



لتظلّ الشعلة وهّاجة - 保持火焰永不熄灭

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

Que no se apague la llama

18th plenary meeting, 23rd of June 1993

World Conference on Human Rights

Vienna, 14-25 June 1993

18th plenary meeting, 23rd of June 1993

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

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

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

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

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

SIMONOVIC, Ivan (President):

The 18th plenary meeting of the World Conference on Human Rights is called to order. We continue our general debate and I now give the floor to the representative of the Arab Commission on Human Rights. You have the floor. Is the representative of the Arab Commission on Human Rights in room? If no, I give now the floor to Mr. Ahmed Mohamed Al-Nasser, Member of Parliament on behalf of the Committee on the Defence of Human Rights at the Kuwaiti National Assembly. Sir, you have the floor.

AL-NASSAR, Ahmed Mohamed (Committee on the Defence of Human Rights of the Kuwaiti National Assembly), spoke in Arabic:

Keywords: ISLAM - HUMAN RIGHTS PROTECTION - REGIONAL ARRANGEMENTS - KUWAIT - POLITICAL CONDITIONS - INTERNATIONAL COURTS AND TRIBUNALS - HOSTAGES - SELF-DETERMINATION

In the name of God, the Compassionate, the Merciful. Praise be to the Lord of all worlds. Prayers and peace be upon the last of the Prophets, Muhammad, his family and all of his companions.

Distinguished President, ladies and gentlemen,

First of all, I wish to thank the government and people of Austria for hosting this important Conference. It is indeed a source of satisfaction and happiness that we meet here in this Conference in order to defend one of the loftiest objectives of humanity, that is human rights, in all times and places without discrimination on the basis of sex, origin, color, language, creed or religion. This is a principle that was blessed by all heavenly revelations; constitutions have ensured the affirmation of a decent life for the human beings on the basis of justice and equality, free from intolerance, full of respect for the human nature of all mankind.

Humanity is one universal nationality, there should be no discrimination on any basis because the source of humanity is the divine will. It is a human common denominator. We are all on an equal footing because we are all human beings and this is the result of the creation of God.

Islam came as the last of the revelations and reaffirms the truth proclaimed by all the heavenly religions, which is the respect of the humanity of men and the right of human being to a decent dignified life.

O you, fear your Lord, who created you from a single soul, and from it created its mate and from them he broadcast many men and women.

O people, I created you from a male and a female, and made you peoples and tribes, that you may know each other, the most honorable of you in the sight of God is the purest of you.

The advocates of human rights stress the need to respect these rights. They have formulated theories and principles to ensure their protection, yet their efforts in this regard are still revolving in an orbit that does not coalesce with the real scenes that do not respond to these aspirations and do not achieve what they endowed humanity with, so they are violated. Often, we see the violations of human rights under the eyes and ears of the entire world. There are legal instruments, yet they have no power. We see the week subjected to violations and oppression. Poverty becomes more dire and conscience becomes blunted.

The General Assembly of the United Nations has urged the countries to set up regional systems for the protection of human rights. It has set up mechanisms to oversee the implementation of Conventions related to such rights.

In 1950, the European Council for the protection of human rights and fundamental freedoms has been established. The organization of American States was established and has culminated its efforts in the formulation of the American Convention on Human Rights of 1969. The Organization of African Unity has also formulated the African Charter for Human Rights in 1981. The Permanent Arab Committee for Human Rights has also established the Arab Charter on Human Rights in 1982. In addition to the NGOs, which give great importance to human rights and expose the violations thereto such as the international jurists Committee and the International Federation of Jurists. In addition to the two conventions, the American and European conventions, there is the possibility of seeking judicial redress for violations.

The Kuwaiti people have begun through a bitter experience after the August 1990 invasion, which has played havoc with all humanitarian principles. This has wrought havoc and destruction and has led to widescale torture and persecution of the human beings in Kuwait. Lives were lost, there was absolutely no deterrent at the time and the institutions for the protection of human rights at the time lost all capability of intervening. It is, therefore, necessary to establish an international criminal tribunal to try all violators of human rights along the lines of the International Court of Justice. This tribunal should be affiliated to the United Nations and should be under the auspices of the international community. This tribunal should also take into account those countries that support the violations of human rights.

Regrettably, the United Nations resolutions are still being flouted especially on the humanitarian side. Recently we have witnessed unfavorable positions and situations concerning Kuwaiti hostages and non-Kuwaiti hostages who are still in the prisons of the aggressor regime. Their families are suffering and they continue to hope they will be reunited with their family members. There is also the plight of the Muslims in Bosnia and Herzegovina and the plight of various minorities in the world.

Mr. President, distinguished delegates,

Our Conference is the hope of all peoples to overcome oppression and the policy of ethnic cleansing, in all its forms and manifestations. Respect for human rights and fundamental freedoms and the right of peoples to self-determination, all will help such people to develop their culture, develop their societies and establish their political position according to their own wishes.

These humanitarian principles are consecrated in the conscience of the Kuwaiti people. Our Constitution has enshrined these principles, which stresses individual freedoms. The Kuwaiti National Assembly expresses such concern for human rights by the establishment of the Committee on the Defence of Human Rights. This Committee has all the necessary prerogatives in order to secure the protection of human rights on the regional and national levels.

On this occasion we call on the Conference to establish permanent committees to defend human rights in all the parliaments of the world.

May the peace, mercy and blessings of Allah be upon you.

Thank you.

SIMONOVIC, Ivan (President):

I thank you for your statement. I now give the floor to Mr. Sedfrey A. Ordonez, Chairman of the Philippines Commission on Human Rights. Sir, you have the floor.

MONTEIRO, Narciso C. (Philippines Commission on Human Rights):

Keywords: HUMAN RIGHTS INSTITUTIONS - ASIA - PHILIPPINES - HUMAN RIGHTS MONITORING - HUMAN RIGHTS EDUCATION - DISAPPEARANCE OF PERSONS

Thank you very much.

I just would like to clarify that the Chairman of the Commission on Human Rights of the Philippines have left already for some urgent matters, and I have to deliver this statement.

Mr. President, Your Excellencies, distinguished delegates from governmental and non-governmental organizations, ladies and gentlemen,

We wish to convey to you, Mr. President, the greetings of the Filipino nation for your hosting in Vienna of this ongoing World Conference on Human Rights. There are very tangible signs that this Conference will be a great success under your leadership.

Mr. President,

In every place where democracy is preferred, there must also be a preference for human rights. Indeed, only in a democracy can the world give full realization to human rights as envisioned in the Universal Declaration of Human Rights. Truly, we have gathered in this historic city of Vienna at the most auspicious time. To paraphrase the opening address of our esteemed Secretary-General Mr. Boutros Boutros-Ghali, human rights is an irreducible minimum — human rights should be the universal language or lingua franca of humanity.

There has been a clamor from many quarters, both government and non-government, for this Conference on Human Rights to push for the establishment of national institutions for the protection and promotion of human rights.

At the present time, over twenty countries worldwide have set up national institutions of human rights. These institutions take different forms and have varied powers and mandates depending on the tasks

that they are expected to accomplish. Some have been set up to directly investigate cases of human rights abuses of past regimes and others look into cases of racism and intolerance. There are those, which have a general mandate and there are those whose mandate is specific and limited. There are national institutions that are ad-hoc in nature established to respond to a specific event or situation. Still, there are those that have extraordinary powers while others are merely recommendatory. The only one in Asia, however, which has a mandate as constitutional and permanent commission is the Commission on Human Rights of the Philippines, which was established when the Constitution was ratified by the Filipino people on February 2, 1987.

This welcome trend to establish national institutions was prominently articulated in three recently concluded international conferences. First, in the invitational Conference sponsored by the Royal government of Sweden held in Stockholm on February 19-23, 1993. Second, in the Regional Conference on Human Rights for Asia held in Bangkok, Thailand on March 29 to April 3, 1993. And lastly, third, in the United Nations-sponsored Conference on Human Rights and Antiracial Discrimination held in Sydney, Australia on April 18-24 of this year. The Philippines is privileged to have participated in these three conferences where it shared its experience in human rights protection and enhancement.

There was some initial concern in Asia that the concept of national institutions so energetically pressed by Western developed states might sacrifice the former's national culture, traditions and political foundations; and such mistrust, in fact, has delayed the establishment of a Regional Human Rights Center for Asia. Happily, however, the barriers of suspicion are fast breaking down and many Asian countries are now taking positive steps for the creation of national institutions. India has initiated legislation leading to the creation of its own national institution, and Indonesia for her part has announced that the creation of a national institution is included in her priorities. We like to believe that the Philippines has been an Asian catalyst in this endeavor. Without giving up its cherished national traditions these contemplated national institutions may very well serve as points of contact in the world's quest for peace through human rights recognition.

The Commission on Human Rights of the Philippines functions independently of the Office of the President of the Republic. It enjoys fiscal autonomy. The four fulltime Commissioners and its fulltime Chairman are appointed for a fixed term of seven years and they can be removed from office only for cause. Its employees are appointed and protected in accordance with Civil Service regulations.

The Commission has authority to investigate at its own accord or upon the complaint of anybody whether the violation has been committed by Leftists, by Rightists, or by Centrists. Its findings are endorsed to the proper prosecuting officials who, upon a finding of the existence of probable cause that human rights have been violated, commence criminal prosecution in court. These proceedings are then closely monitored by the Commission. The Commission is also mandated to monitor Philippines government compliance with the treaty or convention it adhered to.

The other principal function of the Commission is education and information, which is done through appropriate implementing agreements between the Commission and line agencies of the government like the Department of Education, Culture and Sports, which integrates human rights values in the curriculum in all levels of instruction in private and public schools. The Commission has similar working agreements with the Department of National Defense and with the Department of Interior and Local government for the training of defense and local government personnel, respectively in the field of human rights awareness. In these courses of instruction, emphasis is also given to environmental protection based on the view that protection of the environment is the most far-reaching protection of human rights of future generations. The Commission likewise coordinates its efforts with the Department of Social Welfare and Development for the protection of women and children who are the disadvantaged members of society, the frequent victims of human rights violations.

The Commission maintains offices in the twelve regions of the country, which facilitate the investigation of violations of human rights occurring in their respective areas.

The populace has welcomed the creation of this constitutionally independent body that functions like Ombudsman in the classic Nordic tradition. After fourteen years of grave disregard of human rights during the dictatorship from 1972 to 1986, the independent operation of the Commission has improved public confidence in the sincerity and determination of the government to protect human rights within the framework of the Universal Declaration of Human Rights. To this day, the Commission in cooperation with non-government offices is still engaged in searching for thousands of *desaparecidos* or missing persons. The Commission is actively involved with the Department of National Defense in drawing up plans for rehabilitation of peoples and areas, which have suffered in the course of quelling rebel and separatist groups. One such example is the integrated planning for the Marag Valley in Northern Luzon, an area that for almost eleven years was under the grips of dissident groups. The plan includes the construction of infrastructures to speed up communication and transportation, school buildings and opening of resettlement and livelihood areas for those who were displaced during the armed encounters as well as for starting life "a new" for the rebels who have positively responded to the government's peace initiatives. The most successful example of this "new life " turning point is Commander Dante Buscayno, feared rebel leader, who responded to the offer of assistance by compassionate human rights planners in founding a strong cooperative movement in what was once rebel territory and which became an outstanding example of success through self-help.

Mr. President,

I can only conclude this statement by offering the services of the Philippine Commission on Human Rights to the United Nations and to individual nations that may wish to avail of its experience and expertise in setting up and running a national institution for the protection and promotion of human rights.

Thank you, Mr. President.

SIMONOVIC, Ivan (President):

I thank you for your statement. I now give the floor to Mr. Cornelio Sommaruga, President of the International Committee of the Red Cross. Sir, you have the floor.

SOMMARUGA, Cornelio (ICRC), spoke in French:

Keywords: ICRC - INDIGENOUS PEOPLES - INTERNATIONAL HUMANITARIAN LAW -
INTERNATIONAL OBLIGATIONS - HUMAN RIGHTS IN ARMED CONFLICTS -
INTERNATIONAL COURTS AND TRIBUNALS

Mr. President, Mr. Secretary-General, ladies and gentlemen, distinguished representatives of States, international organizations, indigenous peoples and non-governmental organizations.

The whole of the humanity is united and represented here. It is of the humanity that on this all too rare occasion I wish to speak to you.

Has not the time come to question whether all the treaties signed and all the mechanisms set up can take precedence over the unleashing of passions and even over deliberate policies designed to annihilate the innocent?

Or, in other words, can moral authority hold barbarity in check?

We should be able to answer these questions with an unequivocal yes. But history with its procession of wars, massacres, torture, rape does not only belong to the past, it is made almost before our very eyes ... and repeats itself.

So, what are we to do?

For the past 130 years, the International Committee of the Red Cross has been trying to humanize the cruelest aspects of war by asking the parties to conflict to protect the noncombatants and by rescuing the victims of these conflicts, thereby contributing to the defense of certain human rights, human rights, which, I would say, fundamental.

The ICRC has, therefore, witnessed hundreds of armed conflicts, in which it has offered its services as a neutral intermediary on the basis of its mandate and its right of initiative now recognized by the entire international community. By analogy and always with the consent of the governments concerned it has taken action in situations of internal unrest.

Now, Mr. President, what strikes the ICRC delegates, men and women working in the field, is that when all is said and done absolutely nothing is gained by those who take up arms. Indeed, the destruction wrought by war is not only material in nature: it tears apart the very fabric of society thanks to which it breathes, creates, develops, identify itself. The social fabric enables the arts to flourish in all civilizations worthy of the name. The devastation imposed by wars, the victor himself cannot emerge unscathed by the destruction of this social fabric.

So, to the question “what are we to do?” I would be inclined to reply: let us respect, beyond the cultural, ethnic, racial and other differences, this common ground that belongs to the whole of the humanity and that enriches us. Let us respect the dignity of being a man and a woman, let us at least respect what jurists call the hard core of human rights, these inalienable rights, whatever the circumstances.

The simple maxim “do unto others as you would have them do unto you” takes on its full dimension here, both on the individual level and on the state level. Do we not measure the degree of the civilization of a nation by the respect it accords to its own minorities? Why not make it a rule to favor these minorities by giving them a representative role in recognition of their contribution to enrichment of the community as a whole? The world would certainly be better off for it.

Mr. President, distinguished delegates,

In this International Year for the World's Indigenous Peoples, my thought go to their many representatives in the earnest hope that after many centuries of misunderstanding and suffering their views will finally be taken into account. I should also like to salute the non-governmental organizations for their tireless efforts to ensure respect for human rights all over the world.

As far as the protection of human rights is concerned, there is no doubt that the most serious abuses occur in armed conflicts. To prevent attacks against persons protected by law, the ICRC's mandate is to promote awareness of international humanitarian law, in particular the Geneva Conventions of 1949 to which practically all states of the world have adhered. The ICRC strives to disseminate this right to those who must apply it and to those who could benefit from it. These programmes are aimed at the armed forces, law schools, the medical profession, diplomats and specialized institutions so that the key people know these fundamental rights and contribute to their respect. But this task falls above all on the states and the ICRC's priority is to remind them of this obligation, which they fulfill with more or less commitment. However, only they alone are able to carry out this fundamental task. Yes, Mr. President, I appeal to the responsibility of the states. It is governments that must fully and continuously fulfill their duties to disseminate the international humanitarian law.

Experience shows that respect for international humanitarian law at the heart of armed conflicts prevents chain abuses and avoids massive displacement of the civilians. This respect also facilitates future reconciliation and, through the humanitarian spaces that it creates between enemies, it promotes negotiation and peace. It is this same *corpus juris* that recognizes victims' right to assistance, while stipulating the relief operations conducted by independent and impartial institutions can in no way be regarded as constituting interference in a state's internal affairs.

If the knowledge of this law is essential for compliance with its provisions, it is not and by far a sufficient condition; therefore, it is our view that national mechanisms to repress the grave breaches of humanitarian law provided for under the Geneva Conventions and which are of a binding nature should be put into effect in cases of serious violations. Today this is simply not the case. Impunity prevails and encourages the most barbaric acts, ladies and gentlemen. These national systems must be complemented by an international, universal and effective mechanism. Such an international criminal jurisdiction to punish war crimes should, therefore, also be encouraged for its dissuasive effect.

In order to examine all aspects of the protection of the victims of armed conflicts, the depository of the Geneva Conventions, the government of Swiss Confederation, is convening in Geneva in late August an ad hoc conference on the protection of the victims of war, which will allow all states to renew their commitment to respect and to ensure respect for the international humanitarian law. The International Committee of Red Cross strongly supports this initiative, for the protection of basic rights can result only from the convergence of several different approaches, which far from being mutually exclusive must be mutually reinforcing.

Each of the components of the international Red Cross and Red Crescent movement, that is the ICRC and the 155 national societies and their federation, each, I say, has its own special role to play in achieving the goal of protection. It needs to be done in a selfless manner and according to the principles of humanity, impartiality, independence and neutrality. Yes, Mr. President, ladies and gentlemen, for 130 years these have been the cornerstone of the ICRC. As President of the Committee that founded that movement, I am pleased to join you, Mr. President, Excellencies, ladies and gentlemen, to add my voice to this remarkable demonstration of solidarity that you have shown here.

May humanity emerge victorious!

Per humanitatem ad pacem!

SIMONOVIC, Ivan (President):

Thank you, Mr. President, for your statement.

The Conference will now hear several joint NGO statements organized either on the regional basis or relating to a specific issue. Before giving the floor to the first group coming from the Latin American-Caribbean region, may I remind all speakers addressing the Conference in the framework of joint NGO statements that they should identify themselves when they are given the floor, and their statements should not exceed five minutes so as to allow the largest number of NGOs to address themselves to the Conference. I thank the speakers for the understanding and cooperation, and I now give the floor to the speakers from the Latin American and Caribbean region for a joint NGO statement.

BERMUDEZ, Violeta (Joint NGO statement from the Latin American and Caribbean region, Peru), spoke in Spanish; text is edited based on the English interpretation:

Keywords: IMPUNITY - STRUCTURAL - ADMINISTRATION OF JUSTICE - EXTREME POVERTY - WOMEN - INDIGENOUS PEOPLES - CHILDREN - INTERNALLY DISPLACED PERSONS

Mr. President, ladies and gentlemen, representatives of governments of the entire world,

We are addressing you: Violeta Bermúdez from Peru, Luis Guillermo Pérez from Colombia, Anne Marie Coriola from Haiti, Luis Suárez from Cuba, Ana Mercedes Rivas from El Salvador and Cecilia Moreno from Panama on behalf of the non-governmental organizations of Latin America and the Caribbean committed to the promotion and defense of human rights and active participants in the NGO Forum "All human rights for all" held in this city on the 10th, 11th and 12th June.

While we welcome the opportunity to formulate our proposals before the plenary of the World Conference, we want to express our disagreement with the exclusion of NGOs from the work of the Drafting Committee. Our proposals developed at the regional preparatory meeting in San José have been recognized in the Declaration of Quito, a document prepared at the meeting of May 29 and 30, after a process of reflection and debate at the level of the various countries of our region.

Mr. President,

Since the World Conference on Human Rights in Teheran, important advances have been made as regards the standards and norms both in the national and international spheres. During this period, the concern and the increasing influence of the issue of human rights was expressed in the creation, development and action of a growing number of NGOs, which play a decisive role in defense and promotion of these rights at a national, regional and global levels as well as in contributing in an important manner in the information that they produce, without which the operation of the international system would be virtually impossible.

Similarly, various social sectors and popular movements, urban and rural, have been irreplaceable actors in the process of struggle for the defense and promotion of human rights. We highlight the immense contribution of indigenous and black peoples to the development of our societies thanks to the diversity of cultures and forms of social organization as well as the participation of movements and social sectors that wage their own resistance struggle and vindication for human rights that have been denied them traditionally.

However, the real guarantee for the validity of the formally established rights is still very insufficient and limited. Even some decisions by UN bodies set a course that contradicts the progress made in the field of rights.

In Latin America and the Caribbean, serious human rights violations persist, which were caused in previous decades by dictatorial regimes and that in recent years are expressed through restricted neoliberal democracies with new forms of authoritarianism leading to corruption, violence and impunity. The characteristic of these realities are the severe adjustment policies adopted by almost all of our countries, which have a very significant repercussion on the enjoyment and exercise of economic, social, cultural and ecological rights further limiting the validity of civil and political rights and of the peoples in our region.

The external debt, the illegitimacy of which has been widely demonstrated, is used as an instrument to put decisive pressure on the internal and external policies of the states and to force the adoption of economic measures of structural adjustment. Such measures, which correspond to the laws of the market dominated by major monopolies, affect the self-determination of peoples and states and sacrifice the satisfaction of real needs for the sake of a supposed economic growth that, when it occurs, does not in any way improve their quality of life and increases the concentration of wealth, unemployment, marginalization, the deterioration of human health and the ecosystem, the exacerbation of violence and discrimination.

All this endangers the survival of peoples and violates democratic processes given the recognized indivisibility of economic, social and cultural rights, and civil and political rights.

On a domestic level, the existence of national and international standards for human rights and their application is affected by various factors:

1. The breach of the obligation of the state as guarantor of these rights;
2. The impunity of those responsible for systematic and massive violations of the most elementary rights of the individuals and of the peoples through concealment of the facts; governmental complicity, armed forces or police complicity; amnesties and pardons; or due to deficiency and/or

judicial corruption. These facts acquire a dramatic character in our continent because by preventing the realization of justice and by frequently making it impossible to learn the truth, they favor the reoccurrence of these crimes and undermine the foundations of the democratic system, breaking the ethical references of a civilized life and the life of solidarity legitimizing legal inequality and ignoring, in fact, the seriousness of these violations;

3. The continuity and/or resurgence of authoritarian regimes and practices in some parts of the continent, which violate the fundamental rights of the person and popular sovereignty, understood as the real and effective participation of the people in decision-making;

4. The recurrence of "states of emergency" both to repress the democratic exercise of rights and to impose socio-economic policies that mainly harm the popular sectors;

5. Non-application of the ratified international instruments;

6. The crisis of representative democracy, among other reasons, because of the existence of flawed electoral systems and practices and the failure to comply with the commitments undertaken, which distort the expression of the popular will, delegitimize the governments and weaken the democratic system;

7. The structural adjustment policies implemented by governments have led to an increase in poverty and social inequality in the region; models are applied that presuppose the marginalization of the majority or very important sectors of the people on an indefinite basis;

8. The maintenance of gender discrimination in various areas of women's lives manifests itself in personal, family, economic, political, social, legal and cultural limitations and restrictions, thus, women's participation in the development process is not recognized and hindered;

9. The persistence of ethnic and racial discrimination, and of economic, social and cultural exploitation of indigenous and black peoples, who are victims of disappearances, murders, persecutions and the denial of their rights to self-determination, to territory, to the expression and development of their culture and their social and economic organization and to the conservation of their natural environment, which limits their possibilities for survival;

10. The discrimination and the qualification of elements that are simply not to be taken into account, which frequently makes it possible that children are not granted their fundamental rights, denied their status as subjects of law, which is contrary to the social recognition of these children as a future of the society;

11. The existence of non-international armed conflicts and/or systematic violations of human rights and of the standards of international humanitarian law generate internal displacement of a population that is not recognized or protected under the human rights system.

PEREZ, Louis Guillermo (Joint NGO statement from the Latin American and Caribbean region, Colombia), spoke in Spanish; text is edited based on the English interpretation:

Keywords: SELF-DETERMINATION - SOVEREIGNTY - SANCTIONS - INTERNATIONAL OBLIGATIONS - UN. System - INTERNATIONAL TRADE - RACISM AND RACIAL DISCRIMINATION - ENVIRONMENT

We note that the international reality shows that the norms that consecrate human rights are affected by the following factors:

1. Violation of the right to self-determination of peoples and of the principles of sovereign equality of states and non-interference of one state in the internal affairs of another, which are expressed in military aggression, invasion and territorial occupation, the practice of economic pressure and financial blockades, commercial and economic, to impose the will of one country on another and to cause changes within the second country as well as the affirmation of the right to the international abduction of persons to be judged outside their own jurisdiction. The persistence of colonial domination over certain peoples in the Caribbean, which constitutes a violation of the fundamental right to independence of these peoples, preventing both the promotion of human rights and economic, social and cultural development;

2. The non-ratification and ratification with reservation of the international covenants on human rights by many states;

3. The application of differential criteria to assess human rights violations by country depending on its membership in a bloc, region, level of development or institutional model, which leads to the exclusion of any imputation to certain states despite the fact that there are serious violations against national population, against the rights of foreigners, ethnic minorities or immigrants;

In addition, the selective treatment for purely political reasons of situations of serious violation of international law and infringement of the norms of the UN Charter by its Security Council, which is facilitated by the maintenance of the undemocratic prerogative of veto of the permanent members and their number;

4. Failure to comply with the judgments of the International Court of Justice, subject for implementation to the decision of the Security Council, which become declaratory when one of its permanent members is convicted;

5. The ineffectiveness of some procedures protecting human rights, such as 1503, due to their politicization, absolute confidentiality, absence of mechanisms of contradiction, and the rigid annual deadlines that regulate their cycle;

6. The reports and pronouncements of UNDP and of UN system agencies such as the IMF and the World Bank that promote adjustment plans, thus, legitimizing the violation of human rights;

7. The worrying trend towards increasingly strong and close alliances between states that violate human rights in order to neutralize the effectiveness of the international system for the protection of human rights;

8. The growing inequality in international trade, the deterioration of the terms of trade to the detriment of dependent countries, the permanent transfer of resources to the industrialized countries, all these cause the neediest to finance the so-called developed countries accentuating the technological gap and the differences in living standards between them;

9. The failure of the countries with the greatest economic power to contribute, with a percentage of their GDP, to the economic and social development of the least developed countries;

10. The absence of effective responses to violations of fundamental rights of women and gender-based violence by international, regional and national bodies;

11. The resurgence of racism, which is expressed in the degradation of the condition and quality of life of the ethnic groups discriminated against, especially affecting the migrant population, women and children. Slavery, the trade in human beings and their use in scientific experiments are also despicable expressions of this situation;

12. The permanent degradation of the environment as a consequence of the irrational exploitation of the natural resources of developing countries, their use as garbage dumps of the waste of industrial countries, the installation of polluting industries in their territory and the commercialization with genetic material by transnational companies that generate the loss of sovereignty and promote greater technological dependence.

CORIOLA, Anne Marie (Joint NGO statement from the Latin American and Caribbean region, Haiti), spoke in French:

Keywords: DEMOCRACY - DEVELOPMENT - INTERNATIONAL COOPERATION - HUMAN RIGHTS MONITORING - SPECIAL PROCEDURES - NON-GOVERNMENTAL ORGANIZATIONS - HUMAN RIGHTS DEFENDERS - GENDER-BASED VIOLENCE - WOMEN - TREATIES

As a result of this, we would like to promote the following:

1. The reaffirmation of the indivisible character of human rights as well as the close and indissoluble relationship existing between democracy, development and human rights in terms of procedures.
2. The cooperation and coordination between regional and international bodies for the protection of human rights and the right of those concerned to have access to the mechanism of their choice that best satisfy their need for a timely and efficient solution.
3. The effectiveness of international procedures for the protection of human rights, strengthening the existing bodies. Along these lines we would like to propose:
 - a. The de-politicization of decisions, mechanisms of study, monitoring and supervision, establishing clear criteria of independence in selection of rapporteurs and experts;
 - b. A substantial increase in the UN budget devoted to the programmes of defense and promotion of human rights and the necessary support for their management including the creation of a data bank in the United Nations Center for Human Rights in order to systematize the follow-up of the cases;
 - c. Revision of the advisory services of the Centre for Human Rights in order to ensure better coordination among them and that they be available only to those governments who commit themselves to a lasting improvement in the human rights situations in their countries, which must be supervised by independent experts who would report on this to the Human Rights Commission. Failure to comply should result in the suspension of advisory services and the nomination of one or several special rapporteurs for the country concerned;
 - d. The change of the Procedure 1503 to another public mechanism that avoids the selectivity and subjectivity of its decisions;
 - e. The strengthening and expansion of the terms of reference of rapporteurs and thematic and country specific working groups empowering them to carry out investigations of their own

initiative, in particular, to ensure the rapid assistance to and, thus, the effective protection of the victims;

- f. The elimination of obstacles that limit direct and rapid access to victims of human rights violations and of NGOs to the various bodies and committees of the universal system.
2. The replication of the ONUSAL (UN Observer Mission in El Salvador) experience in other countries with internal armed conflicts in order to allow the United Nations to fulfil the objectives of the peaceful mediation and to collaborate so that the parties in the conflict abide by and respect the international humanitarian law.
3. The consolidation of the participation by NGOs in the analysis, decision-making and actions of the international system of defense of human rights in dealing with the national reports to the treaty bodies and in technical assistance. The administration of the voluntary fund for advisory services and the technical assistance must involve participation by NGOs in the consideration of situations, the determination of priorities and the allocation of funds.
4. The protection of human rights defenders and of NGOs active in this area and the establishment of effective guarantees for the exercise of their mission; expending its powers within the United Nations and the establishment of similar machinery of participation in the organs of the OAS. Adopt a declaration of protection of their activities and appoint a special rapporteur responsible for follow-up.
5. Strengthening educational measures to promote peace, democracy and human rights incorporating the experience and the capacities of NGOs in the advocacy and advisory programmes.
6. Expanding the terms of reference and resources of the Rapporteur on states of emergency so that he can ensure the protection of human rights in such situations, being able to receive complaints, transmit them to the governments concerned, bring the good offices and report to the Commission.
7. The appointment of a rapporteur on gender-based discrimination and violence against women by the UN Commission on Human Rights.
8. The inclusion of the gender perspective in programmes, texts and reports relating to national and international standards.
9. The systematic and permanent attention by the United Nations should be paid to human rights violations of women and gender-based abuses with specific emphasis on gender-based violence and domestic violence, which should be dealt with by public action and be considered a crime by national and international standards.
10. To demand the Special Rapporteur on economic, social and cultural rights to make a synthesis of the guidelines and studies by the United Nations as to the consequences of structural adjustment policies to the condition of women and of children.

SIMONOVIC, Ivan (President):

I wish to remind the speaker that a time limit of five minutes has expired and kindly asked her to finish her statement. Please continue and finish it fast.

CORIOLA, Anne Marie, spoke in French:

11. The appointment of a special rapporteur who would report on violations of human rights, civil, political and cultural, of the black population.

12. The implementation of the Convention on the Elimination of All Forms of Discrimination against Women, provided that it is ratified by States who have not yet done so; the elimination of all reservations of this Convention, which impedes effective implementation and also call for the elaboration and ratification of additional protocol creating procedural individual complaints.

SUAREZ, Luis (Joint NGO statement from the Latin American and Caribbean region, Cuba), spoke in Spanish; text is edited based on the English interpretation:

Keywords: POPULAR PARTICIPATION - ADMINISTRATION OF JUSTICE - JUDICIAL INDEPENDENCE - INTERNATIONAL INSTRUMENTS - SOVEREIGNTY - DEVELOPMENT -INTERNATIONAL FINANCIAL INSTITUTIONS - ADVISORY OPINIONS - ICJ

On the national level, we would like to propose the following:

The democratic establishment of all powers of the state, absolute respect for popular sovereignty, increased individual and social participation in political decisions and their implementation through the establishment of direct and semi-direct democracy understood as a society where relations are based on the principles of freedom, equality, solidarity, diversity and participation. This requires establishing mechanisms that guarantee the responsibility of those elected in the fulfillment of the mandates given to them by those who elected them as well as the principles of revocability.

The independence of the administration of justice and its strengthening based on a system of appointment and removal of judges and officials in accordance with impartiality as a guarantee of the observance constitutional rights and access to justice for all;

The submission of state officials to the law, and the strengthening and expansion of mechanisms of social control over state bodies, para-state bodies and public service;

The formulation of effective measures against corrupt practices, which can severely sanction those responsible, whether state officials or private persons, including disqualification in the exercise of public offices and in the business agreements with the state;

On the international level, we would like to propose:

Ratification of the covenants and instruments for the protection of human rights by all states without reservations that diminish their effectiveness. Sending regular petitions by the General Assembly and the Human Rights Commission for non-ratifying states to explain their reluctance to do so;

The promotion, respect, enforceability and justiciability of economic, social and cultural rights, in national and international instances through the establishment and/or improvement of the necessary judicial and administrative mechanisms. The creation of a comprehensive system for the verification and processing of complaints at the international level, in which the capacity of NGOs to act and the victims is recognized. The approval of an optional protocol to the Covenant on Economic, Social and Cultural Rights;

The reaffirmation of the principles of respect for national sovereignty, territorial integrity and the non-interference of one state in the internal affairs of another;

The application of the right to development as a universal and inalienable right and as an integral part of fundamental human rights as declared by the United Nations General Assembly in 1986;

The equal participation of the states in the decisions of the international financial institutions;

The classification as international crimes of the policies and practices of the states and institutions that violate the right to independence, development and economic, social and cultural rights;

The request by ECOSOC or the General Assembly of the UN of an advisory opinion from the International Court of Justice on whether the practice and policies of the IMF and the World Bank are in accordance with the purposes for which they were created, with the Charter of the United Nations and other international instruments whose fulfillment would be required as members of the United Nations System.

RIVAS, Ana Mercedes (Joint NGO statement from the Latin American and Caribbean region, El Salvador), spoke in Spanish; text is edited based on the English interpretation:

Keywords: Charter of the United Nations (1945) - VETO - TERRORISM - NARCOTIC DRUGS - ENFORCED OR INVOLUNTARY DISAPPEARANCES - IMPUNITY - INDIGENOUS PEOPLES - ENVIRONMENT - UN High Commissioner for Human Rights - DISCRIMINATION

We propose:

The reforming the Charter of the United Nations in respect of the following:

- a) Increase of the powers of the General Assembly granting it exclusive decision rights with a special majority for the adoption coercive measures in situations endangering the international peace and security;
- b) Suppression of the right of veto in the Security Council and making its composition more democratic.

The reaffirmation of the principle of sole and exclusive responsibility of the states as guarantors of the validity of human rights;

The condemnation of terrorism as a reprehensible practice and clearly contrary to respect for human rights whether exercised by the states or by criminal groups outside of them. Its qualification cannot be extended indiscriminately to political crimes, nor to the legitimate right of the peoples to disagree;

The exercise of the legal use of force by the states must be carried out with respect for fundamental rights refraining from resorting to the formation or support of private or para-state groups;

The reaffirmation of the legitimate right of the peoples to rebellion against governments that seriously, massively and systematically violate human rights and impede the free expression of popular sovereignty;

The special attention paid to the violence generated by the trafficking and illegal use of drugs given the multiple negative effects that these generate for the validity of human rights both in terms of the right to life and the weakening of the rule of law. Dealing with this problem must avoid the militarization of society and the intervention of the armed forces or police. The exclusion of natural substances such as the coca leaf from the current criminalization policies and the revision of the treaties on this matter, especially the Vienna Convention, is essential;

The implementation of a Convention against Forced Disappearances in which this crime should be expressly designated as a crime against humanity. Strengthen and widen the mandate of the Working Group on Forced Disappearances so that its actions are quick and effective, increasing its ability to make more effective its preventive work, and investigation and condemnation of the perpetrators of said crimes;

The ratification of the nullity of any amnesty, pardon or other mechanisms of impunity in favor of those responsible for serious human rights violations and support for the work carried out in this area by the Sub-commission for the Prevention of Discrimination and Protection of Minorities;

The immediate adoption by the United Nations of the universal declaration on the rights of indigenous peoples, which ensures a permanent standing body for the implementation of the rights set forth therein, with the direct participation of their legitimate representatives;

The protection of the environment as a right that is indivisible and interdependent with other rights. The differential nature of the distribution of environmental goods, costs, damages and risks among countries in the different sectors of society must be considered in order to establish the burden to be borne by those responsible for their historical degradation. Likewise, that developed countries assume their share of responsibility in preserving the environment in developing countries;

The study of the advisability of appointing a High Commissioner for Human Rights who would act on the criteria of non-selectivity and the feasibility of creating an international criminal court, whose structure, composition, method of election of its members, competence and jurisdiction, will be the result of a broad consensus of the international community based on the principle of legal equality of all states and approved with a special majority by the United Nations General Assembly;

The formulation of a specific declaration condemning all forms of discrimination and/or multi-discrimination based on gender and sexual orientation, race, ethnicity, religion, social or cultural group and occupied territories among others.

MORENO, Cecilia (Joint NGO statement from the Latin American and Caribbean region, Panama), spoke in Spanish; text is edited based on the English interpretation:

Keywords: SEXUAL MINORITIES - HIV/AIDS - AGEING PERSONS - PERSONS WITH DISABILITIES - SPECIAL RAPPORTEURS - SOCIALLY DISADVANTAGED PERSONS - CHILDREN IN ARMED CONFLICTS - CHILD ABUSE - TREATIES - HUMAN RIGHTS MONITORING - ACCESS TO INFORMATION

We propose:

That the United Nations should establish a mechanism necessary to eradicate all forms of discrimination based on the sexual orientation of women and men;

The elimination of the classification of "vulnerable groups" to any human group;

Special national and international protection for the people with disabilities and the elderly, migrant workers, the homeless population, internally displaced persons, affected by AIDS and multiple discriminated and marginalized groups;

The need not to discriminate against the HIV positive and protect their right to receive the necessary treatments that guarantee a better quality of life at all levels including those who are deprived of liberty;

The protection for the elderly by guaranteeing their full access to social security benefits;

The strengthening of the mandate of the special and permanent rapporteur for the support, protection and promotion of the human rights of persons with disabilities and promoting the elaboration of an international convention that guarantees the full enjoyment and enjoyment of their rights;

The condemnation of policies of "social cleansing" that are manifested among other forms by the physical extermination of prostitutes, homosexuals, lesbians, street boys and girls, and other social groups discriminated against by society;

The protection of children and young people who are victims of armed conflicts, displaced by political violence and abandonment. The condemnation of the trafficking of children, false adoptions, denial of their identity, sale of their organs, prostitution and all other forms of abuse that go against their development, and consideration of these as massive violations of the human rights of the child so that it is the object of priority attention of the international and multilateral organizations of the United Nations system both in terms of receiving complaints as well as in the implementation of actions and the development of preventive measures;

The ratification without reservations by the states of the Convention on the Rights of the Child respecting their legitimate identity and emphasizing their condition as subjects of human rights. The promulgation of severe laws that punish the crimes of which they are the object and the demand to respect the mechanisms adopted by the UN such as the eighteen-year limit for being judged by the criminal court;

The specific recognition of the displaced and internally displaced, the creation of a body that offers them protection and streamlining procedures that guarantee the compliance;

The affirmation of the rights to communication, investigation and the receipt of information and opinions. Establish the obligation of the Member States to repeal all official censorship mechanisms as well as all criminal figures that provide special protection for civil servants to guarantee information pluralism facilitating access to the mass media for intermediate organizations of the society with fixed areas in the state media and making sure that the government will not be in charge of administration of the media;

The increase and fulfillment of contributions to the Fund ...

SIMONOVIC, Ivan (President):

I wish to remind the speaker that the time limit of five minutes has expired, and I kindly ask her to finish her statement.

MORENO, Cecilia, spoke in Spanish:

I am coming to the end of my statement.

We are convinced that the proposals we have put forward will contribute to the consolidation and development of human rights. Its adoption by the World Conference on Human Rights would open up the hope which is so necessary for reaching higher levels of coexistence between peoples and states in a fair international order respectful of the self-determination of the people of the states to establish a dignified life, free of fear and misery for all human beings.

Therefore, the Latin American and Caribbean NGOs participating in this World Conference have prepared a set of specific proposals in document 157/PC/98, which we believe will contribute to enriching and making more specific the final declaration of this Conference.

Our proposals are available to all governments who are interested in taking into account the thoughts and the claims of the NGOs from Latin America and the Caribbean non-governmental organizations.

SIMONOVIC, Ivan (President):

I thank the Latin American and Caribbean regional NGO group for your statement. Now I give the floor to the Central and Eastern European region for joint statements. Please, before you start, identify yourselves.

MILAS-MATUTINOVIC, Josipa (Joint NGO statement from the Central and Eastern European region, Mothers for Peace, (Croatia)):

Keywords: EASTERN EUROPE - CROATIA - ETHNIC CONFLICT - INTERNATIONAL OBLIGATIONS - UN. Security Council

I come from Croatia. My name is Josipa Milas-Matutinovic. I represent an NGO, Mothers for Peace, and I am going to give the joint statement on behalf of Central and Eastern European countries.

Mr. Chairman, distinguished delegates to the World Conference on Human Rights,

I have come here to address World Conference on behalf of millions of human beings whose suffering has long ago reached the uppermost limit. For most of us who have survived thus far my sincere gratitude is extended to all those women, men and even children who have given us support in our defense of the fundamental human right - the right to life.

I am speaking for those who have for generations been striving to become an integral part of a democratic world, in which we would finally be able to enjoy fully human rights as proclaimed in the Universal Declaration of Human Rights. Millions of us voted for it. But since then we have even been denied that fundamental human right, the right to life. Before coming to this Conference there was still a spark of hope among us that the method exercised upon us during the past two years will not be The Method by which the international community is going to build the new world order.

Unfortunately, the issues given for considerations for the final document of the Conference prove otherwise.

Mr. Chairman,

I am not here to discuss formulations referring to the description of the state of human rights issues. I am neither here to discuss those recommendations referring to human rights issues in peace time.

Mr. Chairman,

We are, however, totally dismayed with that part of the document dealing with the implementation of various human rights resolutions, treaties and covenants in cases of acute and mass human rights violations.

One of the suggestions given in the document is "to find ways to bring to the attention of UN Secretary-General massive violations of human rights with a view to submitting concrete cases to Security Council." Another suggestion is the establishment of the office of High Commissioner for Human Rights who will "have independent authority to dispatch special envoys on fact-finding missions."

Allow me to testify here before this Conference that even without having an office of High Commissioner UN Security Council has for the past twenty months endorsed for our countries forty-seven resolutions. One resolution every twelve days and as many presidential statements. UN Security Council has also dispatched numerous monitors, observers, human rights watchers. It established a commission of experts to document violations of human rights. A special rapporteur was sent. A

special envoy to the Secretary-General was appointed. A war crimes Tribunal is underway and peacekeeping forces were dispatched to the countries where there is no peace.

Allow me to testify before this Conference that none of the resolutions of the Security Council calling for an end to fighting and ethnic cleansing has been obeyed. On the contrary, ever since the first resolution was adopted, the situation has been deteriorating reaching human catastrophe already in

November 1991. Unfortunately, that very first resolution endorsed in September 1991 only opened the door for the perpetrator to proceed with his genocidal war to conquer territories.

Our tragic experience is the most vivid proof that resolutions, however resolute, do not force the perpetrator to comply with the requirements imposed on him by the international community. But, in fact, reward his brutal aggression.

As the offered document does not address at all the question of enforcement of the protection of the fundamental human rights when there are mass and acute violations, when there exist concentration camps, let me ask you on whose behalf are we writing this document?

Believe me, all the way from the Croatian Coast of the blue Adriatic Sea across Bosnia and Herzegovina to the banks of the blue Danube where once stood a Croatian town Vukovar, a town and its multiethnic population, which was raised to the ground by Serb army in November 1991, there will be no human beings needing resolutions written on their behalf.

SIMONOVIC, Ivan (President):

I thank Mrs. Milas-Matutinovic for her statement. The Conference will now proceed with... Are there any other speakers from the region? Please continue.

TROJAN, Vaclav (Joint NGO statement from the Central and Eastern European region, Helsinki Citizens Assembly (Czech Committee)):

Keywords: EASTERN EUROPE - CULTURAL PLURALISM - ETHNIC CONFLICT - REFUGEES - INTERNALLY DISPLACED PERSONS - ROMA

I am Vaclav Trojan. I am representing Czech Committee of Helsinki Citizen's Assembly.

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

Permit me to address this Conference on behalf of that part of Europe, most of which was controlled for many years by one of two primary world superpowers. A few years ago, the people in this region were controlled by a repressive mechanism. Many of them felt for years they were not in fact represented in the UN by their governments. We, thus, feel it is a positive step forward now to have the opportunity to address this Conference. We believe it also offers hope to those who remain in situations similar to the one in which we found ourselves.

After the collapse of the repressive system, most of our countries initiated significant democratic reform. However, this transformation is painful and complicated. The years of dictatorship resulted in many problems, which have yet to be resolved. Most of these problems are the consequence of terror and sometimes even genocide: many already have documented the resettlement of entire nations and ethnic groups. This problem coupled with a lack of democratic experience makes this part of the world unstable and potentially dangerous. We would like to contribute to stability and peace in our region.

Another significant problem that we face is the question of how to resolve our past with our present situation, in other words how to deal with the consequences of a system that killed millions. We feel

that it is extremely important for human rights monitors to be conscious of the balance between justice and legality. We must refuse the principle of collective guilt and carefully observe legal procedures when dealing with the past. On the other hand, we have to defend carefully the process of democracy against the danger of restoration of nondemocratic forces.

Mr. Chairman,

It is not possible to name here all of the human rights troubles that we face. Our part of Europe is a multinational and multicultural mosaic of nations and ethnic groups. We must find a way to coexist peacefully that will permit the respect of cultural and ethnic complexity. At the same time, we must discover a way to stop in its tracks the danger of destructive and egocentric nationalism, xenophobia and racism, which have recently emerged not only in our part of Europe but across the entire continent.

We are alarmed by the problem of refugees, often refugees in their own countries. Sometimes it creates tragic human suffering for many peoples. It is necessary for the UN to observe carefully human rights in that process. Also, it is important that certain states not assume upon themselves the role of a policeman making peace. The UN seems to be at a crossroads: if the UN authority will not be able to stop bloodshed and suffering of people on the territory of former Soviet Union and the Balkan peninsula, then this Conference will be nothing more than an empty gesture. Unfortunately, the democracy is more than a process; we must not place blind trust in free elections in the hope that they alone will guarantee peaceful solutions. It is necessary to assure strong international support of democratic forces and to create a mechanism to help promote democracy in all countries on the world.

Some people such as for instance the Romanies-Gypsies do not yet have any kind of governmental representation in the UN and yet are sent "back" to their "homes" that in fact do not exist. This is not a problem of individual countries; it is an international issue and may be interpreted not only as a human right violation but also as a violation of civil right. The moral responsibility for human rights violations of individual countries lies with the international community. The people who are suffering are looking to the UN to see what we will do here. And if we are not able to stop this violence and suffering, our Conference is just a waste of time and money.

What can we do to improve the function of UN? I hope this Conference is just beginning of such a process. It is a chance for many human rights activists and NGOs to meet and discuss problems together with the UN representatives. Nobody can expect a simple solution here. This Conference, however, proved that many people from different parts of world have similar kinds of problems, and that they are able to work together even if their governments are in conflict. There is a lack of powerful connections between NGOs, human right activists and official UN offices. The institution of High Commissioner for Human Rights and High Commissioner for Refugees and other international bodies are not enough to represent at the UN level all those who are still suffering by different kinds of human rights violations. It would be a symbolic step towards respecting of human rights problems by the world community to have a special permanent delegation of NGOs and human rights organizations at the UN with all rights to vote and participate in all UN meetings. It would be an independent, free, non-governmental voice of all those who are not yet represented here.

Thank you, Mr. Chairman.

SIMONOVIC, Ivan (President):

I thank you for your statements. The Conference will now hear joint statements by representative from the Pacific region.

TRASK, Mililani (Joint NGO statement from the Pacific region (Sovereign Hawaiian Nations)):

Keywords: CHILDREN - WOMEN - PERSONS WITH DISABILITIES - SELF-DETERMINATION - INDIGENOUS PEOPLES - ASIA AND THE PACIFIC

Thank you, Mr. President,

The joint statement of the Pacific NGOs will be presented by two speakers. I am Mililani Trask, *kia'aina* or the Prime Minister of the South Hawaiian Nation.

The Pacific NGOs wish to thank the President for assisting us and affording us the opportunity to present the concerns of our region.

In the Pacific Region, our cultural practice is to feed our children before ourselves. Our children are the hope and light of our peoples. The future of our Nations and, indeed, of the world will be in their hands in the years to come. In keeping with our traditions, we urge the governments of the world to respect and protect the rights of the children to survival, development and participation.

We call upon all states to ratify the Convention on the Rights of the Child and work cooperatively to implement and archive the goals of the World Summit Plan of Action, to reduce infant and maternal mortality. For in doing so you will be guaranteeing the survival of your own leaders in generations to come.

Women hold a particular social status in most Pacific Islands cultures. It is our practice to honor and respect woman not only because they are the mothers of our Nation but because they play an essential and vital role in sustaining the integrity of our societies as a whole. We in the Pacific believe the time has come for the governments of the world to acknowledge that women's rights are human rights and to take immediate action to eliminate all forms of violence and discrimination against women. Sexual harassment, gender bias and the exclusion of women from the political, judicial and social arenas cannot be eradicated at an international level until the equal status of women and the human rights of women are integrated into the mainstream of the United Nations system.

Although the peoples of the Pacific do not have significant financial resources, we have always cared for our physically and mentally impaired. In the Pacific Region, care for the disabled is the responsibility of the clan, the extended family. The application of this principle in the international context requires that the world family of nations undertake the drafting, adoption and implementation of standard rules on the equalization of opportunities for persons with disabilities in order to guarantee for them the rights of education, welfare, gainful employment and independent livelihood.

As representatives of non-governmental organizations from the Pacific and as caring and peaceful people from the Pacific, we emphasize our wish to work in partnership with the governments of the region the full implementation and respect for all fundamental rights and basic freedoms.

We have no illusions about the immensity of this task and the personal sacrifices that must be made in the pursuit of these noble objectives.

We mourn the loss of our brothers and sisters whose lives have been sacrificed so that we and generations of the future might enjoy an extra degree of freedom and respect.

In memory of our brothers and sisters who have been murdered we wish to reiterate here that the human right of self-determination is an inalienable right of all peoples.

We emphatically stress that the right of self-determination must never be used or interpreted so as to justify the domination and occupation of other peoples and their territories as is currently being done by the Drafting Committee.

On the contrary the right of self-determination explicitly justifies the right of all peoples to fight against colonial domination and foreign occupation.

Therefore, we salute the valiant struggles of the peoples of East-Timor and West Papua in the exercise of their right to self-determination against military occupation and domination.

As a bequest to our children and all future generations we assert that all human rights and fundamental freedoms are universal and indivisible.

The human foibles and inclinations of political leaders and the unscrupulous practices of our financial masters must be appropriately curbed so that they are forever made to be subservient to human rights and freedoms.

In the memory of our ancestors who discovered the James Cooks and Abel Tasmans floating aimlessly about the Pacific Ocean, we declare that all indigenous peoples have an inherent and inalienable right to assert their sovereignty and to seek and exercise their right to self-determination.

We assert that indigenous peoples must be encouraged and given every opportunity to participate in the decision-making processes regarding the projects and programmes that affect their livelihood and future.

Therefore, we assert that the dominant power group in all societies and countries must ensure the free and meaningful participation of indigenous peoples in all aspects of society.

This will require the diversion of financial resources from other sectors of the society but we declare that such action is necessary for the benefit of the whole community and is further justified by the irreparable damage and injury that the indigenous peoples have suffered since contact with the western powers and ethnic groups now dominating our lives.

The Pacific NGOs note with concern that the document currently under consideration at this Conference deliberately seeks to strengthen governmental structures, governmental systems and national institutions but fails to identify procedures and sanctions, which must be imposed on defaulting nations. Therefore, we urge this group to adopt procedures and enforce measures against states that continue to violate human rights and to create judicial mechanism so that governments who violate human rights may be brought to justice.

In the Pacific our traditions provide for the integration of all segments of our societies. The Western World could learn much from these practices. We, and all indigenous peoples, view the land as our mother. The earth is our spiritual wellspring, it nurtures and sustains us. The forced removal and relocation of indigenous peoples from their territorial land-base is a genocide practice because our existence is dependent upon our ability to stay in communion with the earth.

Mr. President,

For several days, we indigenous peoples of the Pacific, have expressed our priorities to the Drafting Committee. Apparently, they do not understand and had not heard our voices. At present time, we are sending an acceptable draft of paragraph 11, with our *kupuna* - our elder - Pauline Tangiora of Aotearoa, who will deliver this draft to the Drafting Committee. We are requesting two phrases to be deleted from paragraph 11, and we are requesting that there be one inclusion. we request the "s" is added to the "peoples" and that the world recognizes that we are indigenous peoples.

SAM, Doreen (Joint NGO statement from the Pacific region, (World Young Women's Christian Association)):

Keywords: ASIA AND THE PACIFIC - SELF-DETERMINATION - BUGAINVILLE (PAPUA NEW GUINEA) - DECOLONIZATION

Mr. President, ladies and gentlemen,

I am Doreen Sam from Women's Network in Samoan Islands and this afternoon speaking on behalf of the Pacific NGOs.

The Pacific NGOs draw attention to the activities and programmes of international trade and financial agreements and institutions such as the World Bank, IMF, GATT, SPARTECA and their negative impact on the countries of the Pacific region especially Fiji and Papua New Guinea.

The Pacific NGOs find that many powerful states continue to maintain colonial domination in some countries of the Pacific region: New Caledonia, French Polynesia, Wallis and Futuna are still colonized by France; Hawaii, Guam and Palau by the United States; and East Timor and West Papua by Indonesia.

In New Caledonia, the French government is facilitating the settlements of new migrants in New Caledonia in order to constitute a major obstacle to the genuine exercise of the right to self-determination and independence of the Kanak people in 1998 in accordance with the Matignon/Oudinot Accords.

The economy of French Polynesia is so intricately linked to the French nuclear testing programme that the possibility of a free and full exercise of the right to self-determination by the Maohi people of that colony in the future is unlikely.

This linkage is also evident in the US colonies such as Guam and Palau where the local economy is to a great extent dependent on the US Department of Defense and US strategic and military interests.

The Indonesian government is conducting a transmigration programme in West Papua supported and funded by the World Bank, which in the long term will only facilitate the genocide of the Papuan people.

Apart from becoming a minority in the country of their ancestors the Papuan people must continue to suffer the loss of their land and resources to new migrants and foreign interests.

We call upon these powerful states and the United Nations to end this colonial domination in our region and to facilitate the exercise of self-governance and self-determination by the peoples of these colonized countries.

We also call for an investigation on the status of Kanaka-Maoli, the Hawaiian people, who are wards of the state of Hawaii and who are not included in the US Policy that allows native American Nations of Alaska and the continental US to be self-governing, to control their trust lands and to protect their legal rights and institutions in the Federal Courts of the United States.

We call for the re-inscription of West Papua, French Polynesia and Hawaii on the United Nations list of Non-Self-Governing Territories to be decolonized.

The Pacific NGOs note that the people of Bougainville are in the fourth year of their struggle for self-determination. We are deeply concerned with the silent and systematic violations of fundamental human rights that are taking place in the country. We call for the international intervention and an investigation into these crimes.

The monumental destruction caused by Bougainville Copper Ltd. owned by CRA and Conzinc Rio Tinto was only one of the many catalysts for the Bougainvillean people who declared their independence in 1975 and consequently in 1990. Another catalyst for independence were the many years the Bougainvillean people struggled for their economic and political independence from successive colonial powers over the last hundred years.

The customary land laws and the rights of the traditional land owners were subordinated to the interests of CRA and the then controlling colonial power Australia. Australia imposed European style land laws by which it claimed ownership of the minerals under the surface of the soil.

This was done without the knowledge and consent of the landowners of Papua New Guinea and Bougainville. It was done even before Papua New Guinea was granted formal independence.

The blockading of a people whether internal and external by its very nature constitutes a violation of human rights. The right of a people to enjoy freedom from fear and want can only be achieved if their political, economic and other rights are accorded them.

The blockade imposed by Papua New Guinea and financed and equipped by the Australian government has caused thousands of Bougainvilleans to die as a result of lack of medicines. According to the Arawa Red Cross, 2000 children have died as a result of lack of medicines and vaccines.

The Pacific NGOs do not believe a military solution is viable. The Bougainvilleans want negotiations and the blockade lifted and the Papua New Guinea armed forces out of Bougainville. They want an internationally supervised referendum on independence so that the matter can be decided by ballot not by the barrel of the gun.

The blockade is preventing reporters, international fact-finding missions and the International Red Cross from having access to all parts of Bougainville.

Mr. President,

We call upon the government of Papua New Guinea to allow international fact-finding missions into Bougainville pursuant to the United Nations Commission on Human Rights resolution of March 1993;

We call upon the government of Papua New Guinea to withdraw all armed forces from Bougainville and to lift the blockade;

We call for an immediate ceasefire and internationally supervised negotiations.

Thank you.

SIMONOVIC, Ivan (President):

Is the statement from the Pacific region over? OK, if it is over then we will proceed by giving the floor to the distinguished representatives of the Sikh Human Rights Group.

SINGH, Jagjiwan (Sikh Human Rights Group):

Keywords: UN. Centre for Human Rights - NON-GOVERNMENTAL ORGANIZATIONS - HUMAN RIGHTS DEFENDERS - TREATIES - UN High Commissioner for Human Rights

Mr. President, distinguished delegates, ladies and gentlemen,

Thank you for allowing me to submit to this Conference.

Sikh Human Rights Group, mindful of the increasing number of violent internal conflicts within nations occasionally leading to regional conflicts and responsible for gross human rights violations bilaterally, proposes the setting up of a conflict resolution department within the United Nations under the Secretary-General's management under current Charter rules and closely liaising with the Centre for Human Rights. Political NGOs in a reported conflict should be given temporary accreditation to this department. The expertise of the UN personnel should be used to diffuse and assist in resolving internal disputes around the world. It needs to operate discreetly without overtly interfering in a nation's internal affairs but under an effective mandate empowering it to compliment the process of peaceful resolution when requested by any involved party.

Further we propose that current Charter rules be amended to resolve intractable internal disputes and that the Centre for Human Rights together with relevant body be sanctioned to bring a dispute on the agenda of the General Assembly or Security Council, thus, giving access albeit limited to NGOs.

On the work of the Centre, we consider it too obsessed with academic and international issues whereas most violations are in essence regional. We propose a change of emphasis to practical fieldwork and a regional approach.

We call for curtailing *real politik* abuses by nations at the Centre by giving more autonomy to the Centre, a reduction in the number of political appointments at senior level, more effective power for investigations and appropriate funding.

We call for changes in the rules and scope of the consultative process. We propose an increase in human rights NGOs group and two categories within it, one for international groups and a second for regional groups wherein area specific NGOs offer better informed consultation.

Accreditation procedures need to be balanced against the power of government censorship. Nations against whom reports are being filed should only be consulted but not allowed a veto.

It is proposed that a new grouping of temporary accreditation be introduced for NGOs from recently affected areas or those envisaging temporary work. Procedure for this status should avoid governmental interference.

Joining others, we call for greater financial budget for the Centre, financial assistance to NGOs, assisted training courses for activists, particularly from new NGOs, an open-door policy at the Centre and improved advisory assistance to NGOs.

We call for greater protection for human rights activists. For the record, four activists have been executed extrajudicially in the region of our expertise without redress. We propose that a special rapporteur be assigned with mandatory powers and responsibility for investigation upon such a complaint.

We are critical of a chaotic political order forced upon people obliged to accept authoritarian or weak democratic institutions in colonial demarcated boundaries. We call upon the UN to adopt a realistic attitude to Article 1 of the ICCP in order to facilitate peaceful transition to new national configurations emerging against the post-colonial order.

In view of gross abuses, we propose that ICCP Article 4 sections 1 and 3 be restrictive and that Article,4 section 2 be amended by including Articles, 3, 9, 10 section 1 and 2, Article 14 sections 2, 3a and b and section 5.

On impunity we suggest that the Human Rights Commissioner, if appointed, be cognizant of complaints and investigate appropriately.

We propose that at the reporting stage, State Parties be required to provide detailed and regional statistics on political detentions, injuries in custody, summary executions, and NGOs regardless of accreditation be invited to send comments.

We request accredited NGOs to stop concentrating collectively on fashionable issues and to advice and spread their regional agendas to introduce a wide debate at Commission and Sub-commission's hearings. We ask them to be more amenable to smaller unaccredited organizations, be less bureaucratic and secretive. Their obsession with standards has dehumanized human rights damaging access and credibility for smaller groups. A touch of humility would be appreciated.

Finally, Mr. President, we congratulate the organizers of this Conference and hope the Conference will change policies and wish it a success.

Thank you.

[Change of President]

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the Sikh Human Rights Group. Now I have the pleasure of giving the floor to the representative of Friends of the Earth. Please, the floor is yours.

WENISCH, Antonia (Anti Atom International, Friends of the Earth):

Keywords: NUCLEAR TECHNOLOGY - NUCLEAR SAFETY - RIGHT TO PRIVACY - IAEA
- DECOMMISSIONING OF NUCLEAR FACILITIES

Thank you, Mr. President.

I am here on behalf of Friends of the Earth and Anti Atom International. Thank you for opportunity to speak here about nuclear power.

The Declaration of Human Rights was presented in 1948, a time when the dangers of nuclear power were ignored. But the disaster of Chernobyl demonstrated that even the peaceful uses of nuclear power endanger life and health of all peoples.

Nuclear energy violates the human rights to life, freedom and security, for example:

- Spreading of the so-called peaceful nuclear technology has led to the proliferation of nuclear weapons. This is a constant threat for the security of all human beings.
- Nuclear weapon testing and uranium mining destroy life and health of indigenous peoples.
- Nuclear accidents have already destroyed the health and caused the death of tens of thousands of people. Hundreds of thousands have lost their homes.

- The health of radiation workers as well as of people living in the vicinity of nuclear facilities is severely endangered due to radiation exposure. Even their children are victims of this exposure: many have developed deformities or leukemia.
- Radioactive waste will remain a danger for future generations.

Nuclear energy violates the right to freedom and privacy. Controlling of the staff of nuclear industry and even of their privacy is of utmost importance. Safeguarding the nuclear waste depends on policelike controls.

The use of nuclear energy is a contradiction to the Declaration of Human Rights. Nevertheless, the United Nations are promoting nuclear power. The right to use nuclear energy is part of several international treaties and conventions, one is the Non-proliferation Treaty. It contains not only the wish to further peaceful nuclear applications but also the right to use nuclear explosions for peaceful purposes!

The most important instrument of this anachronistic policy is the International Atomic Energy Agency founded by the United Nations in 1957. According to its Statute promotion of nuclear energy is the Agency's main objective. The Atomic Energy Agency is the only United Nations' organization promoting a special industrial branch.

Our concern is to achieve a change in the United Nation's attitude towards nuclear power from promoting it to phasing out. Nuclear power should be treated as a hazard for environment and people not as a benefit. Its advantages are marginal compared to devastation and danger caused by its use.

Therefore, we demand to incorporate the following amendments into the Declaration of Human Rights:

- the right to life without the threat of nuclear dangers,
- the right to life in a sound environment,
- the right to a healthy and nuclear-free future.

We demand also a reform of the IAEA into a purely control organization as a first step to a worldwide stop of the use of nuclear energy. We hope that you will support our efforts maybe not here and not now but in your future work.

Thank you very much.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the Friends of Earth. She was very brief, and I thank her for that. I now give the floor to the distinguished representative of the World Peace Council. The floor is yours, please.

Is the representative of the World Peace Council in the Hall?

Is the representative of the World Peace Council in the Hall? Yes, please take the floor. The microphone please. Well, how are we going to hear you then? Come down to this side.

The representative of the American Jurist Association should please prepare him or herself so that we do not wait for so long. The next one who will be taking the floor after the World Peace Council.

GARG, R.T. (World Peace Council):

Keywords: PEACE - HUMAN RIGHTS VIOLATIONS - TRANSNATIONAL CORPORATIONS

Distinguished President, the representatives of one eighty-three governments of the world, fellow delegates,

World Peace Council is privileged to associate with all expressions and articulations of urges of all mankind from every part of the globe just now expressed. We associate with the efforts of all governments to create conditions of durable peace.

We believe that this Human Rights Conference is the most important occasion for the world to take a new stride in this new epoch. We do believe that human rights are not possible without peace. Peace was menaced by war! This was followed by even more menacing cold war. Once the cold war is ended, we have yet to take stock of the horrors of the cold war and yet to articulate the urges of men to live with dignity in conditions of peace.

We of the World Peace Council assembled in Basel from June 3 to June 6 to formulate our resolutions for consideration by this important Conference. We came with those resolutions, we associated with the NGOs discussions from June 10 to 12, and today we associate with all the presentations made by the representatives from all the continents and different regions.

We also associate with the agony of the people of Bosnia who expect that their agony could be terminated by the resolutions of this Conference.

Mr. President,

Permit me to say, we have very [inaudible] to cross. Today we are formulating human rights in times when man learns that he has a right to live, but then we are discussing and deliberating [inaudible] his right to live. The European community is discussing that social security chapter must be out. In order to maintain efficiency, productivity and profitability to be competitive, the right to an employment must be the right of the employers. We do say that when we are thinking of a dilemma that we will formulate the human rights, we like them to be enforced but there will be no mention of need to enforce them. We have to think that democracy is not enough to enforce them. Democracy could not prevent mafia's taking control of democracies. Destroying the democratic will of governments, which are developed, which are controlling the world trade and world economy.

I come from India, and I can tell you that they are acutely aware of the destruction of the dome of Dresden. We are also conscious of the destruction of Hiroshima. But you are also aware of destruction in Bhopal by powerful multinational corporations, which are engaged in the manufacturing chemical weapons for a superpower, which are engaged in manufacturing nuclear weapons for a superpower. And why were they able to do that? Because there are no powerful legal systems that can enforce human rights against these powerful multinational corporations. So, when we are thinking of enforcement, who is making this enforcement impossible? If you go back in the history, six powerful nations divided the whole world, all the continents of the world. India was enslaved by one East [inaudible] Trading Company.

Today, transnational corporations have their octopus-like tentacles, which have taken the whole world into their embrace. No resolutions of this august body, no other sovereign nations can discipline them either to follow the United Nations call on environment or the call on multinationals. They do not feel bound by the laws of sovereign nations and we have human rights and the municipal laws. We have the Universal Declaration of Human Rights. There are powerful nations that boycotted the proceedings of the United Nations Educational, Social and Cultural Organization and deliberations which went on the fourteen years, which gave us the United Nations call on multinationals, which gave us the United Nations call on environment.

I pressed that in service in defending the victims of the Bhopal gas leak disaster, but I know as the fact the United Nations with all its Security Council powers could not enforce any call against the powerful transnationals that are a law unto themselves. They ...

TJIRIANGE, Ngarikutuke (President):

Sorry, I just wanted to remind you that there is one minute left. So, you can continue.

GARG, R.T:

... in seriousness, we must tame the real violators of those human rights and the [inaudible] for the limitless profits enshrined into all those global structures of economic power must be tamed.

Thank you very much.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the World Peace Council. I now give the floor to the distinguished representative of the American Association of Jurists. Please, the floor is yours.

RAJLAND, Beatriz (American Association of Jurists), spoke in Spanish; text is edited based on the English interpretation:

Keywords: UN. Security Council - VETO - DEVELOPMENT - FOREIGN DEBT - INTERNATIONAL FINANCIAL INSTITUTIONS - IMF - World Bank - ICJ - ADVISORY OPINIONS

Mr. President, representatives of the states and of the non-governmental organizations,

I speak on behalf of the American Association of Jurists. The American Association of Jurists adheres to the Declaration on Non-governmental Organizations of Latin America and the Caribbean approved in Quito, Ecuador, on the 29th and 30th May of this year.

Within the framework of this, we formulate the following:

First, the current structure and functioning of the Security Council, which grants the privilege of the veto to five Member States, cannot guarantee the application of the principles of universality, objectivity and non-selectivity in the examination of problems that refer to human rights.

With the disappearance of one of the permanent members of the Security Council, of the USSR, Article 23 is obsolete and subsection 3a of Article 27, the last paragraph of Article 108 and the last paragraph of sub-section 2a of Article 109 of the Charter have, in fact, are no longer effective and can be considered obsolete. So that in order for the Security Council to intervene legitimately and within the sphere of its competence, generally determined by Article 24, paragraphs 1 and 2 of the Charter, in matters that refer to human rights, the General Assembly should, taking into account the aforementioned regulations and their expiration, declare the extinction of the principle of unanimity of the five great powers, which has become impossible to apply due to the disappearance of the USSR. Such legitimacy for the action of the Security Council would be consolidated if the number of its members were increased, taking into account an equitable regional representation, to adapt it to the current number of United Nations Member States.

This would help prevent the Security Council from arbitrarily classifying a situation as threatening peace and security and from using its functions for purposes other than those envisaged in the Charter.

Second, it is necessary to deepen a new conception of development as a global process, whose main subject is the human being, its purpose being the full realization of the human being within the community; This process requires the active and conscious participation of individuals and communities in all its stages. Likewise, the right to development must include the right to the enjoyment of civil and political liberties and the absence of any type of discrimination.

And above all, that there is no single or pre-established model of development because the authentic development requires the self-determination of peoples, the recognition of their sovereignty over their resources and natural wealth and full respect for their cultural identity.

The right to development requires commitments from the international community and from each of the Member States towards the peoples in general; also, the specialized agencies of the United Nations system such as the International Monetary Fund, the World Bank and others have the duty to promote the realization of the right to development.

However, the right to development and economic, social and cultural rights are systematically violated on a planetary scale with very serious consequences for a large part of humanity without any international sanctions.

The question then arises of putting an end to this impunity in order to create a new international economic and social order based on justice and equity.

It is found that the so-called recommendations and guiding principles of the International Monetary Fund, which are practically mandatory for countries that want to renegotiate their external debt and obtain loans from the international financial system, are in the open contradiction with the purposes and aims of the International Monetary Fund, as established in Article 1 of its Statutes.

The World Bank, for its part, coordinates with the International Monetary Fund decisions to grant credits to Member States.

In conclusion, we believe that in the fight against impunity for violations of economic, social and cultural rights, the international community should approve that the Economic and Social Council or the General Assembly of the United Nations request an advisory opinion from the International Court of Justice on:

- a) whether the agreements and the practice of relations between the United Nations and the International Monetary Fund and the World Bank as specialized agencies are in accordance with the Charter of the United Nations;
- b) whether the practice and policies of the World Bank and the International Monetary Fund are in conformity with the purposes of their establishment, which contained in their Statutes, and with the Charter of the United Nations and other international instruments.

Thank you very much.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the American Association of Jurists for her statement. I now give the floor to the distinguished representative of the Coalition against Trafficking in Women.

HOFMANN, Cecilia (Coalition against Trafficking in Women):

Keywords: TRAFFICKING IN PERSONS - WOMEN - EXPLOITATION OF THE PROSTITUTION OF OTHERS

Thank you, Mr. President,

The Coalition against Trafficking in Women is one with the voices of the world's women heard so strongly at this World Conference on Human Rights that have called for the affirmation and the protection of women's human rights.

The massive and escalating sexual exploitation of women and children by local and global sex industries falls within the continuum of practices that debase and dehumanize human beings to objects and commodities, and that reduce women to a subcategory of human being that makes possible all forms of violence against women up to the horror of the genocidal rape in Bosnia that the entire world decries.

Prostitution, sex tourism, trafficking in women and other practices have had a particularly devastating impact on women and children in developing countries and on disadvantaged and oppressed groups of women elsewhere.

The magnitude of these violations is staggering:

- more than 30 million women trafficked since the mid-70s;
- over one million Asian women sold into prostitution each year;
- women of Eastern Europe and the former Soviet Union trafficked in massive numbers into the brothels of the world.

This week's international edition of Time Magazine describes the global sex trade as "a horror of exploitation that shames the world's conscience."

The 1949 Convention for the Suppression of Traffic in Persons and the Exploitation of the Prostitution of Others fails to provide measures that are adequate to address the multifaceted and multinational modern-day sex industry.

We call on the World Conference to recommend the development and adoption of a convention to stem the tide of and ultimately eliminate sexual exploitation and that would recognize sexual exploitation as human rights violation and obligate States Parties to take strong measures.

An international network of NGOs with the support of UNESCO has been working to develop such a convention. Specifically, it urges:

1. The adoption of laws and policies addressing both local and global situations of sexual exploitation;
2. The punishment of perpetrators, whether local pimps or international cartels;
3. The repeal of laws criminalizing the victims;
4. The accountability of customers for violating human rights;
5. The provision of restitution, social services and other assistance to victims.

We urge the United Nations to study and to support the idea of a new convention to eliminate all forms of sexual exploitation. A draft of such a convention has been distributed to all of the delegates as an official document of this Conference.

Mr. President,

At this very moment, millions of women and children are living situations that can only be described as international human rights crisis. Their bodies, their very humanity is being violated in the most damaging ways. They exist in conditions of extreme danger, deprivation and degradation. The impact on women in developing countries is particularly devastating.

The mass sexual exploitation of women violates every guarantee of the Universal Declaration of Human Rights. It is cruel, inhuman and degrading treatment that sets the standard of treatment for all women - First and Third world alike - and is incompatible with the inherent dignity and worth of the human being.

We cannot talk of human rights and not address the gross violations of women's human rights. The World Conference on Human Rights must join and support the struggle of international human rights NGOs against global sex trade by condemning all forms of sexual exploitation by recommending the development and ultimate adoption of a new convention to eliminate them.

I thank you.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the Coalition against Trafficking in Women for her statement. I now give the floor to the distinguished representative of the International Federation of Human Rights. The floor is yours.

JIMENEZ, Cecilia (FIDH):

Keywords: HUMAN RIGHTS ADVANCEMENT - HUMAN RIGHTS DEFENDERS -
DECLARATIONS - FIDH

Thank you, Mr. President.

My name is Cecilia Jimenez, human rights defender and lawyer from the Philippines, and we take this opportunity to thank you for this opportunity to deliver an appeal to the World Conference to ensure protection to the human rights defenders.

Mr. President,

In his introductory statement to the World Conference the UN Secretary-General, Mr. Boutros Boutros-Ghali, underlined the imperative need to implement human rights effectively as one of the three priorities of this Conference.

In this connection the UN Secretary-General proposed a methodology of sharing responsibilities among the international community, the states and the NGOs based on the primary responsibility of the state to respect and ensure the respect of all human rights.

This approach cannot but have our approval and support. NGOs cannot substitute themselves for the states in accomplishing the tasks that States are responsible for.

However, history teaches that respect for the dignity of the human being will never be completely achieved.

Moreover, the concept of power, which is by nature inherent to the organization of society, contains in itself the potential for violation of human rights and fundamental freedoms. For these reasons the need for the daily struggle by human rights defenders is legitimate and absolute.

NGOs, groups and individuals who are daily fighting for human rights might be considered by a number of states as the image of subversion and by others as a necessary evil.

In any case, as it has been affirmed so many times by governments recently, they are a fundamental component of our societies and this is why their roles must be recognized by this Conference and their activities effectively protected by appropriate mechanisms.

Mr. President,

Within the International Federation of Human Rights there are 66 national NGOs whose members, in all continents, are daily acting as a counter-balance to ensure the effective implementation of the provisions contained in the Universal Declaration and other international instruments.

These human rights defenders whatever their involvement in the field of protection and promotion of human rights as well as their activities in informing and/or cooperating with public authorities are always and daily exposed to possible negative reaction from these same official authorities.

On all continents, human rights defenders and the organizations members of the International Federation of Human Rights are daily subjected, in one way or another, to arbitrary actions risking their freedom, their moral and physical integrity and even their lives.

Aware of the necessity to provide defenders with special protection and because it is its duty, the International Federation of Human Rights has been one of the international NGOs involved since 1985 in the process of standard-setting of a draft declaration on the rights and responsibilities of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms. This is known as the draft declaration for the protection of human rights defenders.

The adoption of such a declaration will without any doubt improve the living conditions of human rights defenders as well as the status of organizations who are facing difficult situations in their respective countries.

Recognizing in this way the important role of defenders will testify to the interest of the international community.

The UN working group with the responsibility of drafting this declaration seems unfortunately to be moving slowly, bringing into question the commitment to adopting such a declaration.

The International Federation of Human Rights, therefore, calls on all governments participating at the World Conference to show without ambiguity their will to guarantee to each individual not only the freedom but also the adequate means to participate in the defense of human rights of all human beings.

An appeal from the World Conference to conclude and adopt as soon as possible such a declaration will without any doubt constitute a positive step in that direction.

Thank you, Mr. President.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the International Federation of Human Rights for her statement. I now give the floor to the distinguished representative of the World Society of Victimology. The floor is yours.

SEPAROVIC, Zvonimir Paul (World Society of Victimology):

Keywords: HUMAN RIGHTS IN ARMED CONFLICTS - WAR CRIMES - SERBIA - BOSNIA AND HERZEGOVINA - YUGOSLAVIA - CIVILIAN PERSONS - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS

Thank you, Mr. Chairman.

Your Excellencies, distinguished delegates, ladies and gentlemen,

On behalf of the World Society of Victimology let me express our deepest concern for the human sufferings and broad scope of victimization through the whole world. The people in many countries are suffering from various types of serious violations of human rights; physical and psychological torture including the use of drugs; extrajudicial executions; enforced disappearances and displacements; arbitrary detention; violations of due process of law and of their rights to free movement and the enjoyment of property; the right to be free of cruel and inhuman treatment and the right of self-determination.

But our main concerns, Mr. Chairman, are those connected to the war. There have been more than 300 wars and international conflicts in the time since World War Two. The newest war, the war of aggression in the former Yugoslavia continues without the prospect of immediate settlement. It has resulted in hundreds of thousands of victims who have been killed, wounded, mutilated, raped, tortured, driven from their homes, towns, villages and cities. The war has encouraged the practices of genocide, ethnic cleansing, mass rape and other depredations. The war challenges the fundamental precepts of civilizations, moral sensibility and legal culture; the victims of the war have experienced transgressions of the most basic standards of law and civility upon which, however imperfectly, the contemporary public order of the world community has been founded. There are millions of victims of human rights abuses, Mr. Chairman.

It is now well documented by several NGOs like Amnesty International, Helsinki Watch and others that the war in former Yugoslavia has resulted in major violations of human rights. Also, the United Nations is investigating the situation by its Special Rapporteur Mr. Tadeusz Mazowiecki. While the evidence indicates that human right violations have been done by all sides, it would appear that a vastly disproportionate share of the violations of human rights have been violated by the Serbian Army and its paramilitary units on a stupendous scale. During this war, Serbia has managed to occupy one third of Croatian territory and two thirds of the territory of Bosnia and Herzegovina, thus, enlarging its territory two times. It is neither civil, nor religious, nor ethnical war. This is the real aggressive war: the aim is the conquest of foreign territory in order to create Greater Serbia.

The victim of this war in particular is the civil population. circumstances, in the first place, women, children and young people. The Commission of Human Rights at its 34th meeting have "strongly condemned the abhorrent practice of rape and abuse of women and children in the former Yugoslavia, which, in the circumstances, constitutes a war crime" and "expressed that the systematic practice of rape is being used as a weapon of war against women and children and as an instrument of the policy of ethnic cleansing carried out in the Republic of Bosnia and Herzegovina."¹

Mr. Chairman,

We call upon the international community with the following appeal to the world:

- Support the right of all people for peace;

¹ E/CN.4/1993/L.11/Add.1

- Condemn the aggression, the genocide and war crimes; stopping of killings, halting of aggression by all means including the military intervention in accordance with the Chapter VII of the UN Charter;
- Encourage the Security Council to ensure the return of all displaced persons, the closing off all concentration camps and the release of all prisoners and to disclose the fate of more than 100,000 missing persons in the former Yugoslavia;
- Call to all warring parties to respect the human rights under the threat of the international sanctions;
- All war criminals should be brought before an international court. Establishment of the permanent penal court is necessary.
- We also believe that all human rights are universal and indivisible. We are strongly supporting the consideration of the appointment of a High Commissioner for Human Rights.
- We call upon the Secretary-General of the UN and upon all states and people concerned to seriously recognize the basic principles of justice for victims of crime and abuse of power as it has been stated in the declaration of the United Nations²;
- We demand that immediate compensation and restitution be provided to any and all victims;
- The children and young people's human rights have been violated across the globe particularly in violent situations and war. The protection of their rights is of a prime importance;
- And in closing, our special attention should be also given to other vulnerable groups of the population, especially women, disabled, refugees and displaced persons.

I thank you, Mr. Chairman,

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the World Society of Victimology for his statement. I now give the floor to the distinguished representative of HURIDOCS.

NOVAL, Aida Maria (HURIDOCS), spoke in Spanish; text is edited based on the English interpretation:

Keywords: HUMAN RIGHTS - INFORMATION DISSEMINATION - DOCUMENTS - INFORMATION

Thank you, Mr. President.

Delegates, ladies and gentlemen,

My name is Aida Maria Noval, I represent Latin America and the Governing Board of Human Rights Information and Documentation Systems, International, HURIDOCS, a non-governmental organization set up in 1982.

Its fundamental objective is to optimize access to and dissemination of public information on human rights through the most efficient, appropriate and compatible methods and techniques for handling information.

Martín Ennals, the visionary fighter for human rights, was the inspiration and founder of HURIDOCS. In his memory, the Martín Ennals Award was created, which is awarded each year in Geneva at the beginning of the session of the Commission on Human Rights.

HURIDOCS is an open and decentralized network involving several hundred organizations from around the world, mostly non-governmental, and several intergovernmental, for example: the Refugee

² A/RES/40/34

Documentation Center of the United Nations High Commissioner for Refugees and the Centre for Human Rights of the Council of Europe.

HURIDOCS does not carry out activities to report human rights violations. Its area of competence is the provision of services, advice and training to organizations that carry out or wish to carry out documentation and information work. In particular, we have available for these organizations the standardized systems for the registration and exchange of information on human rights: the bibliographic formats used internationally for more than eight years and recently published.

Within the discussion of "Increasing the effectiveness of the activities and mechanisms of the United Nations," it is of vital importance that the normalization and standardization of methods and procedures for the efficient handling of information and documentation be promoted and consolidated. We firmly believe that the experience accumulated within HURIDOCS as well as the systems and methods developed would contribute to the strengthening and efficiency in the performance of the tasks of the various and sometimes confusing mechanisms and bodies created since the Teheran Conference, such as: working groups, special rapporteurs, the representatives of the Secretary-General and other human rights treaty bodies.

Likewise, it is extremely important to promote the harmonization of documentation and information handling procedures for individual complaint procedures.

The Centre for Human Rights should establish as a matter of very high priority a documentation and information system to provide an efficient service to the supervisory bodies and to the international community as a whole. This system should be compatible with those already established and that have proven their value and usefulness in other organizations.

Information on all aspects of human rights is essential for the protection and promotion of human rights. Their systematic and methodical management should be a matter of concern at the highest level. HURIDOCS has decided to move the Headquarters of its International Secretariat from Oslo to Geneva. One of the objectives of this move is to establish a closer contact with the human rights bodies of the United Nations system.

HURIDOCS is prepared to share the results of the work carried out jointly by the organizations participating in the network. The objective is to support the improvement of the information and documentation management within the competent bodies.

Undoubtedly, the United Nations system requires more resources in the area of human rights. To ensure a substantive benefit, the resources available today and those that will be allocated in the future will have to focus on the inclusion of modern information technology and methods.

Thank you very much, Mr. President.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of HURIDOCS for her statement. I now give the floor to the distinguished representative of the International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and other Minorities. You have the floor, please.

BOS, Roeland (International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and other Minorities):

Keywords: MINORITIES - HUMAN RIGHTS VIOLATIONS - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS

Mr. Chairman,

Thank you for the opportunity to address this historic Conference on Human Rights. The International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities has been monitoring abuses of human rights for almost a decade and regretfully we do not share the optimism of most of the distinguished representatives of governments as far as the improvement of the human rights situation around the world is concerned. Moreover, we do not believe that there is going to be a dramatic change in the near future for the better.

We heard in this forum statements by distinguished delegates describing how their governments protect and safeguard the rights of their people, and one wonders then who is violating the rights of indigenous peoples, the rights of minorities and the ethnic, religious, linguistic and cultural rights of various groups and peoples. Since all governments claim that the rights of the peoples under their control are safeguarded and guaranteed by their constitution and numerous other covenants, the question arises whether we are spending precious time and resources to attend this Conference for nothing. But then ... who is responsible for the millions of refugees around the world? Who is pursuing policies of genocide against minorities through population transfers and/or policies of assimilation? Who is denying women in many parts of the world a proper place in society? And who is responsible for the destruction of our environment?

According to the UN statistics, 15 million children die every year, or 40,000 a day, because of malnutrition, lack of medical care and hunger. While we are debating in this Conference how to protect their rights, over half a million children will die.

Finally, the ethnic cleansing that is going on in the Balkans today has been going on in many parts of the world for several years now. This is not new to many minorities. Only the term "ethnic cleansing" is new.

A number of distinguished delegates suggested and recommended the appointment of a special rapporteur or a High Commissioner for Human Rights. My organization believes that this is a step in the right direction towards a long-term solution of the problem. We also believe that immediate and more drastic steps must be taken by this forum to alleviate the suffering of millions of people from the violators of their human rights.

Taking into consideration the UN Secretary General Mr. Boutros Boutros-Ghali's reaffirmation that the violations of human rights are not an internal matter of states, my organization proposes:

1. The creation of a very flexible and highly mobile action council, with broad powers and a mandate to monitor and investigate human rights abuses and report within a prescribed time schedule to the Security Council of the UN for immediate and effective action.
2. That the United Nations should admit representatives of nations and peoples not represented as such at the United Nations. The serious flaw in the United Nations efforts and mechanisms to promote and protect human rights including the rights of peoples and minorities is its exclusion of representatives of affected nations, peoples and minorities from the decision-making processes. The legitimate representation of people who is not represented by any government in the United Nations is prohibited from speaking in the sessions of the United Nations Commission on Human Rights. This is true even when the issue being discussed is the violation of rights of that people.

3. The creation of a permanent tribunal for human rights empowered to bring to justice the persons responsible for crimes committed against individuals, groups of peoples and the environment. Unless drastic, immediate and effective measures are adopted in this forum, some of the minority groups might not be around to attend another world conference on human rights, twenty or twenty-five years from now. Some languages will disappear. Some cultures will be history. Millions of peoples will be denied their human rights and their human dignity. Their loss is going to be our loss, a loss for the entire humanity.

Thank you.

TJIRIANGE, Ngarikutuke (President):

I thank the representative for his speech. Now I give the floor to the distinguished representative of Equality for Gays and Lesbians Everywhere. You have the floor, please.

FISHER, John (Equality for Gays and Lesbians Everywhere):

Keywords: HOMOSEXUALITY - DISCRIMINATION - SPECIAL RAPPORTEURS

Thank you, Mr. President.

Distinguished delegates,

I wish to speak to you about silence.

My name is John Fisher, I represent EGALE, which stands for Equality for Gays and Lesbians Everywhere, *Egalite pour les gais et les lesbiennes*.

As you are probably aware, the human rights of lesbians and gays are being abused in many countries of the world. Some states retain the death penalty for lesbians and gays. A number of states put lesbians and gays in prison. In some, we are given electroshock therapy and other forms of torture in an attempt to destroy our sexual identity. In many countries, we cannot even acknowledge our sexual orientation for fear of state reprisals, let alone form groups or advocate for law reform. I myself, like most lesbians and gays, could tell you what it is like to walk down a street and be verbally abused, or assaulted, or spat upon. Suffice to say, we routinely face abuse and violence that no human being should have to suffer at the hands of another.

At this Conference, many states have expressed support for the principles of universality, objectivity and non-selectivity and stated that, while we may respect cultural differences, human rights apply equally to all people. Yet, only five states have, thus far, publicly taken the podium and called for an end to discrimination against lesbians and gays. We commend those states. For the rest, does your commitment to equality somehow evaporate when it comes to lesbians and gays? It is easy to talk about universality when addressing an issue you perceive to be popular. The true test of your commitment to universality is whether you will call for the consistent application of the right to equality when dealing with a minority whose rights are not widely respected.

Other states fall back on cultural relativism in an attempt to excuse their treatment of lesbians and gays. To those I say: what cultural difference can possibly justify killing lesbians or gay men? What cultural difference can justify putting us in prison, torturing us, denying us equality?

Martin Luther King Jr. said: "It is not the actions of the bad people but the silence of the good people that is the threat to our society."

Distinguished delegates, you know that these human rights abuses are occurring. Yet, State after state remains silent on this issue because they are too embarrassed to say the words "lesbian" or "gay."

If you know that our human rights are being abused, and you do and say nothing then the message you send is very, very clear. You say to us: "You are just not worth it. We do not recognize you as equal human beings. In the end, we just do not care."

The question for this Conference is not whether lesbians and gays have rights. We know that we do. Article 1 of the Universal Declaration of Human Rights provides: "All human beings are born free and equal in dignity and rights." The International Bill of Rights makes it clear that all the rights are guaranteed equally to all human beings without discrimination of any kind. The only question which remains is whether this Conference will address the fact that our rights are not being respected.

Finally, I note that 1994 is International Year of the Family. What better opportunity to affirm that we too have family relationships; we too love. Our relationships are as real and as valid as those of heterosexuals. International Year of the Family must be a celebration of the reality that many people find fulfilment in a diversity of family forms.

Distinguished delegates,

In some countries I could be arrested for saying what I have said today. Yet, it is necessary to speak out and break the silence.

Lesbians and gays are tired of being treated as inferior; it is time to recognize us as the equals we are.

We call upon you to recognize in the final document that discrimination against lesbians and gays is just not acceptable. We call for a special rapporteur on discrimination against gays and lesbians. But at the least, we call upon you all to take a stand, here, publicly. Speak out in support of the human rights of lesbians and gays, just as many of you have spoken out in support of the equality rights of women.

My people are suffering. Do not just look the other way.

Thank you.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the Equality for Gays and Lesbians Everywhere for the statement. I now give the floor to the distinguished representative of Ambedkar Centre for Justice and Peace. You have the floor, please.

VARHADE, Yogesh (Ambedkar Centre for Justice and Peace):

Keywords: DALITS - INDIGENOUS PEOPLES - HUMAN RIGHTS VIOLATIONS - HUMAN RIGHTS MONITORING

Thank you, Mr. Chairman,

My name is Yogesh Varhade, Ambedkar Centre for Justice and Peace, Toronto, Canada. I am representing the problem of 250 million "untouchables", the indigenous peoples of South Asia.

Mr. Chairman,

While I am addressing the distinguished delegations at the World Conference on Human Rights, our people, the untouchables, are being killed, raped, burned alive, and their houses destroyed.

Every hour two untouchables are assaulted.

Every day three untouchable women and children are raped.

Every day two untouchable's houses are burnt.

Every day two untouchables are murdered.

These crimes against untouchables, as mentioned above, are officially reported. This is just a tip of the iceberg. Real figures could be more than 500,000 per year. This is mainly happening in the so-called democracies in South Asia due to caste hatred against the untouchables.

This caste system, derived from the Hindu religious belief that all human beings are not born equal, is mainly practiced where about 250 million human beings are suffering as untouchables, the outcastes of the society. The caste system and untouchability are a shame, a stigma and the crime against humanity.

This caste system and the untouchability were started hundreds of years ago and perpetuated by the invading Aryans who imposed their rule on the indigenous peoples and continued their economic, social, religious exploitation on a permanent basis.

This caste system and untouchability are the cruel and aggressive form of racism and ethnic oppression, which directly contravene the United Nations fundamental human rights instrument and other human rights instruments.

Besides that, it denies the full participation of intelligence, competence and contribution of this 250 million ethnic minority in South Asia who are surviving as just "beings" and not as "human beings with dignity."

Therefore, we call upon The World Conference on Human Rights to:

1. Appoint a special rapporteur to carry out a study of the human rights situation of the untouchables in South Asia.

2. Establish linkages between international financing of development programmes and incidence of human rights violation in the region.

3. As contained in the UN Bangkok NGOs declaration, section Action by the UN and International Mechanism³, we ask the UN to:

"Take appropriate steps to eradicate the practice of untouchability, which is a crime against humanity and discrimination on the basis of caste, religion and other factors by the year 2000, failing which sanctions will be imposed keeping in view that development projects financed by UNDP and IFIS of the poor are not affected."

4. Appoint a special committee to initiate a process of declaring untouchables as indigenous people of South Asia to whom all UN resolutions on indigenous peoples should be applicable.

5. Call upon the governments to facilitate access by international media and independent observers for investigations into the human rights situations regarding the untouchables.

6. Appoint urgently human rights education commissions in all South Asian countries and monitor human rights education in collaboration with the governments of the region.

7. Create a special cell in UN Centre for Human Rights to monitor the massive human rights violations of untouchables because this apartheid of South Asia is worse than apartheid of South Africa.

³ A/CONF.157/ASRM/4

8. Condemn and reform all such educational systems, which contravene the fundamental human rights declarations of the United Nations and other human rights instruments of the UN.

9. Work in collaboration with the governments of the region to set up the budgetary provisions in proportion to their population as a matter of emergency programmes for economic upliftment and empowerment of the untouchables. Such programmes should have following priorities:

- Total rehabilitation from villages to sub-districts because of maximum atrocities taking place in villages for centuries;
- Compulsory education, illiteracy being 90 percent among untouchables;
- Separate electorate to elect their own representative,
- National cooperative projects for their full participation and economic survival because most of the untouchables are below poverty line.

I, therefore, urge the UN World Conference to give a serious consideration for our recommendations in the final draft.

Mr. Chairman, these recommendations have been endorsed by more than 400 NGO participants in the World Conference on Human Rights.

Thank you, Mr. Chairman for giving me this opportunity.

TJIRIANGE, Ngarikutuke (President):

I thank the representative for his speech. I would like to appeal - I do not want to interrupt anybody while he is making his or her speech - therefore, please keep to the time limits allocated to you. I would hate myself to interrupt anybody while he is still giving his speech. I now give the floor to the distinguished representative of the International Human Rights Organisation. You have the floor, please.

SINGH GILL, Dalbara (International Human Rights Organisation):

Keywords: DEMOCRACY - HUMAN RIGHTS VIOLATIONS - INDIA - INTERNATIONAL OBLIGATIONS - AID PROGRAMMES - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS

Dear Mr. President, ladies and gentlemen,

I am D.S. Gill, Chairman of the International Human Rights Organisation.

First of all, I would like to compliment the United Nations on being instrument in bringing to light human rights issues to the international agenda and the Austrian government for becoming a host to this noble cause.

Now I will talk of democracy. Democracy is or it may be the best form of government for any country but it does not necessarily guarantee respect, promotion and protection of human rights as today there are many democracies, nay, the large democracies in different continents, which are the worst violators of human rights. They pride themselves as great democracies governed by the rule of law but their claims are belied by reality. There is hardly any rule of law or democracy there. These UN Member States are killing their own people on the pretext of maintaining unity and integrity or in the garb of curbing terrorism in their respective countries just to run down liberation movements.

People in these democracies are harassed, tortured and killed for their religious and political views or for their professional activities as lawyers, doctors, teachers or human rights activists. The brutalities let loose on these people also include sexual assault, molestation and rape of their women or even

clandestine elimination of their families. Hundreds and thousands of people are detained under dreaded legislations to suppress the voice of sanity in certain countries. Can we cherish this kind of democracy? Certainly not.

This senseless conduct of the UN states portrays the attitude and behavior of occupation forces such as Nazis in Europe during the worst days of occupation after the last world war. When the state administrations controlling the wrong doers, ignore or condone their subordinates' conduct they assume to themselves all responsibility for the misdeeds committed by the law enforcing agencies. These regimes are utterly dehumanized, polluted and filled with mountains of hatred towards their subjects just in their efforts to cling to power by unlawful means. Their zeal for retaining their countries united and to remain in power, appears to be demanding a heavy price in terms of morality, civility and decency.

The second concern of the International Human Rights Organisation is that the whole area of human rights has been politicized worldwide. It is all about the sphere of influence and trade contracts. It is unfortunate that certain countries, which claim to be defenders of human rights, turn a blind eye to human rights violations by "friendly" countries and positively condone them. For political and economic advantages, these countries are prepared to kowtow to regimes in these so-called democracies which have disgusting records on human rights and which are the leading exponents of state terrorism. In the world of international diplomacy, the argument in any country resolves around political expediency and trade contracts with human beings being used as barter or bargaining counters, and the western democracies are no exception.

The most serious challenge the world community is facing today is from these so-called democracies, which are using democracy as a facade to suppress the rights and aspirations of their people. We ought to hold responsible these regimes so that the democratic norms and international covenants are restored in spirit.

Global political scene has undergone fundamental changes as a result of the collapse of Soviet Union. This scenario cannot but have profound and immediate impact in different states. There developed alignments and re-alignments in various continents. Some smaller countries are sought to be isolated and weakened as entities. These are dangerous trends for any country's minorities fighting for their just rights. There developed also counter-formulations, which had created the counter stage for new tensions in some of the regions. The arms race including the race to develop nuclear weapons has been stepped up. This will create its own vicious circle of militarizing the regions.

National resources are spent on nuclear arms technology and on beefing up the armed and security forces in these regions. Even the economic aid from various international agencies and foreign governments is used for this purpose rather than on development work and for the benefits of the people.

So, we need to introduce some instruments for linking foreign aid to human rights. I mean the donor governments or any other funding agencies before granting any aid should pay attention to conditions such as:

- Trend in an aid receiving country's military expenditure;
- Development and production of weapons of mass destruction by a recipient;
- Trend in import and export of weapons;
- Efforts made by a recipient to democratize, safeguard human rights and promote a market economy.

Thus, the willingness on part of donor governments to condition foreign assistance on the recipient states' respect for human rights would prove to be a strong check to enforce international human rights standards. We, therefore, are against granting of economic aid to governments with bad human rights record with an exception in case of human needs.

We believe that social, economic and cultural rights, civil and political rights are interdependent and indivisible.

The International Human Rights Organisation is a strong supporter of the idea to establish a Commissioner of Human Rights and a criminal court of justice.

We, therefore, call upon the United Nations and the international public opinion to meet the challenge of the day and create effective instruments to protect the rights of the people without any reservations. I am sure by now you might have guessed what I am talking about relates to India that is responsible for grave violations of human rights especially in Panjab and Kashmir.

Thank you.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the International Human Rights Organisation. I give the floor now to the distinguished representative of the International Commission of Jurists.

RISHMAWI, Mona (International Commission of Jurists):

Keywords: INTERNATIONAL COURTS AND TRIBUNALS - INTERNATIONAL OBLIGATIONS - UN High Commissioner for Human Rights - DEVELOPMENT - NON-GOVERNMENTAL ORGANIZATIONS

Thank you, Mr. Chairman,

The International Commission of Jurists intervenes today to call upon the UN World Conference on Human Rights to adopt practical measures to strengthen the international mechanisms for human rights protection.

The International Commission of Jurists is conscious of the lack of adequate international machinery to which individuals whose rights are violated could turn to for protection. For decades, Mr. chairman, the ICJ has been urging the setting up of an international, regional and national machinery - preferably of a judicial nature - which could extend some protection to such persons. The establishment of an international criminal court to try cases of gross violations of human rights and grave breaches of humanitarian law could be an important first step in this direction. The constitution of such a court has been, for years, the subject of debate by the International Law Commission.

Last year, the International Law Commission has finalized decades of work on the draft Code of Crimes against the Peace and Security of Mankind. The draft Code considers gross violations of human rights and grave breaches of humanitarian law as international crimes. The Code is presently in the 6th Committee of the UN General Assembly for adoption. Currently meeting in Geneva, the International Law Commission is considering the Statute of a permanent International Criminal Court with jurisdiction over the matters which appear in the Code.

Mr. Chairman,

The ICJ feels that this significant United Nations effort should be acknowledged and acted on. The ICJ, therefore, urges the World Conference on Human Rights to adopt an adequate recommendation recognizing the urgent need for such a court and urges its immediate establishment.

Mr. Chairman,

Other inadequacies in the international system of implementation should also merit the attention of this meeting. First, the insufficiency of the domestic implementation of international human rights

norms continues to cause concern. The ICJ believes that if human rights are to be universally respected, states must pay serious attention to various human rights instruments and apply them on the national level. The ICJ is concerned that many governments in the world have failed to sign and ratify important human rights instruments. Others ratify such instruments with reservations that empty them of their content. One convention which particularly suffers from such reservations is the Convention on the Elimination of All Forms of Discrimination against Women. Moreover, many of the governments that signed and ratified the international instruments have failed to bring their laws in conformity with their provisions. In this context, regional bodies entrusted with the promotion and protection of human rights should be instrumental in interpreting and designing mechanisms for the domestic implementation of these norms.

Indeed, Mr. Chairman, we believe that international and regional orders should complement each other. While the regional system focuses on the specific human rights needs of each region, the role of the international system is to reconcile these norms into common values and establish universal minimum norms and systems for their implementation. The specificity of each region should, therefore, serve as a constructive element to strengthen rather than weaken the international rules designed to achieve global respect for human rights.

Other factors contributing to the inadequacy of the protection system are questions of politicization and selectivity. In 1967, the ICJ together with other human rights groups called for the creation of the office of High Commissioner for Human Rights. While welcoming the renewal of such calls today we urge that the independence, objectivity and neutrality of this office be structurally guaranteed and its mandate be well defined.

Moreover, the selective targeting of certain human rights norms in developing the mechanisms for implementation impairs the effective enjoyment of particular rights. In this context, it is essential that serious effort be devoted to making economic and social rights justiciable.

The ICJ has been following the debate in the regional meetings and in the preparatory meetings on the linkages between human rights and development concerns and the relationship between economic, social and cultural rights, on the one hand, and civil and political rights, on the other. In this context, we wish to emphasize that the right to development is not an empty slogan. From the standpoint of social justice, human dignity and the welfare of individuals and groups such right embraces the interdependency and indivisibility of civil and political rights and economic social and cultural rights. In the interest of genuine development there can be no tradeoff between the two sets of rights. The human person must be as free from fear, torture and arbitrary detention as from deprivation of food and shelter. Consequently, lack of public accountability and fraudulent enrichment of high state officials, which tend to deprive people of their resources and, therefore, their economic, social and cultural rights constitute a clear violation of these rights.

The justiciability of economic, social and cultural rights requires careful study and elaboration from the relevant United Nation bodies with the assistance of NGOs. As a first step in this process, it is important that serious consideration be given to converting the 1986 Declaration to a Convention on the Right to Development.

Finally, Mr. Chairman, the participation of NGOs in the UN human rights work is essential. It is unfortunate that NGOs had to face such difficulties throughout preparatory meetings and in the World Conference itself. Decades of UN human rights work testify to the importance of NGO participation. NGOs have been active not only in promoting human rights and bringing matters to the attention of various UN bodies but also in lending their professional skills and expertise to UN agencies. If the UN is to fulfill its promise as an organization of nations rather than an organization of governments, the important role of NGOs must be recognized, advanced and strengthened.

Thank you, Mr. Chairman.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the International Commission of Jurists for her statement. The Conference will now hear the joint statement from women, and I give you the floor. Joint statement for women - is anybody? Are there women in the hall?

OK, in absence of statement from women, the Conference will now hear the joint statement on refugees and displaced persons. I give you the floor.

FOALE, Jefferies (NGO statement on refugees and displaced persons):

Keywords: REFUGEES - HUMAN RIGHTS MONITORING - TREATIES - INTERNATIONAL OBLIGATIONS - INTERNALLY DISPLACED PERSONS - HUMANITARIAN ASSISTANCE

Mr. Chairman, I thank you.

The refugee non-governmental organizations accredited to the World Conference on Human Rights wish to draw the attention of the Conference to the deteriorating situation of refugees. Gross and persistent violations of human rights including economic, social and cultural rights generate mass exodus and the search for asylum.

A fortress mentality in Europe and elsewhere leads to restrictive policies and harsh treatment with no remedy for many asylum seekers. This dramatic situation requires a new international initiative that can protect people denied of their rights. Therefore, several refugee NGOs wish to put forward a forward-looking approach for a new mechanism to enhance those that exist now.

The United Nations system lacks an independent body with refugee expertise to monitor, analyses, promote and facilitate respect for the rights of refugees and asylum seekers. The United Nations High Commission for Refugees is a humanitarian service agency involved in day-to-day tasks of helping refugees. The Executive Committee of the High Commission for Refugees is an intergovernmental body.

A mechanism is needed to further implement the right to seek and enjoy asylum as set out in Article 14 of the Universal Declaration of Human Rights as well as the rights granted to refugees and asylum seekers in the Refugee Convention and Protocol. The Commission on Human Rights and the Executive Committee of the United Nations High Commission for Refugees should examine cooperatively the possibility of establishing such a mechanism.

Mr. President,

The mechanism would be an independent body of experts like the existing theme mechanisms such as the Working Group on Involuntary Disappearances. The mechanism would serve a hybrid purpose servicing both signatories to the Refugee Convention and Protocol and non-signatories.

For States Parties to the Refugee Convention and/or Protocol, the mechanism would have responsibilities similar to those of United Nations treaty monitoring bodies.

Two optional protocols could respectively make reporting compulsory for signatories and allow the right of individual petition to the mechanism.

For both signatories and non-signatories of the Refugee Convention/Protocol the mechanism would aim to monitor, analyze, facilitate respect for and promote the larger right that exists in the Universal Declaration of Human Rights to seek and enjoy asylum.

Such a mechanism should be cooperative with other mechanisms in the field of human rights to avoid duplication. It would be serviced by the United Nations Centre for Human Rights. The mechanism must work in cooperation with the United Nations High Commission for Refugees.

Mr. President,

I move now to the plight of internally displaced persons. The refugee NGOs at the World Conference on Human Rights urge states to look at the human rights of internally displaced persons.

Mr. Francis Deng, the Secretary-General's Representative on internally displaced persons, reported in 1993 to the Commission on Human Rights. Some 24 million people, mostly women and children, are displaced in all regions of the world because of civil war, internal strife, gross violations of human rights and forced relocation.

Displaced people are denied the right to life and integrity, the right to food, shelter, health, work, freedom of movement and education - these rights and others are typically violated.

Mr. President,

The non-government community urges states to accord full respect for the human rights of the internally displaced within their territory.

In the absence of a United Nations focal point for internal displacement, the Organization must bring together humanitarian and human rights bodies and create a system of early warning, human rights monitoring, diplomacy and something to trigger of collective humanitarian action.

We, therefore, recommend, Mr. President:

First, that this Conference should call upon international humanitarian agencies to expand and coordinate their efforts for the internally displaced within their existing mandates.

Second, the World Conference should encourage agencies to increase their presence in areas with displaced populations.

Third, the agencies should educate field workers in human rights and humanitarian law.

Fourth, humanitarian agencies and non-governmental organizations must have access to internally displaced persons.

Regarding protection, Mr. President, we recommend the following:

First, the World Conference should encourage the Commission on Human Rights to speak out when governments fail to protect their displaced citizens.

Second, the Conference should urge the Commission to send human rights fact-finding missions and to monitor human rights violations on the spot.

Third, the World Conference should draw attention to the gaps in existing human rights and humanitarian law, and call for a Declaration of Minimum Humanitarian Standards for situations of internal strife.

No progress will be made unless public opinion is mobilized for the protection of internally displaced persons. A first step is for the states, intergovernmental and non-governmental organizations to work well with the Secretary-General's Representative on internally displaced persons.

Mr. President, I thank you for the opportunity of addressing this gathering.

TJIRIANGE, Ngarikutuke (President):

You were the only one, I suppose? I thank you then for your statement. The Conference will now hear the joint statement on disabled persons. You have the floor, please.

DUCASA, Eucaris (NGO statements on disabled persons), spoke in Spanish; text is edited according to the actual delivery:

Keywords: PERSONS WITH DISABILITIES - RIGHT TO DEVELOPMENT - POPULAR PARTICIPATION - HUMAN RIGHTS

Mr. President, Mr. Secretary-General of Human Rights, distinguished delegates, ladies and gentlemen,

On behalf of all persons with disabilities throughout the world, I should like to thank you for the opportunity given to me to say some words concerning the right to development for persons with disabilities.

There can be no doubt on the right to development for persons with disabilities, who account for more than 500 million people throughout the world, that is ten percent of the total population suffers from some type of disability. We are human beings, and perhaps even more human than the others who have the right to live with you and in the same way as you do.

In many cases, the lack of development is one of the main causes of disability around the world. Malnutrition, a lack of decent public health services, violence, wars and even more, ignorance caused by a lack of development, increase by 50 percent the number of persons with disabilities compared to developed countries.

Oftentimes, the developing world lacks the necessary resources to provide what we know as economic, social and cultural rights to persons with disabilities, and this increases the physical barriers to communication and particularly social barriers, enhancing the feeling of pity and compassion or ignorance towards our population. All this prevents a true and full integration of persons with disabilities in the social life.

Ladies and gentlemen,

Let us think of our countries where the disabled population is condemned to unemployment at levels many times reaching up to 95 %, to illiteracy, to forced lockdown, to inefficient rehabilitation services and to a constant passive aggression that disqualifies us as human beings who are unable to direct our personal destinies, even less public policies regarding our needs.

That is why here in Vienna, in this World Conference on Human Rights, we would urge you from the legal point of view to do the following:

First of all, recognize the specific rights of disabled persons;

Second, ensure that they be respected as all our other rights should be; and

Thirdly, do whatever is necessary to ensure that persons with disabilities can be on equal footing with nondisabled people to enjoy all their human rights.

In the same context, I would like to issue an appeal to the developed countries to recognize the right to development of all peoples throughout the world, and to developing countries to give true attention to the disabled population granting them the right, which they have to be an integral part of society.

We endorse the amendment tabled by the World Association of Disabled Persons, the World Federation of the Deaf and the World Blind Union, and we specially appeal to all of you, meeting here in the World Conference on Human Rights, to adopt the recommendations that have been put forward by the Special Rapporteur of the Sub-commission on Prevention of Discrimination and Protection of Minorities.

Ladies and gentlemen,

It is our firm belief that claims made and proposals put forward by persons with disabilities would contribute to the consolidation and development of human rights overall. Their adoption by the World Conference on Human Rights would bring badly needed hope to reach a higher level of coexistence among persons, peoples and states in an international order that is fair and respects the self-determination of peoples and the sovereign equality of states, to build a life in dignity, free of poverty and free of fear for all human beings.

Thank you very much, Mr. President.

TJIRIANGE, Ngarikutuke (President):

I thank the speaker for her moving statement. I wonder whether there is another person?

DAULA, Johann ("Med Group"):

Keywords: MENTAL HEALTH - ACOUSTIC STIMULATION - TORTURE AND INHUMAN TREATMENT

Dear Mr. President,

We from the "Med Group" are doing scientific research on psychic disorders that may be the result of foreign influence.

In our own scientific work, we could prove the evidence for psychiatric disorders that are caused by foreign verbal influence by voice-spoken devices (VIDs), mechanical or electronical or by voice-spoken implant devices (VSIDs). These are very small wireless receivers that transmit radio waves into heard voices or tones.

We found evidence for electronically active devices by measuring the electromagnetic fields of implant devices in psychiatric patients who also admitted to hear voices without the presence of persons.

Almost all of the studies, and there were thousand we reviewed, acknowledged the cause of acute psychiatric disorders consisting in auditory stimuli, which is the circumscription of the acoustic stimuli of their stage of information processing by the hearing areas of the human brain.

We are also working to permeate the sociological taboo on foreign influence by devices because this is the basic presupposition to the official acknowledgment of people being tortured by implants. The acknowledgment by authorities for the reality of their being tortured as presupposition for the removal of VSDs or VSIDs from the implant site.

Many of those who know themselves of having devices implanted in their own bodies or heads and who often are hearing the words of influencing persons are anxious to report the hearing voices because in psychiatric practice or in the general opinion of people hearing voices without persons being present is a symptom of a psychiatric disorder. So, there exists a sociological marginalization against people who are willingly admitting to hearing voices without persons present.

This mechanism of stigmatization, often against young people with an intensive suffering not knowing about the cause, can easily be broken by true medical research without being to influences of interest groups. These implants as we found also exist in normal people who have become accustomed to the acoustic or verbal influence.

So, people who have experienced the effects of VSDs or VSIDs cannot be harmed by these devices when they know about the sort of course to learn to experience that the VSDs or VSIDs stimuli are not coming from themselves but from outside.

One should go into psychiatric wards and look at the persons, especially the children, to see how they suffer. Many crimes are committed because of VSDs or VSIDs, as forcing into prostitution of women, the enforcement of suicide by wireless senders because of personal revenge against enemies, with relation to the suicidal persons, a psychic impairment in aged people, work detention, accidents, influenced persons and the verbal torturing of people to demonstrate political and personal power, the coming into existence of organized crime.

So let us make an end to voice spoken implant devices before we are too old or too helpless to free ourselves from their effects and to free ourselves from aggressive psychic torture.

The financial losses in the economy and political economy by VSDs or VSIDs is exceeding six billion dollars or 3,000 deaths per year in a small country, taken into account the rate of about five percent being tortured by those implants. So, take up the challenge and take immediate action when former unknown sorts of torture become known. We have to abolish all sorts of relics from the time of the cold war to realize human rights in their full extent in democratic systems for to make democracy what is really supposed to be.

Let us free our mind and let us free our children from the danger of intensive foreign influence.

Thank you, Mr. Chairman.

TJIRIANGE, Ngarikutuke (President):

Am I to understand that this is all? Ok, I understand that there are no more joint speakers on this subject.

Before I give the floor to the next speaker, I would like to say that there was one statement that was made earlier this afternoon, and I would like to say the following that the Presidents wishes to recall the speakers to refrain from addressing specific situations. Now, having said that, the Conference will hear the joint statement on torture. You have the floor.

YOO, Young Kyu (NGO statement on torture):

Keywords: TORTURE AND INHUMAN TREATMENT - PROSECUTION -
INTERNATIONAL OBLIGATIONS - INTERNATIONAL COURTS AND TRIBUNALS - UN
High Commissioner for Human Rights - DEFINITION - RAPE - CAPITAL PUNISHMENT

On behalf of STIK, this is the first half of a joint statement relating to torture and other cruel, inhuman or degrading treatment or punishment. This statement is supported by more than 1000 NGOs who have gathered for the NGO Forum and parallel activities to the World Conference on Human Rights.

Wherever it is practiced, however it is practiced, torture is a crime against all humanity. We condemn torture as the most egregious violation of human dignity. Furthermore, the climate of fear engendered by torture is the greatest obstacle to a full and legitimate debate about the entire family of indivisible human rights.

As well as condemning and working to eradicate the practice of torture, we must always remember the victims, for they are the ones who have been through the most horrible experience that any human being can undergo. We once more call on governments and the UN to enact and enforce laws and mechanisms for just redress for all victims of torture, redress through rehabilitation and compensation of the victims, punishment of the torturers and effective steps by governments and the UN to prevent and deter the practice of torture.

The world and its governments have a clear obligation with respect to rehabilitation. All too often, the victims of torture are shunned socially and rejected politically. They are left with no one but themselves to turn to after their experiences of extreme physical and/or emotional trauma. Governments must provide substantially and committedly for the medical, psychological and general social wellbeing of torture victims and their families. In particular, independently operated rehabilitation centers funded and fully-supported by the UN and its member governments must be established throughout the world.

The UN must also ensure the protection of organizations and individuals working for the prevention of torture and the rehabilitation of torture victims. The governments must increase funding for the UN Voluntary Fund for Victims of Torture. In addition, refugees from torture whether or not they be political refugees must be able to find asylum and access to rehabilitation services in any country to which they may flee.

Victims of torture must be compensated for their suffering at the hands of others. Victims must be able to obtain full civil as well as criminal redress. Though human suffering cannot be measured monetarily, governments have a special obligation, both a moral and legal obligation, to those they have tortured.

Often, the perpetrators of torture, those who authorize torture or abet it as well as those who directly inflict it never face a day in court. Each and every case of torture must be subjected to the due process of law. All perpetrators must be prosecuted to the full extent of the law. Perpetrators of torture must not be granted immunity from prosecution, pardoned or put in line for amnesty or given other special dispensations. Any dispensation of impunity for the crime of torture must be declared null and void. A permanent international penal court should be established as an independent body to ensure justice for the victims of human rights violations.

All steps possible must be taken to prevent the practice of torture. Knowledge and education are keys to such prevention. To bring forth the horrific truth about torture from the darkness of secret cells, a High Commissioner on Human Rights should be appointed with full authority and resources. The general public should be made aware of their rights, our rights, human rights and of instruments and procedures for civil and criminal redress at the national, regional and international levels. The UN and its Member States should establish and fully fund human rights education programs for the military, law enforcement officials, judiciary as well as other civil authorities throughout the world.

All governments should ratify at the earliest opportunity and without reservations the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights. Those who have already ratified must remove their reservations. Moreover, all governments should recognize the right of individual and state petition and the competence of the Committee Against Torture to visit countries under Articles 20, 21, and 22 of the Convention Against Torture. All governments must also allow visits by the Working Group on Arbitrary Detention and the Special Rapporteur on torture to all places of detention in their countries.

All efforts should be made for a rapid adoption of the Draft Optional Protocol to the Convention Against Torture proposed by Costa Rica in order to establish a system of preventive visits to places of detention. The system should aim for the greatest effectiveness and be based on cooperation of the states and independence of the experts in charge of the visit.

Mr. President,

How can there be protection of human rights without protection from torture? And we ask, how can this Conference issue a declaration on human rights without a declaration against torture? It is impossible. Any statement or position advocated in Vienna by any governmental delegation, which accepts anything short of an absolute and unequivocal prohibition of the crime of torture will be understood by NGOs as an admission by that delegation of the practice of torture in their country.

We must make it a goal to eradicate the practice of torture by the year 2000; and we must begin today if we are to achieve this.

Thank you, Mr. President.

TJIRIANGE, Ngarikutuke (President):

Is this the end of the joint statement? Please, you have the floor.

YOO, Young Kyu (NGO statement on torture):

There is the second half to this statement, and I am authorized to read it if the second presenter is not here.

TJIRIANGE, Ngarikutuke (President):

OK, go ahead, but remember I gave you an extra minute, you went a little bit further so you get four minutes now.

YOO, Young Kyu (NGO statement on torture):

OK, I will try to read it quickly.

I will deliver the second half of this joint statement on torture and other cruel, inhuman or degrading treatment or punishment.

Let me repeat that this statement is supported by the world's NGOs.

The NGOs of the world agree, from Asia to the Middle East to Latin America, that there can be no justification for any act of torture even in times of national instability or war. No argument concerning self-determination, national security, economic development, cultural traditions or religion can justify in any way or to any degree the egregious crime of torture, a crime against all humanity.

Mr. President,

We cannot condemn torture strongly enough. It is the most flagrant and horrendous act against a human being and his or her rights. It is a tool used in attempts to stifle debate and advocacy of many of the fundamental human rights: freedom of expression, freedom of thought, freedom of movement and so on. Without guaranteeing freedom from torture, a state cannot rightfully claim to respect human rights. It comes as no surprise that some governments are making elaborate attempts to shield their practice of torture from the legitimate scrutiny of the world community.

One manner in which the practice of torture and other cruel, inhuman or degrading treatment or punishment is disguised is through labeling such practices as lawful sanctions. Examples of such so-called lawful sanctions are stoning, mutilation or amputation and flogging. These are exempted from the legal definition of torture in Article 1 of the Convention against Torture. However, we state categorically and for the record that we view such practices as torture or cruel, inhuman or degrading punishment. Lawfully sanctioned torture is still torture, and the UN must clearly define it as such.

The definition of torture must also clearly include sexual violence. Rape and sexual assault by agents of the state are indisputably extreme violations of the human person and, therefore, constitute torture. A full debate is also needed on the legitimacy of the exclusion of sexual violence, which occurs in the private sphere from the definition of torture.

This definition must also be expanded to encompass the death row phenomenon associated with the death penalty. Legal precedent has established that the experience of waiting to be executed - the death row phenomenon - is inhuman treatment. Since immediate execution is also unconscionable, we can see that the death penalty *per se* is increasingly unjustifiable even from the narrow legal perspective.

Let us conclude by reiterating our main recommendations to the World Conference.

1. We call for the full inclusion of the section on "Freedom from Torture" in the Vienna Declaration on Human Rights.
2. We call for the establishment of a permanent international penal court as an independent body.
3. We call for the appointment of a High Commissioner on Human Rights with full authority and resources.
4. We call for all governments to immediately ratify without reservations the Convention against Torture, including Articles 20, 21, and 22. And all governments should withdraw whatever reservations they have made.
5. We call on all governments to support the draft Optional Protocol to the Convention against Torture.
6. We call for the expansion of the definition of torture to include the death row phenomenon, sexual violence and relevant legal sanctions.
7. We call for increased funding for the entire range of UN human rights activities including the UN Voluntary Fund for the Victims of Torture, and
8. We call on the UN and all governments to make full provision for rehabilitation and compensation of victims of torture. Governments must not grant impunity to perpetrators of torture and must declare previous dispensations null and void.

We appeal to governments to take the above steps to strengthen the UN mechanisms addressing torture and to work together with NGOs to make the world free from torture and other cruel, inhuman or degrading treatment or punishment by the year 2000. We want to emphasize the urgency here. Justice cannot wait for laggard governments; justice cannot wait for the guilty to declare that it is time.

Thank you.

TJIRIANGE, Ngarikutuke (President):

I thank the speaker for that statement. The Conference will now hear the joint statement on economic rights. The floor is yours. Economic rights? Is there anybody for economic rights? That is the joint statement. So, I do not see any.

DAIDZIC, Aida:

I want to give a statement on the victims of torture.

TJIRIANGE, Ngarikutuke (President):

Just hold it, you are on the list here. Nobody from the economic rights? I do not see anybody. So that being the case, I now give the floor to the representative of the Coalition of non-governmental organizations of Bosnia and Herzegovina. I am sure it is you. Please, the floor is yours.

DAIDZIC, Aida (Coalition of non-governmental organizations of Bosnia and Herzegovina):

Keywords: BOSNIA AND HERZEGOVINA - HUMAN RIGHTS IN ARMED CONFLICTS - ETHNIC CONFLICT - UN - INTERNATIONAL COURTS AND TRIBUNALS

Dear Mr. President,

I am representing here four NGOs from Bosnia and Herzegovina: the first one is BISER International Initiative of Women of Bosnia and Herzegovina, the second organization is called Women of Bosnia and Herzegovina, the third is International Peace Centre from Sarajevo and the fourth is Association of the Students of Bosnia and Herzegovina studying here in Vienna. We have made a petition, and we have got a support of 500 other NGOs in this Conference.

We the NGOs of the Republic of Bosnia and Herzegovina express our dismay and shock that this meeting despite its alleged purpose to defend the so-called human rights has failed to mount the serious collective will to address the genocide that is occurring at this moment in Bosnia and Herzegovina, which is merely an hour's flight from here.

We respectfully point out that the appeal of the Foreign Minister of Bosnia and Herzegovina to end by "all necessary means" the genocide in Goražde as a test for the credibility of the United Nations was immediately diluted in the formulation of the President of this assembly to the weaker and more ineffectual formulation the "necessary means". The adopted formulation, in truth, offered no real commitment to end the genocide despite the seeming drama of the moment.

We are stunned, knowing that while this UN-sponsored Conference is taking place, a UN sponsored genocide is also taking place. In addition to Belgrade regime, which initiated the policy of genocide and ethnic-based expulsion, which we know by its sanitized euphemism of ethnic cleansing, the UN itself bears responsibility for the prolongation of this suffering. Now, the UN that imposed an arms embargo on the victims of genocide thereby aiding and abetting the genocide is now attempting to "wash its hands" of these crimes. The UN is preparing to legitimize genocide, reward aggression and give its *de facto* blessings to ethnic cleansing. The UN is now seeking an ethnic division of a 500-year successful experiment of multicultural, multiethnic, multireligious society whose primary values have been that of tolerance.

Do not forget: majority of the citizens of Bosnia and Herzegovina voted for an independent, indivisible Bosnia and Herzegovina in a referendum encouraged and monitored by the European Community in March of 1992. And in May of the same year, the UN welcomed Bosnia and Herzegovina as a sovereign state, which had passed the test of respect for human rights. Now, this same UN tries to simplify its task by blessing the dismemberment of Bosnia and Herzegovina by external aggression.

In Bosnia and Herzegovina there is no civil, no ethnic, or religious war. There is a war against humanity.

The World Conference on the Human Rights has the responsibility to speak out on the all-too-evident genocide and UN destruction of Bosnia and Herzegovina. Failing to do so undermines the credibility of this assembly.

“Safe areas” offered by the UN are not an acceptable alternative. They are simply not safe, the UNPROFOR troops’ mandate is only to protect themselves not civilians. “Safe areas” that are shelled daily and lack food, electricity, water and medicine are merely concentration camps leading to the final liquidation of the civilians barely subsisting there at the mercy of their killers.

The NGOs from Bosnia and Herzegovina place before this Human Rights Conference four demands of the UN and those capitals, which have taken the lead in shaping policy towards Bosnia and Herzegovina: London, Paris, Moscow, and Washington:

1. The first human right is the right of life. We demand that the UN stops the genocide by taking all the necessary means.

2. We demand that the fundamental human right of self-defense no longer be impeded by the UN. I ask all of the delegations in this room what sovereign country would accept the abridgment of its ability to protect the lives of its citizens? The arms embargo on Bosnia and Herzegovina must be lifted. Immediately. Moreover, insofar as the UN has directly aided and abetted the genocide of Bosnian citizens by obstructing self-defense for more than one year, it is now the obligation of the UN to undertake military intervention aimed at the destruction of the heavy artillery of the Serbian aggressor and the demilitarization of Serbia and Montenegro.

3. We demand that the UN reject the achievements of ethnic cleansing. All refugees must return to their rightful homes with the guarantee of freedom from further violence.

4. We demand that the international court urgently begins the prosecution of all war criminals including those war criminals with whom the UN has knowingly negotiated.

Bosnia and Herzegovina are the paradigm of the real new world order. We warn that the UN policy to date has served only to permit the revival of fascism. These demands are also the path by which the UN may recover its own honor.

Now, I am going to give the petition to the President of this Conference. I want it to come to the Main Committee for the final resolution.

Thank you.

TJIRIANGE, Ngarikutuke (President):

I thank the speaker for her statement. Now I give the floor to the distinguished representative of Human Rights Internet. The floor is yours.

WISEBERG, Laurie S. (Human Rights Internet):

Keywords: HUMAN RIGHTS MONITORING - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS - INDIGENOUS PEOPLES - WOMEN - INTERNATIONAL OBLIGATIONS - NON-GOVERNMENTAL ORGANIZATIONS

Human Rights Internet, an NGO in consultative status with ECOSOC, is grateful for this opportunity to address this World Conference. As an international NGO based in Canada, Internet works closely with Canadian NGOs, and I am speaking today not only in Internet's name but also on behalf of some 125 Canadian NGOs who have been closely involved in the process leading up to this Conference and the some 30 who have been able to come to Vienna from Canada.

As other government and NGO representatives have noted over the past two days, while we speak from this podium in the cocoon of the Austria Centre, massive and gross violations continue unabated in the real world outside on every continent and in almost every community. Therefore, there is an urgent imperative that we emerge from this Conference with a set of principles that reaffirms our commitment to the universality and indivisibility of all human rights and that reemphasizes the fact that human rights are an integral part of every aspect of UN system and in all UN operations.

It is also the conviction of Canadian NGOs that this World Conference must come up with a plan of action that dramatically strengthens the effectiveness of UN mechanisms not only for protection and promotion of human rights but also for preventing conflicts from developing into situations, which give rise to egregious and massive violations. This means that governments, individually and collectively, must demonstrate the political will to change the current reality, otherwise it will all be an exercise in hypocrisy and in futility.

Specifically, Mr. President, for Canadian NGOs the bottom line is the following:

1. There should be an unequivocal commitment to the concept of a High Commissioner for Human Rights in the Plan of Action to ensure that human rights are fully integrated into the UN system, to respond rapidly to emergency situations and to develop early warning systems for the prevention of gross violations of human rights. Moreover, the High Commissioner should have the authority and resources to investigate well-founded allegations of human rights violations in all situations including peace-keeping operations.
2. Taking into account the mass violations of human rights in the world and the problem of impunity, this Conference must recognize the necessity of immediately establishing a permanent international criminal court with jurisdiction to hear cases brought by states, individuals, groups and peoples.
3. The World Conference must recognize the rights of "indigenous peoples," that is peoples with an S, to self-determination and must demonstrate that recognition through a plan of action on indigenous issues consistent with indigenous peoples' priorities such as an International Decade for Indigenous Peoples and a permanent UN advisory body on indigenous issues that includes or provides for indigenous representation.
4. The World Conference must reemphasize the importance of appointing a Special Rapporteur on violence against women and its causes at the next session of the Commission on Human Rights.
5. The World Conference should call for Optional Protocols under Convention on the Elimination of Discrimination against Women and the International Covenant on Economic, Social and Cultural Rights since these are essential for the achievement of human rights particularly for the most disadvantaged in the world.
6. The final document of this Conference must contain a strong and unequivocal statement on the importance of NGOs in the UN system and on the protection of human rights defenders.
7. The World Conference must make a commitment to increasing the resources that the UN devotes to human rights to the level necessary for the effective functioning of UN human rights mechanisms. In the view of Canadian NGOs, this should not be less than seven percent of the UN budget by the year 2000 since human rights are a fundamental principle and an integral part of the UN system.
8. And finally, Canadian NGOs urge this Conference press for the universal ratification of human rights conventions by the year 2000 and for the implementation of a periodic system of review of states' reservations to the conventions.

Mr. Chairman,

Canadian NGOs realize there are other issues but these eight points are the bottom line for Canadian NGOs.

In addition, we would like to make brief reference to two other issues. The first is to register the dismay of all NGOs at this Conference of being excluded from the Drafting Committee. While many government delegations and especially the Canadian delegation have made an enormous effort to brief NGOs and to keep them fully engaged in the process, this is simply not adequate. NGOs are central to the UN human rights protection system and we must, therefore, protest attempts to marginalize their role.

The second and related point derives from the fact that we know that some NGOs have been prevented by their governments from attending this World Conference. Given the lofty goals of this Vienna meeting, we cannot remain silent in the face of such restrictions. Therefore, we also urge the World Conference to issue a strong call on all states to urgently complete and fully respect the UN draft Declaration on the Rights and Responsibilities of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Right and Fundamental Freedoms, what we generally refer to as the Declaration for the Protection of Human Rights Defenders.

Mr. Chairman,

As we come down to the final days of the Conference, we appeal to the governments to demonstrate the political will to match the high and lofty phrases we often hear from the podium in this room. For it is not merely words we are talking about when you stand or we stand at the podium; what is at stake is the lives, the liberty, the worth and integrity of millions of people - men, women, children in every continent and every corner of the world.

I thank you.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the Human Rights Internet for her statement. I now call upon the distinguished representative of the European Organization for Human Rights in Kurdistan. The floor is yours.

BAJALAN, Diyar (Joint NGO statement for Unrepresented Peoples, European Organization for Human Rights in Kurdistan):

Keywords: ETHNIC AND RACIAL GROUPS - TREATIES - HUMAN RIGHTS
MONITORING - UN High Commissioner for Human Rights - EARLY WARNING SYSTEMS

My name is Diyar Bajalan, the representative of the European Organization for Human Rights in Kurdistan.

Mr. Chairman, ladies and gentlemen,

We are very honored to have been given the opportunity of addressing the World Conference on Human Rights.

We highly appreciate the serious efforts that are being made to establish the importance of human rights for everybody and to see to their realization.

As a speaker for the unrepresented peoples, my biggest concern is that effective measures be taken to promote their human rights situation, which is generally sad and bleak as they are neither represented by states, which often do not even acknowledge them, nor are they members of any international organization like the UN.

The Universal Declaration of Human Rights so positively set down the standards applicable to all peoples.

The United Nations Declaration on the Elimination of All Forms of Racial Discrimination of 20 November 1963 (resolution 1904) stated clearly that, "Discrimination between human beings on the ground of race, color or ethnic origin is an offence to human dignity and shall be condemned," etc. - Article 1

The Convention on the Elimination of Racial Discrimination of 21 December 1965 laid down civil rights in its Article 5 like, "The right to nationality, the right to freedom of thought, opinion and expression, Economic, social and cultural rights," and so on.

The International Covenant on Economic, Social and Cultural Rights of 16 December 1966 again stressed the importance of the right to self-determination in Article 1.

And yet, human rights are constantly being violated in most parts of the world.

Therefore, we would like to make the following recommendations:

1. Humanitarian organizations or individuals working for human rights should be able to make use of the protection and security measures by the UN.
2. There should be special rapporteurs sent out by the UN to observe peacemaking and peacekeeping operations to report back to.
3. A High Commissioner for Human Rights who should be able to work independently within the UN and should be given the power to coordinate action with other bodies of the UN against these violations.
4. An early warning system ought to be installed within the UN to detect any deterioration of human rights situation in countries. Immanent attacks of ethnic cleansing or genocide could, thus, be discovered and possibly prevented.
5. The victims themselves should have points to address to see that their cases are stated and that they are rehabilitated socially, economically and politically.
6. NGOs ought to be represented in relevant UN organizations to pass on information on state abuse in order to disclose human rights violations and for further cooperation.
7. The UN ought to establish a human rights centre and attribute more funds for human rights activities.

Mr. Chairman,

Let me remind you again that all these recommendations have been made in favor of the Unrepresented Peoples who in case of human rights violations cannot turn to any international organization for help.

They are victims of their geopolitical situation, which does not allow them enough protection by neighboring countries.

The Unrepresented Peoples who I represent here hope that this World Conference will adopt new and effective guidelines to protect all mankind, women and men, old and young, ethnical and religious minorities from human rights violations and abuse.

Mr. Chairman,

Let me finish my speech with a quotation by Eleanor Roosevelt who said:

Human rights apply to all people because we are all members of the human family.

Thank you very much.

TJIRIANGE, Ngarikutuke (President):

I thank the representative of the European Organization for Human Rights in Kurdistan for the statement. The house will now listen to the joint statement from Unrepresented Peoples. The Unrepresented Peoples, please.

AL-KHOEI, Yousif (Joint NGO statement for Unrepresented Peoples):

Keywords: ETHNIC AND RACIAL GROUPS - HUMAN RIGHTS MONITORING - EARLY WARNING SYSTEMS - NON-GOVERNMENTAL ORGANIZATIONS

There will be four brief interventions by the Unrepresented Peoples.

My name is Yousif Al-Khoei, from Al-Khoei Foundation.

Mr. Chairman, respected delegates,

We acknowledge the achievements of the UN over the last few decades in the field of human rights, especially the work of the Human Rights Centre in Geneva. But the new world order has brought fresh opportunities for the UN to play a pivotal role in monitoring human rights violations. The UN can and should provide an effective mechanism for conflict detection and prevention.

As we acknowledge the progress and the limitations of the UN, we must not lose sight of the fundamentals of this Conference; the survival of peoples and the protection of their basic rights are the essence of this collective effort. International security and stability cannot be achieved at the expense of the rights of peoples as individuals and communities.

Victims often do not have the access or the financial resources that would enable them to benefit from UN structures. The cry of these people must not be lost in the midst of large bureaucratic processes and diplomatic squabbles.

Mr. Chairman,

There are communities throughout the world who are suffering and perishing because of widespread prejudice, stereotyped perceptions and the lack of political interest in their cases. Indeed, there are instances where an indifferent attitude and geopolitical considerations have led to genocidal practices by certain Member States; where chemical and other devastating weapons were used against a people and the environment. In the name of internal security or development, major engineering or water projects were launched and resulted in harsh and sometimes catastrophic effects upon local communities. These policies have in many cases resulted in communities being displaced on a massive scale and having to flee their homes and villages ending up as helpless refugees. Often, nationality laws and internal security considerations are used as a pretext for arbitrary deportations and mass population transfer. Also, there have been clear cases where governments have ransacked colleges, libraries and places of worship and arrested large numbers of community and religious leaders for arbitrary reasons in an all-out assault against the cultural heritage of that particular community. Other repressive measures have included the denial of national, linguistic and civil rights.

Mr. Chairman,

The key element in enhancing the effectiveness of the UN's effort in human rights is through community involvement especially through NGO participation.

In order to develop a UN early warning system against systematic violations of Member States, UN offices must work closely with regional NGOs in monitoring violations in their respective areas. For example, sudden increases in the number of executions carried out by a Member State is a signal that must not be overlooked by the UN and NGOs.

In order to have an effective NGO participation, changes are required in the ECOSOC procedures where NGO participation should not be blocked by a particular Member State. More emphasis should be placed on UN field work in liaison with regional and international NGOs. This would require the UN to adopt further training and teaching programmes in the field of human rights. UN agencies such as UNESCO should also play an effective role in preserving places of historical and religious significance. Member States should not be allowed to desecrate such places simply because they have not been registered by the respective Member State with UNESCO.

Mr. Chairman,

Recently, there have been recommendations made by UN Special Rapporteurs investigating gross violations of human rights calling for the placement of human rights monitors in countries accused of massive abuses of human rights. These recommendations were supported by many NGOs but some countries opposed them. The placement of human rights monitors may infringe on the sovereignty of a respective Member State and some Member States may have legitimate fears that such a plan may be abused as a tool for achieving political ends. However, these concerns can be mollified by the involvement of the Member States themselves in developing the monitor programme. NGOs, local and international, as well as UN offices should cooperate further in finding acceptable and practical formulas for this new concept.

Mr. Chairman,

The palpable fear amongst millions of people is that some Member States view their sovereign status as a license to abuse human rights. Unless the UN adopts the human rights monitors idea and take some measures towards implementing it, such governments would continue their systematic and gross violations without accountability or deterrent from the international community. This has even been the case with states whose human rights violations have been the subject of Security Council resolutions such as Security Council resolution 688.

Mr. Chairman,

This Conference is the only body, which can reassure the repressed communities all over the world that their fear has been acknowledged and something will be done about it.

Mr. Chairman,

Finally, there are conflicting political agendas in interpreting human rights issues and there is a real danger that basic human rights will be sacrificed to political expediency. It is imperative that the commitment to observing human rights must be above political considerations. Active participation by NGOs can assure us that neither cultural relativism nor the self-interest of major powers should dictate the human rights agenda. Governments, States and global political structures may change policies but the universal call for human rights cannot be compromised or altered.

Thank You, Mr. Chairman.

TJIRIANGE, Ngarikutuke (President):

Yes, please, the next one.

GILANI, Syed Nazir (Joint NGO statement for Unrepresented Peoples):

Keywords: PEACEBUILDING - UN - HUMAN RIGHTS MONITORING

Thank you, Mr. Chairman.

My name is Nazir Gilani, a lawyer from Kashmir and I make the following statement.

The fact that World Conference on Human Rights follows UN Agenda for Peace, set out at the DPI/NGO Annual Conference in September 1992 on Regional Conflicts: Threats to World Peace and Progress in New York, is an extension of this positive agenda - referred to in the G7 Summit communiqué last year in London. UN to move forward has to make its mechanisms more accessible and sensitive to peoples of the world it stands to reflect, in general, and those it has chosen to represent, in particular. The present mechanisms are beset with poor budgetary considerations and scant support staff.

More important than this is the fact that UN has part performed in certain conflict zones and has woefully failed to complete the remainder part of its agenda under its duty for the maintenance of peace and security and in assisting the people to observe a free and fair plebiscite in accordance with UN resolutions and agreements by parties under these resolutions. A procrastination on the part of UN in triggering its specific machinery has encouraged the State parties to these conflicts to occasion bilateral dialogue, of course of suspect *bona fides*, just to perpetuate the status quo and frustrate the will and strength of the UN machinery.

Any failures of UN mechanisms correspondingly fail the humanity in their trust in the sense of justice linked with the UN. Speed is the missing link in these mechanisms and with every delay our world society is confronted with fresh and new conflict spots. Wherever the UN has taken time or picked a limp in its duty to intervene, a new element out of sheer frustration has clouded the deck and is a threat to world peace. A timely stitch would have saved lives, otherwise lost in torture, rape, depletion of food and medicine and others that languished in prisons and were never heard of again.

UN mechanism has to do more and remain vigilant to impress upon State Parties to conform to Article 26 (2) of the Universal Declaration of Human Rights to strengthen respect for human rights and fundamental freedoms. In peace and war, it constitutes the legal duty of the State Parties to educate its armed forces in humanitarian law. Article 120 of the American Uniform Code of Military Justice that makes rape punishable by death or imprisonment is a precedent to be incorporated, while UN mechanism addresses itself to sexual coup de grace of women in these conflict zones, in general, and where UN has taken on a role, in particular.

Complaint procedures have no meaning, Mr. President, for those children, who suffer loss of parents, closure of schools, continued curfews, military crackdowns, remain chained in Pass Laws and fear for life and remain bereft of their right to development.

Mr. Chairman,

UN and its mechanisms have to be just and equitable in like situations. Selectivity or using UN as a fig leaf for a particular agenda would mean that we have not travelled very far from 1891 when US made an intercession in Russia, and Britain and France in Morocco in 1909 under Law of Humanity.

UN, to be the peoples UN, has to make its machinery more accessible and sensitive. Unfinished agenda in various parts of the world need to be addressed to and to make it in consonance with new and positive agenda for peace.

Thank you very much.

TJIRIANGE, Ngarikutuke (President):

Next speaker, please.

AMORIN DIAZ, Jose Anthonio (Joint NGO statement for Unrepresented Peoples):

Keywords: SELF-DETERMINATION - UN - MINORITIES - ETHNIC AND RACIAL GROUPS - DECOLONIZATION

Mr. Chairman,

I am Jose Anthonio Amorin Diaz, and I am talking on behalf of a large number of Unrepresented Nations and Peoples. Thank you for giving us the floor.

An important discussion on human rights and on mechanisms for improving the promotion of human rights throughout the world would be seriously lacking if it did not include the voices of the nations and peoples who are not represented as such by the governments present in this conference hall.

We believe two points should be made at this Conference, which have not been adequately addressed. The first concerns the fundamental issue of self-determination and the relationship between the right to self-determination and human rights. The second concerns participation at the United Nations by representatives of nations and peoples and minorities without internationally recognized states of their own.

Many speeches have been made in this hall about the commitment of governments to the promotion of human rights. So much, so that one wonders why it is still necessary to hold such conferences. But hardly any government has spoken about commitment to the right of peoples to self-determination. And yet, that right is so fundamental that it has been described repeatedly by the UN General Assembly as a prerequisite to the enjoyment of other fundamental human rights.

Self-determination is a fundamental right of a people to determine its own destiny in political, economic, cultural and social terms. It goes to the core of the right of a people to exist and is, therefore, as fundamental to a people as the right to life and liberty is to the individuals that make up that people. The right of a people to self-determination is also inseparable from individual human rights. Thus, the separation, which Western countries, in particular, have made between individual rights and collective rights of peoples and of minorities is artificial.

Why the refusal or fear of supporting the right to self-determination in this Conference? And why is it that out of such fear the "s" was taken out of "peoples" by the Drafting Committee with respect to indigenous peoples?

In the past, it was argued by some that self-determination applied only to the process of decolonization of Western overseas empires. This meant that it could not apply to territories under control of continental empires such as the Soviet Union, China or the United States. It could also not apply to former colonies such as Indonesia and Burma.

Events of recent years in Eastern Europe, Africa and elsewhere have shown this limited interpretation of self-determination to be incorrect. Decolonization was just one major expression of self-determination but by no means the only one.

Governments, the press and numerous scholars have been focusing on the negative outcomes of self-determination using the conflicts in Yugoslavia and the Caucasus as examples; some have even been implying that the horrendous war in Bosnia and Herzegovina is the inevitable consequence of allowing self-determination.

This approach ignores the positive examples of implementation of self-determination such as Greenland, Slovenia, Eritrea, Namibia, the Baltic States, the peaceful division of Czechoslovakia and the establishment of a federal system in Belgium. These and most other exercises of self-determination contribute to peace not conflict.

This approach also misses a key point in the debate, that it is the suppression of people's inherent and inalienable desire and right to determine their own destiny that is a principal cause of conflict and violence. The longer and the more brutal the suppression of a people's cultural, religious or national identity the greater the likelihood of armed conflict. Thus, ignoring or denying peoples' rights and aspirations cannot be the answer. Quite the contrary, it is the problem.

Another popular perception used by many governments is that implementing self-determination will lead to the creation of thousands of independent states and to instability.

During its 3rd General Assembly this year, the Unrepresented Nations and Peoples Organization held a conference in the Hague on the subject of self-determination. More than seventy-five nations and peoples without recognized states of their own were represented as well as over a dozen United Nations Member States. What emerged from that conference is that most peoples claiming the right to self-determination are not calling for independence and do not want to set up a state of their own. Self-determination can for some mean independent statehood as was the case when most of today's members of the United Nations struggled for their freedom. But for most it means the right to cultural autonomy, land rights, the right to education in the mother tongue or the right to a say in the management of a people's natural resources. For many it also means a degree of political self-government. But secession, which most are accused by governments of wanting, is almost always a last resort when other forms of self-expression are forcibly denied.

Peace and stability and the enjoyment of human rights, Mr. Chairman, does not come from suppressing freedom. It comes from recognizing and respecting it.

In closing, Mr. Chairman, permit us to propose the following concrete measures for consideration by the Conference:

1. The United Nations should admit representatives of nations and peoples not represented as such at the United Nations especially in its human rights bodies in an observer capacity;
2. The United Nations Commission on Human Rights or its Sub-commission should set up a working group on self-determination in which representatives of nations and peoples claiming the rights to self-determination can take part;
3. Representatives of nations and peoples and NGOs should be permitted to contribute to the important work of the United Nations human rights treaty bodies by being allowed to put oral and written questions to signatory states.

Mr. Chairman,

The tested way of not solving problems is to exclude from the discussion and decision-making process the people most affected by the issues in question. Denying problems does not solve them. It is not important that you agree with everything we have to say, it is essential, as a first step, that you listen. Listen to the voices of the disenfranchised and Unrepresented Nations and Peoples. Much effort will

be wasted until you do so. Terrible suffering will be the price for continuing to protect some dictators from embarrassment.

Thank you, Mr. Chairman.

TJIRIANGE, Ngarikutuke (President):

The next person, please, but stay within the limit of the time allocated, please.

DALGHAMOUNI, A. (Joint NGO statement for Unrepresented Peoples):

Keywords: SELF-DETERMINATION -EARLY WARNING SYSTEMS - REFUGEES -
HUMAN RIGHTS PROTECTION

Thank you.

Mr. President, distinguished delegates to the World Conference,

Allow our group to join those who expressed their gratitude to the government of Austria for the warm hospitality.

With nations and NGOs, representing and covering the four corners of the globe, there are still people and nations of people who have no specific representation. Especially those who are currently stateless or live in no man's land. Including but not limited to the last 400 Palestinian deportees. Our group is here to represent all of these peoples.

In this regard and in conclusion of previous remarks given by my colleagues, our group strongly recommends that this Conference adopts the following principles and procedures:

1. We affirm our group commitment to the principles of universality, objectivity and non-selectivity of all human rights laws. No double standards in the implementation of human rights should be allowed and no violations of human rights should ever be justified.
2. All peoples and nations are entitled to the right of self-determination. This is not a gift or privilege; rather, it is a non-negotiated fundamental right.
3. All peoples and nations are entitled to the right of self-defense and protection against systematic human rights violations and military occupation. The United Nations must provide the adequate and effective measures and procedures to guarantee this right.
4. Your Conference must adapt effective means and measures to stop the violators from repeating their courses of violations and crimes and to stop and end all forms of military occupation.
5. We call upon an early warning system to alert the international community to deteriorating human rights situations and especially potential causes of refugee flows.
6. All refugees, displaced, transferred, deported and stateless individuals and groups should be entitled to all human rights privileges and necessities including aid, relief, health care, education, development, protection and self-defense and the right of return, of course.
7. We stress that the access to and the application of international law and its mechanisms should be extended to individuals as well as nations.

8. We also stress that certain national and regional particularities including various historical, cultural and religious backgrounds cannot be used as excuses for not observing and protecting the very warranted basic and fundamental principles of human rights. The recommendation of independent entities with expertise in relative issues should be sought and its' role should be encouraged.

Mr. President,

It is ironic to see that some of the people and groups we are representing here are at this very minute being punished for being believers and advocates of precisely the same teachings and ideals, which you, Mr. President, so adamantly spoke of in your opening address to this Conference. And it is very more ironic that those who punish or aid in their punishment are sitting among us and shedding crocodile tears.

Mr. President,

We call upon you, we ask you, we urge you, not to let this Conference adjourn and dissolve the hope and trust that those suffering people have put in all of us.

Thank you very much.

TJIRIANGE, Ngarikutuke (President):

I thank the representatives of Unrepresented Peoples and now the 18th plenary meeting stands adjourned until tomorrow 10 o'clock and *bon appétit*.