenia has proceeded resolutely to reform fundamentally its political and economic systems and to democratize its society. Our goal is to build a democratic state where the civil and political as well as social, economic and cultural rights of the people are strictly observed and protected.

Armenia's foreign policy stems from the same concern and is based on the principles of peace and the development of friendly relations and cooperation between nations.

For us it is extremely important that we actively engage in and become a full and rightful member of the international community. The most basic testimony to our resolve in this direction is Armenia's accession to a number of international conventions including the 1949 Geneva Conventions and the relevant 1977 protocols; the agreement on the civil and political rights; the Convention on the Rights of the Child; the Convention on the Prevention and Punishment of the Crime of Genocide; the Convention on the Non-applicability of Statutory Limitations to War Crimes and Crimes against Humanity; and many other international documents, the provisions of which have become peremptory norms of international law.

The Republic of Armenia appreciates greatly the efforts of the international community, which has, within the framework of the United Nations, created these and other basic documents. The Republic of Armenia acceded to those agreements with the deep conviction that the principles articulated in these documents are not merely fancy words, but they truly reflect the progress made by mankind on the path towards the creation of an international community based on universal values.

Although the international legal framework cannot yet be considered complete and comprehensive, one may say that the basic documents and norms for international conduct have been developed.

Regretfully, the same cannot be said of international agreements relating to the promotion of universal respect and the observance of human rights and other fundamental freedoms. As past experience has demonstrated, the existing mechanisms that promote the observance of human rights norms and

standards are not sufficient. A case in point is the application of one of the most basic principles of human rights: namely, the right of people to self-determination. This principle is expressed in the first articles of the first chapter of the United Nations Charter as it is in many other basic agreements. Yet, the violation of this principle in different corners of the world has become the cause for major conflicts and significant bloodshed, all because the procedures enabling implementation of the law of self-determination are not fully developed giving the opposing sides the opportunity to interpret the law from the perspective of their own political expediency. This has led to the application of double standards to the provisions of international law.

It is apparent that the breadth of mechanism enabling the protection of human rights standards and norms does not correspond to the depth of international agreements reached in this regard. Today there certainly exists an urgent need to create corresponding guarantees.

In our opinion, such guarantees could come in the form of the establishment of the position of a United Nations High Commissioner for Human Rights. We are aware of the controversy surrounding this issue, but we are convinced that the arguments made in the favor of establishment of such a position are far more convincing than the arguments made against it. We are hopeful that the establishment of such a position will assure quicker and more decisive responses to violations of human rights including the right of people to self-determination.

The idea of creating an international criminal court is also worthy of serious consideration. Recent events have come to reinforce the conviction that the world community should long ago have begun to act more decisively against violations that are now carried out with impunity.

Armenia appreciates greatly the United Nations advisory services to governments and we believe these could be further expanded.

United Nations investigatory and monitoring mechanisms need to be organized in a manner that allows the United Nations to perform these important tasks much more quickly and in a timelier manner. With the goal of prevention of undesirable developments rather than simply serving to record and evaluate such events as has often been the case in the past.

In efforts to overcome human rights violations an important function is given to the Human Rights Centre of the United Nations. As far as Armenia is concerned, we intend to closely participate in the activities of the Centre including the preparation of experts and the dissemination of the fundamental principles of human rights. We consider the education on human rights issues in our country extremely important because it is apparent that the protection of human rights is not only the responsibility of the government but of the entire society. In this regard, we also consider it important and do encourage the work of non-governmental organizations and their cooperation with international organizations.

We consider the view that even under the conditions of economic austerity the civil and political rights of people cannot become secondary. Based on the experience of our people we clearly see that under the most difficult economic conditions people are confidently aware and appreciative of their civil rights and do actively participate in the nation's political life.

We are deeply convinced that the respect for and protection of human rights especially when relevant to whole nations and population groups need to be backed by United Nations peacekeeping activities. Preventive diplomacy, the exposition of conflict situations, the sounding of alarms about potential conflicts and the resolution of ongoing conflicts need to be looked at from the perspective of human right. These measures will undoubtedly increase the responsibility of not only the international community but also of individual countries.

As the three-year-old blockade of Armenia continues, our people consider the international community to bring this illegal and massive affront of their humanity to end. Under these circumstances, we appreciate the humanitarian assistance provided by many countries represented

here. But our people expect and deserve open roads and open communications with their neighbors to allow them to work, produce and earn a decent living.

However, we are deeply convinced that Armenia is the country which, because of its rich historic legacy, the collective memory, moderation, tolerance, hardworking nature of its people and the policy of bringing the conflict in the region to an end, can under peaceful conditions and in a short period of time become one of the most progressive and democratic countries in the region and could even take upon itself the role of promoter of peace in the region.

Thank you.

BHUTTO, Begum Nusrat (President):

I thank His Excellency, Minister of Foreign Affairs of Armenia, for his statement. I now have the honor to invite His Excellency, Mr. Le Mai, Vice-Minister for Foreign Affairs of Viet Nam to address the Conference. Please take the floor.

LE, Mai (Viet Nam):

Keywords: INTERNATIONAL COOPERATION - VIET NAM - WOMEN - DEVELOPMENT - UN High Commissioner for Human Rights

Excellencies, distinguished delegates,

The delegation of the Socialist Republic of Viet Nam comes to Vienna in full awareness of the important significance of the World Conference on Human Rights and with the profound commitment of the people and state of Viet Nam to the cause of human rights. Let us hope that the traditional Austrian spirit of concord will help our Conference to find a common denominator for the perceptions and actions of all states and nations concerning human rights in this decade that closes the 20th and ushers in the 21st century. The delegation of Viet Nam will together with other delegations cooperate constructively with the President of the Conference to ensure that the latter's outcome meet the expectations of all our peoples.

Excellencies,

The world has vastly changed since the first World Conference on Human Rights as a result of which there has emerged an increasingly just and full-fledged understanding of human rights across the world. Within a mere quarter of a century since the Teheran Conference, the global process of national liberation and independence has entered its final stage. The vindication of the right to national self-determination as affirmed in the historic resolution 1514 of the United Nations General Assembly constitutes an important achievement of humanity in this century. It stands as a historical landmark in the struggle for human rights, which draws its roots from the irrepressible yearning of nations to live in independence and to be free to decide their own political status and to choose their own path of economic, social and cultural development away from any form of domination, imposition or coercion.

Under the impact of the communication revolution and of the growing intensity and scope of international intercourse the peoples of the world are moving towards greater mutual understanding and sharing a powerful common aspiration to the better life in which each person and each community would be afforded conditions for their free and all-round development. With the increasing role of international law in world affairs and the steadily widening awareness of the peoples about the significance of international law and the rule of law, the fundamental principles and objectives laid down in the UN Charter, the Universal Declaration and the two basic Covenants on human rights have become the shared standards and needs of every individual and every nation in our time. The

fundamental principles enshrined in these international instruments are shared values of mankind that we need to cherish and defend.

With the trend towards international and regional dialogue and cooperation in all spheres, human rights have become an object of cooperation and a common concern of the international community. We should also take the full measure of the complexity and sensitivity involved in the concept of human rights. Therefore, we need to keep in mind the basic principles of international law and to respect each other's views if we are to engage in durable dialogue and sustainable cooperation on human rights.

Excellencies,

Viet Nam is profoundly alive to its national history through millennia of nation-building and safeguarding. The achievements of the long journey towards the emancipation of the whole Vietnamese nation and of every Vietnamese from all forms of oppression and subjugation so as to strive for national independence and the right to be human are an invaluable legacy upon which to build the future of the Vietnamese nation and of every Vietnamese man and woman. As a consequence, far from being alien to our nation - a nation who for several generations has had to pay a heavy sacrifice for the sake of the independence and freedom of the homeland and of the people - the struggle for human rights represents something it holds dear. This deep-seated awareness is also the driving force in Viet Nam's process of renewal today, a process embodied both in its strategy for socio-economic development to the year 2000 with the human being as the centerpiece, as both the motive force and the ultimate goal of all social activities, and in the political reform for broader and higher democracy whose cornerstone is the endeavor to build the rule of law in a state that is not only for the people but also of the people and by the people.

In the same spirit, my delegation welcomes the promotion and protection of women's rights as the theme of one of the five main working groups of the NGO Forum and a prominent concern of the governmental conference. We should also like to stress the vital importance of the rights of children who are our future and to state the readiness of Viet Nam as the second state in the world and the first state in Asia to have ratified the UN Convention on the Rights of the Child to respond positively to the recommendations put forth by the United Nations Children's Fund in its position paper addressed to the World Conference on Human Rights.

We wholly concur with the view that human rights is an aggregate concept. Human rights are at the same time an "absolute yardstick" of universal nature and a "synthesis resulting from a long historical process" in constant evolution and growth as was pointed out to us by the Secretary-General of the United Nations. Human rights cannot be dissociated from, nor are they wholly dependent on the level of socio-economic development. In our view, universality and specificity are two organically interrelated aspects of human rights, which do not exclude each other but coexist and interact. At the same time human rights is the whole combination of rights dialectically interlinked. These are the rights of individuals and the rights of nations and communities; civil and political rights; economic, social and cultural rights; rights of the individual, and his/her obligations towards the society. As underlined by many speakers in the past few days, human rights are inseparable from peace, democracy and development, and we should not allow ourselves to place unequal emphasis on any of these four parameters. However, in view of the fact that countries of the South have to battle with harsh and frustrating conditions of poverty, disease, deprivation and backwardness, at times seemingly insurmountable, our earnest concern for the cause of development is only natural. In 1986, the General Assembly of the United Nations officially recognized the right of nations to development, in the wake of which the right to development has been granted ever wider recognition by the international community as a fundamental human right. We welcome the reiteration by the Foreign Minister of Indonesia of the Non-Aligned countries' position as spelt out at the 10th Summit of the Movement whereby "any attempt to use human rights as a condition for socio-economic assistance must be rejected." We also note with satisfaction the position of non-governmental organizations in favor of

the abolition of economic conditionality and for the holistic approach to the right to development as presented by the rapporteur of the NGO Forum before our plenary meeting.

Proceeding from its own historical reality, Viet Nam fully understands that human rights of a given nation is the work of that nation, and that the responsibility for the promotion of human rights in a state rests primarily with that state as reaffirmed by the UN Secretary-General. This does not mean a negation of the universality of human rights but only emphasizes a reality, namely that the state with a complementary and supervisory role played by popular organizations is the only entity with the competence to devise appropriate solutions for the protection of human rights. On the other hand, in order to improve human rights across the world, in general, and in each country, in particular, in this age of interdependence everyone is agreed that international and regional dialogue and cooperation should be promoted on the basis of equality, mutual understanding and mutual respect for each other's independence, sovereignty and with the full awareness of unity in diversity as well as the common determination of all of us to remove all obstacles to the promotion and protection of human rights.

Excellencies,

Our Conference is not merely an important forum for countries to look back on the road travelled by mankind over the last twenty-five years for the cause of human rights and to exchange views on perceptions of human rights. All of us also wish to see our understanding and our words complemented by action. Therefore, we are all agreed on the importance of measures, mechanisms and means for the promotion and protection of human rights at international level. In this regard, my delegation supports the promotion of various forms of international and regional dialogue and cooperation based on the principles of international law. As for the question of establishing new structures and mechanisms within the UN system, we are of the view that time is needed for careful study of these proposals before coming to any decision. At present, there already exist UN mechanisms for monitoring of human rights, we need to work out measures aimed at enhancing the effectiveness and the efficiency of these mechanisms so as to avoid unnecessary overlapping and waste. This would be altogether in conformity with the common agreement of Member States on the need to reduce the budgetary load of the UN.

Excellencies,

As it reintegrates the world community after long years of war, Viet Nam is resolved to contribute to the common human rights cause of the peoples of the world through its endeavor to build a society where wherein all and everyone are entitled to peace, independence, freedom, prosperity and equity and are provided conditions for their harmonious all-round development as well as through its policy of international dialogue and cooperation on an equal footing towards the realization and protection of human rights all over the world.

Thank you.

BHUTTO, Begum Nusrat (President):

I thank His Excellency, Mr. Le Mai, for his statement. I now invite Mrs. Catherine Lalumière, Secretary-General of the Council of Europe. Madame, you have the floor.

LALUMIERE, Catherine (Council of Europe), spoke in French:

Keywords: EUROPE - TREATIES - CULTURAL PLURALISM - ECONOMIC, SOCIAL AND CULTURAL RIGHTS - DEVELOPMENT - HUMAN RIGHTS PROTECTION - HUMAN RIGHTS EDUCATION - UN High Commissioner for Human Rights

Madame President, Excellencies, ladies and gentlemen,

It is an honor for me to speak as Secretary-General of the Council of Europe. This Conference constitutes a historic event because the number of states represented, because it is the first world summit on human rights in twenty-five years and because the ideological upheavals of the last five years in Europe and throughout the world have brought the question of human rights to the fore. From now on, the countries of Central and Eastern Europe share with those of Western Europe the same concepts on this subject.

The preparation of this Conference was not easy but now, thanks to the work of the Preparatory Committee and the regional meetings, we have a wealth of rich documents.

The Council of Europe wished to make a concrete contribution to the preparation of this Conference. At the end of January last, it organized a meeting that was not exclusively European but interregional, in which a great number of representatives of governments, NGOs and independent experts from all parts of the world participated. This initiative was taken because the history of the Council of Europe and its constant concern for safeguarding and development of human rights are so intertwined as to form a single whole.

In signing the Statute of the Council of Europe in 1949, the states joined together on a project concerning human person and embarked on a thoroughly novel and audacious enterprise, which bracketed together the main pillars of the international law, the link of nationality between the state and the persons to whom it is accountable and the principle of non-interference in the internal affairs of the state.

On the basis of our European Convention on Human Rights and the case law of the European Court of Human Rights, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, a veritable European public order based on respect for the fundamental rights of the individual has gradually been established. Henceforth, the safeguarding and development of human rights are no longer considered to be simply activities like any others. They modify international relations in the sense that they no longer involve states alone but involve rights that are imposed on the states themselves and that are sanctioned by a supra-state jurisdiction.

Such a result may lead to a legitimate sense of pride, but neither I nor the twenty-nine Member States of the Council of Europe are going to fall into the trap of self-satisfaction. We know what these achievements owe to the historical context, post-World War Two Europe. We know that they took time, we know that they are fragile and can be improved.

Unfortunately, this is no time to be triumphant: ignorance and disregard for human rights still result in barbarous acts that revolt the conscience throughout the world and also in Europe. We have only to think of the former Yugoslavia. Elsewhere, our continent is experiencing a disquieting upsurge in nationalism, xenophobia, racism and anti-Semitism. Our societies have not managed to resolve the problem of exclusion; the poor, those on the fringes of the society and the weak all bear witness to the imperfection of our systems of protection.

This recognition that the development of human rights is a continuous process where what has been achieved can never be taken for granted and vigilance is always necessary, this one of the conclusions of the Strasbourg Interregional Conference on Human Rights that was held in January.

In order to make as concrete a contribution to your work, I shall repeat here the main conclusions, which the general rapporteur Mrs. Mary Robinson drew from the extremely reach discussion in Strasburg. This represents a consensus opinion of what the participants at that interregional Conference expect from your Conference here.

In the first place, it is appropriate to reassert clearly and unambiguously that human rights are universal and indivisible.

I know that this principle gives rise to objections, and some people claim that international human rights standards are of essentially Western nature and are not suited to countries with different religious and cultural traditions. This view, which confuses the historical origin of the current of the thought with its intrinsic content, would mean splitting up human rights following a host of specific circumstances.

With such relativism, is it still possible to speak of human rights? We must not forget that their very basis is the principle of equal dignity of all human beings without any distinction. Their strength, from the very beginning, has lain outside of any historical, political or religious circumstances. This is what we are trying to say, perhaps clumsily, by describing them as natural and inalienable.

It is, nevertheless, important to avoid one misunderstanding. Universality does not mean uniformity and it is perfectly acceptable that, according to the societies and cultures, a particular emphasis should be placed on certain rights rather than others. I would even say, if they are to be truly universal, human rights must be rooted in different cultures. It is the only condition for the men, wherever they may live, to be able to know and understand them for they can only do this on the basis of their own culture.

The universality of human rights, thus, leaves room for diversity. This diversity must not be allowed to erode the common stock of principles and values, which has gradually being build up.

This is why it has to be accepted that the international community may legitimately concern itself with violations of human rights whenever they take place. This concern cannot be considered interference in the internal affairs of states. Nevertheless, it goes without saying, that in the exercise of this right of international watch the international community, in order to be credible, must ensure that there are no double standards.

Nor must it be forgotten that this right of universal watch will not really serve the cause of human rights unless it is accompanied by a strong and sincere capacity to listen. Rather than ignoring or rejecting the values of other cultures or religions, we should seek the path of mutual enrichment. Each must learn to learn from others.

Human rights are universal and also indivisible. It is only if all their rights – civil, political, economic, social and cultural – are guaranteed that people can truly live in dignity. It is obvious that underdevelopment, starvation, poverty in general generate the violation of basic rights for their victims.

That is why the second idea of the Strasburg Conference was the revaluation of economic, social and cultural rights. From this standpoint, I believe that no state can exempt itself from criticism. All including the rich countries, in fact, allow greater or lesser number of people to live, if this is the word, in extreme poverty. That this had to be said on the eve of the 21st century should be a source of shame for the whole of the international community. Your Conference should make a serious effort to reevaluate the protection of economic, social and cultural rights. Indeed, as Mrs. Robinson pointed out, the death of 40,000 children a day through malnutrition is an affront to our conscience.

Our third idea concerns the links between development, democracy and human rights. This was one of the major themes of the Conference. It must be unequivocally stated that human rights are at the centre of development, far from being an obstacle, they foster it. Conversely, underdevelopment and poverty

must not be allowed to be an alibi to those who violate human rights. Arbitrary imprisonment, disappearances, torture and repression have never boosted economic development anywhere.

Here again, however, it would be dangerous to settle for a unilateral view of things. All countries, together, should take the economic, social and cultural rights seriously. Similarly, development must not be considered to be the business of poor countries only. Solidarity between individuals and between nations is an essential condition for the effective implementation of human rights.

With regard to the means of protecting human rights, we affirm that human rights must first be guaranteed at the national level. Regarding the mechanisms, your Conference should also reassert the principle that it is the national institutions, which are the best placed to ensure the protection of human rights in a context of legal and political culture favorable to human rights.

Indeed, the international protection systems are but subsidiary to the national mechanisms. They can intervene only as a last resort, as the truly ultimate remedy.

Nonetheless, this is possible only if the national authorities, notably the administrative and legal authorities, are concerned with effectively protecting human rights and provided that the international system takes root in each national society through the gradual spread of values it embodies. Above and beyond the legal system, it is societies themselves that must be considered, for it is these societies that support or abandon human rights.

In this context, we cannot but stress the importance of education and information, which should make it possible to develop a true human rights culture essential to the proper functioning of national laws and national institutions.

But this task cannot and should not be the responsibility of the governments alone. Every actor of the civilian society should be involved, in particular, the media, the unions and, above all, the non-governmental organizations, the NGOs, which perform an irreplaceable function and that are all too often the first target for the totalitarian regimes. The role of the NGOs in the protection and promotion of human rights should be explicitly recognized.

This Conference also provides an ideal opportunity to improve the application of international standards in the field of human rights. We need, in particular, to consider ways of preventing violations.

You are all aware that recent events have led to vociferous criticism of United Nations and all international organizations. It is true that all too often they are incapable of acting swiftly and effectively to deal with serious and systematic violations of human rights, those violations that we observe on all continents including the European continent, I am thinking of Bosnia and Herzegovina.

You are to consider proposals for establishing an early warning system. There are several good proposals, in particular, for the creation of a post of United Nations High Commissioner for Human Rights. It is also important for the Conference to pay a particular attention to the violations of women's rights and to find improved methods of protection here. Finally, we should decide to increase the material and financial means particularly of the United Nations that are needed to allow the United Nations to protect human rights.

Madame President,

At the beginning of my statement, I said that the holding of this Conference was a historic event in itself. It is now for the Conference itself to become such an event by its substance and by its result, a historic event. The Conference should draw guidelines for the future, lay the basis for new international partnership, take into account the new place occupied by human rights on the international scene and the challenges they have to meet. Far from being an end in itself, your

Conference must be the point of departure for a dynamic process of reaffirmation and reinforcement of human rights. In recent years, human rights have met with immense difficulties, but despite those immense difficulties the ideas of democracy, of respect for human rights, those ideas have finally made their way in the world, and despite the enormous difficulties, we have to go on.

BHUTTO, Begum Nusrat (President):

I thank Madame Lalumière, Secretary-General of the Council of Europe for her statement. I now give the floor to His Excellency, Mr. José Manuel Durão Barroso, Minister of Foreign Affairs of Portugal. Excellency, you have the floor.

BARROSO, José Manuel Durão (Portugal), spoke in Portuguese:

Keywords: CULTURAL PLURALISM - HUMAN RIGHTS PROTECTION - SELF-DETERMINATION - TIMOR-LESTE - DEVELOPMENT

Madame President,

First of all, let me congratulate you on your election as President of this assembly and express my best wishes for the success of your task. It is a great satisfaction for me to address the World Conference on Human Rights in this splendid city of Vienna, which welcomes us so warmly. Given its aims and the moment at which it takes place this World Conference is extremely important.

I would, therefore, like to take this opportunity to share with you a few reflections on the theme of human rights. Since the intervention of my Danish colleague in his capacity as President of the European Community meets with our full approval, rather than set out Portugal's position on each point of the agenda I would like to refer in general terms to our point of view on this matter. My thoughts may appear too general but there are occasions when the gravity and the urgency of the situation requires the re-statement of the essential principles.

Madame President,

Speaking of human rights, one often stresses aspects like the normative creation in the framework of the United Nations and other international fora. We refer to the Charter, to the Universal Declaration of Human Rights, to the two International Covenants and numerous other juridical instruments, which have been adopted in this field during the last decades. The international community in its effort to organize the life of man on a world scale has produced far-reaching results that we must underline. Nonetheless, prior to this normative report and to the establishment of control mechanisms, which we have to pursue and reinforce, stands the human person with his or her singularity and irreducible dignity.

Speaking of human rights, we do not speak only of positive rights inscribed in laws but all of those anchored in the nature of men and that exist prior to states and governments. Was man created by governments or states, we could ask? The answer, independently of our philosophical, religious or ideological convictions, can only be negative. At the beginning of the organization of our societies stands the human person with his inalienable, imprescriptible rights. This is the cornerstone of our efforts as representatives of the states and governments, which sent us: we are asked to recognize and ensure the human rights, the rights of each and every man, woman and child in our world. It would be presumptuous and clearly abusive to think that instead of acknowledging and guaranteeing the community of states grants or creates human rights.

We deduce from this that a state, each and every state, has to respect the rights and the dignity of its citizens and that it cannot in the name of any collective interest, be it economic or of security, cross the frontiers imposed by the prior nature and primacy of human rights in relation to other missions of the state. It cannot do this either for reasons of power or of economic prosperity or for any other reasons,

which may appear more pure or moral, like religion, ideology, philosophical conceptions or politics. Nothing can justify the violation of essential human rights and values.

Another consequence of this concept is the principle of universality. It is important to remember that independently of the geographic, ethnic, historical or social and economic context to which each one belongs, every human person has imprescriptible rights. We cannot admit that by reason of birth, sex, race or religion the differences in terms of the dignity of citizens be established. The Universal Declaration on Human Rights and the two Covenants and treaties that followed anchored exactly on this. In this context, I would like to subscribe to the remarks made by the Secretary-General of the United Nations in his opening statement. He very pertinently calls our attention to the fact that human rights are ineradicably human, the quintessence of the values through which we affirm together that we are one and only one human community.

Madame President,

It is obvious that this principle of universality is compatible with cultural, religious and ideological diversity, and the variety of creeds, ideas and opinions of human persons represents a richness that we have to respect. However, to use this diversity as an argument to limit individual rights as, unfortunately, occurs now and again is not admissible neither in terms of logic nor in terms of morals.

The law established by every nation, its culture, civilization and collective values are certainly national or have regional features. All of us have the duty to respect these differences and the historical heritage, which gave birth to them. But can anyone admit that a man, woman or child just because he or she was born European, African or Asian should suffer a limitation of his essential rights? Each and everyone has a right not to suffer from torture or inhuman treatment, the right to life, the freedom to express his opinions, to adhere to a religion or to a belief, which is freely chosen. The states have to protect these rights and freedoms and the international community has to be attentive to their disrespect. We cannot invoke territorial exceptions in this field. International law and models would lose their credibility if they were to legitimate areas of illegality where violence, intolerance and brutality were met with impunity on the pretext of non-interference in the internal affairs of states.

I know, Madame President, that in a recent past the East-West conflict and the climate of cold war prevented an open and honest debate on this theme. Thus, the alignments on each side kept us away from the core of this question falsifying our judgment in some cases by defending friends or criticizing enemies. We all have our share of responsibility here and the West certainly no less than others. However, given the new international situation, we should not let any type of conflict or rivalry to disturb our action. At this moment, the international community should consider the violations of human rights with objectivity and impartiality without ideological basis or taking into account the momentary convenience of this or that state. We have to study seriously the cases that we are faced with taking into account solely the interests of the peoples involved.

In this respect, I would like to mention one such instance that has special relevance to our country. East Timor, a territory that the United States considers as non-self-governing because the decolonization process was not concluded, is a clear example of this ambiguity and ambivalence of criteria that the cold war has allowed. The severe violations of human rights beginning with the denial of self-determination caused by the Indonesian invasion has been less noticed in the context of the confrontation between the blocks, in spite of the condemnation by the General Assembly and the Security Council of the United Nations. Thus, we have seen the perpetuation of disrespect for the rights of the inhabitants of East Timor to self-determination and the right to maintain their own different identity. There continue to exist severe and systematic violations of individual rights. In this and similar cases our position will constitute a true test of the international community's capacity to respect and impose respect for unambiguous and objective criteria in the field of human rights. As Minister Mock, the Conference Chairman, very justly pointed out the concept of universality in itself excludes the application of double standards.

Madame President,

Both the primacy of human rights and their universality led us to yet another principle, the principle of indivisibility. Civil, political, economic, social or cultural rights form an inseparable whole connected to the idea of human dignity. Any effort to separate these rights or to justify the non-respect of one another category of rights by economic, social or political reasons is, therefore, wrong. That is why we recognize the right to development. We insist that it is fully compatible with civil and political rights and that the full acknowledgment of these rights in a democratic society represents a necessary condition for a balanced and sustainable development.

But saying this, I cannot but acknowledge the limitations and selfishness implicit also in some policies of the so-called Western world. We cannot affirm human rights and at the same time be insensitive to the problems of a large part of the world population whose most basic needs are not yet satisfied. Development is, therefore, a necessary and indispensable condition for the full implementation of the rights of human beings. We must promote policies in a consistent way that face with courage and realism the problems of stark injustice both at a national level as well as in what concerns the distribution of wealth on a global level.

I would like to stress this point because it seems important to me that, once and for all, the debate on human rights should cease to appear as a lecture given by some allegedly exemplary states to other states or as a simple weapon of attack at the services of some particular interests. All of us have to acknowledge that the history of mankind is made by periods of enlightenment but also by periods of darkness and that no civilization is free of acts, which shocked any well-meaning person.

Within the European actuality, the dramatic situation in Bosnia and Herzegovina illustrates this reality for there we experience a return to barbarism and to the most generalized disrespect for fundamental human rights.

Madame President,

Considering some of the debates of our times and taking a certain distance I cannot but think that within a few years and maybe not even very many some of the disputes of today will seem totally outdated. Truths, which we consider now as indisputable have been not so long ago the object of heated debates. It is sufficient to recall the discussions on the legitimacy of slavery and enforced labor or before the question of the recognition by colonizers of indigenous peoples as for human beings. We must, therefore, speak of the human person who beyond any accidents of birth is the subject of politics in the noble meaning of this word.

This concern for the human being, for his indestructible and inalienable dignity and not any regional quarrels that should guide the work of this Conference. If we do so, the results that we will obtain at the end of these days will be significant and permanent. If these results aim, as I hope they will, at turning into reality our ideals and values, thus, reinforcing the mechanisms for the promotion and control of human rights, the Vienna Conference will be remembered in the future as an important milestone in international life.

If all of us, representatives of the governments here assembled, really contribute to attaining these objectives, we shall have done no more than to do our duty.

Thank you, Madame President.

BHUTTO, Begum Nusrat (President):

I thank His Excellency Minister of Foreign Affairs of Portugal for his statement. I now give the floor to His Excellency...

The Chair has received a request from the delegation of Indonesia to exercise the right of reply. This

will be taken at the outset of the evening meeting at 9:15 pm. This concludes this meeting. The meeting is adjourned until 9 pm.