



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

9th plenary meeting, 17th of June 1993

World Conference on Human Rights

Vienna, 14-25 June 1993

9th plenary meeting, 17 June 1993

[A/CONF.157/PV.9]

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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.

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

I call to order the ninth meeting of the plenary of the World Conference on Human Rights. Before giving the floor to the first speaker this morning, I would like to make two announcements to the Conference. Two speakers who were unable to take floor yesterday will do so this morning. These are Mr. Carl Aage Norgaard, President of European Commission for Human Rights and Madame Gertrude Mongella, Secretary-General of the World Conference on Women. The delegation of Iran will be speaking after the delegation of Côte d'Ivoire and before the delegation of Latvia.

I have the honor, with the consent of the Conference, to invite His Excellency, Mr. Soyinka, who has been invited by the Secretary-General of the United Nations to address the World Conference on Human Rights. Your Excellency, you have the floor.

SOYINKA, Wole (Nigeria):

Keywords: NORTH-SOUTH RELATIONS - EAST-WEST RELATIONS - FREEDOM - NIGERIA - INDIVIDUAL RESPONSIBILITY - HUMAN RIGHTS - DEVELOPMENT

Madame President,

Permit me to dispense with several formalities, which I have prepared here but I know you are running terribly late on many speakers. I must let you know that some of the principal officials, activists of the civil liberties organizations, some of them are missing here from Nigeria because their passports have not been returned, have been seized by the Nigerian military government. Fortunately, some of them did get here yesterday. But individuals, internationally recognized individuals like Mr. Olu Aboye, the President of the Civil Liberties organization, still has his freedom of movement curtailed by the Nigerian military government. However, the very fact of the ongoing event proves that these petulant gestures are in the end quite futile.

In looking around let us readily admit that there is within this assembly an impassable gulf. For now, at this phase of human development this should be hardly surprising. On one side of this gulf sits Power and its representatives, its champions; on the other - Freedom and its combatants. On the side of Freedom there will, indeed, be found representatives of state power. These are the exceptions who have evolved gradually or been suddenly, sometimes traumatically, transformed. Those who have

learned that being a custodian of power does not mean being an apologist for power and an implacable enemy of freedom. These reformed ones guard themselves against excesses of state and are usually first to acknowledge where the state has erred. But where the state in question is one in the process of coming-in-being, such voices are already conscious of the pitfalls of power and have commenced the process, the psychological reconstruction of the human personality that must act as custodians of power. An instructive and contemporary example of that is the African National Congress through the voice of its leader, Nelson Mandela. How many of those here who have been involved in a bitter war of liberation have had the courage to admit: we made mistakes. We committed excesses. Our cadres went overboard and committed atrocities. Our prisons violated the human rights of our captives. We must ensure that all this remains in the past, that it does not accompany us into the South Africa of our vision.

Such candor which, more importantly, is a declaration of intent, a manifesto for a humane society even in the midst of daily mind-numbing violence, is a moral lesson and a rebuke to that other half, the praetorians of power whose language is locked within a self-centred rhetoric of oppression and self-perpetuation. Convinced of their divine selection, intolerant of dissent, jealous of any encroachments on their desperate monopoly of control, they place themselves beyond humane conscience in defending their bastions to the last drop of the blood of the proponents of freedom.

They are also capable, however, well versed, indeed consummate, in rhetorical distractions, and that is why this Conference must not bother, unduly if the goals set forth by the United Nations are only partially achieved. It is sufficient that this meeting has taken place. That we, on the other side of that divide have been brought here to confront that other on a world forum to say to them: But you are only mortal. You possess no unique gifts that set you apart, no special talent that stamps your foreheads with a divine right to rule and oppress in perpetuity. Nothing in your blood separates you from the condition of your victims. You are a mere accident of birth, of time and space. You have become more ruthless, more unscrupulous, more manipulative than your victims but nothing, absolutely nothing, confers upon the amoral authority to dehumanize those over whose affairs you have been placed, those whom you deny a voice in the shaping of a common destiny.

The United Nations, by convening this congress, has engaged you in a friendly, even fraternal conspiracy. The UNO is inviting you to respond to the sentiments normally aroused by the approach of the end of an epoch - a centennial or millennial ending, the end of the cold war or whatever. To pause and take stock, to consider the real possibility that you are living a lie, a bloodstained, sadistic and inhuman lie, long overdue for termination. This Conference, by giving voice to your victims in a setting that you cannot escape and before the entire world as witness reminds you that your victims have never vanished, that, on the contrary, they are increasingly restless, that one bastion of the oppressor after another has fallen at a tempo unprecedented in the contemporary memory of mankind.

It is a significant moment for you to demand of yourselves where are all those others and where are the structures of deception that they spent the anguish of millions in erecting? Nicolae Ceausescu, Honecker, Idi Amin Dada, Sergeant Doe, Ferdinand, Marcos, Pol Pot, Mariam Mengistu, Emperor Bokassa, Macias Nguema, Papa Doc, Pinochet, Somosa... all phantoms within a mere decade. Ah, we must not forget... the infamous Gang of Four, from whose "ruthless, tyrannical power lust" according to their successors the Chinese people finally freed themselves - was that a mere mirage of history? Was it not in pursuit of certain freedoms that that quartet was overthrown, disgraced and vilified by the Chinese themselves even till today? Or was that the error? Was Tiananmen Square an attempt to redress that error? To prove to the world that every nation has the sovereign right to revert to any form of barbarism at will and without any vestiges and sense of self-betrayal? Shall we celebrate Tiananmen Square every year as a triumph of the spirit of the relativity of human rights?

There are certain ogres, which can no longer be levitated to frighten independent thought or inhibit humanist ideas, not this late in the twentieth century. Such as the "individual" versus the "collective." We sense no contradiction in those aspects of human existence and relationships; with equal vehemence do we reject those allied categorizations - Western ideas versus the rest - this is a flawed,

opportunistic division designed to taint those on the side of freedom with notions of treachery to their own kind and collaboration with the enemy. The history of my peoples testify most eloquently that freedom, as an indispensable value of the human kind, permeate our very lives, our discourse and even forms of worship. What proponents of the Western proprietorship of freedom should be saying instead is that they are faced with an intolerable switch. The West has changed sides, that is all. How recently was it that after all the United States of America and its allies buoyed up tyrannies in Zaire, in Chile, in Liberia, Uganda, Nicaragua, etc., not forgetting their support or indifference to apartheid South Africa and its surrogates within Africa, such as Malawi and UNITA. Idi Amin Dada, that creature of many distinctions, also enjoyed the additional support at various times of the Soviet Union, Israel, the Palestinian Liberation Organization, Great Britain, Germany, etc. Even at the height of his wholesale butchery of the Ugandan peoples. President Carter was very forthright in his address here two days ago reminding us that the internal policies of the United States, not so long ago and even today, were themselves flagrant contradictions of human rights; it is understandable, therefore, that other nations find US interventions in this field pretty difficult to swallow. The holier-than-thou, born-again fanatic posture with its hectoring manner seems to many in the Third World mere sanctimoniousness. One wishes, frankly, that the United States would learn a little subtlety and self-restraint in its approach to these issues - all that, however, is in the area of strategy; it does not invalidate principles, which are what this Conference is all about.

In my own country, Nigeria, let me assure you that we did not require tutelage from anyone, from the West or the East, before we acted against the military government's own form of variation on "ethnic cleansing." An outrage that I described, at the time, as a crime against humanity and categorized as an exercise in "class sanitation." In that - to me - quite incredible exercise, three quarters of a million human beings were uprooted and rendered homeless - all between dawn and dusk. Maroko - that is the name of the settlement - Maroko was levelled by bulldozers and tractors under the protection of armed soldiers. This settlement, occupied by several generations of settlers, was designated "unsafe." Of course, the truth was that this piece of luscious real estate was coveted for "development" that is development for the affluent classes. An organic habitation with its schools, hospitals, mini industries, an active commercial life, etc. - albeit devoid of middle class standards of respectability - was wiped out, literally wiped off the landscape. Many night workers returned to what had been their homes to find nothing but rubble - the meagre acquisitions of a lifetime - pulverized.

"Class sanitation" takes many forms - Emperor Bokassa's preference was to visit the prisons, make the felons lie down - juveniles and all, and stamp them to death with the assistance of his palace and prison guards, a practice that has become the tradition in some Latin American countries. Yes, one way to eliminate poverty is to eliminate the hungry and deprived, especially children. Brazil - I do not know what its present record is - Brazil was certainly notorious for its periodic sweeps of the beaches and the streets for child vagrants who were either eliminated on the spot or taken away and never heard of again.

So where, in the forgoing, as in a hundred thousand other instances, where is this much vaunted conflict between the right of the individual and the rights of the collective? Is it in the area of freedom of expression? But it is only the freedom of expression that exposes these evils to society itself. It is freedom of expression that guarantees the rights of such individuals: minorities, religious groups, any collective and the community. Any suggestion that freedom of expression is a luxury of the West insults the historic struggles of individuals and communities all over the world for the dignity and wellbeing of their kind, for social fulfilment, equality of opportunity, equitable sharing of resources, access to shelter, nourishment and health. Such claims are an attempt to diminish our humanity, to reduce us to marginal existence even within our own societies. It is a clear vote for the party of Power against the communality of Freedom.

The battle cry of development requires also to be skirted like a minefield. By all means, let the link to be inserted, only let us be clear in our minds just what is meant by this. Why do not we try the proposition instead human rights are an integral dimension of development? Can that be faulted? But what exactly is development? Is it only of one kind? Is it a question of development with prestigious

projects as in my country Nigeria? Multi-billion-dollar steel works which never produce one single steel ingot. Rolling mills, which never function? What exactly do we mean by development? When is development and how? We know, we know. It is on history. This is within history that throughout the Europe, the European countries did under-develop Africa. Walter Rodney's seminal work has analyzed the process in an incontrovertible manner. What we insist upon, is that the very collaborators in that exercise, and their successors, that is the local indigenous collaborators, are still very much in charge - need I mention Hastings Banda, Mobutu and company? And it is their ilk that are responsible for the brain-drain that prolongs the underdevelopment and the impoverished of Africa.

A clarification must be made. When the beleaguered nation of Cuba cries out, "we must exercise our right to development." It is a very different context from where identical protestations issue from certain other countries. What Cuba is saying directly to the United States is: you are unjustly strangulating our development programme. We work. We produce. We are entitled to sell our products and purchase our needs. We are not beggars, neither from you nor from anyone else. You have refused to trade with us - bad enough. Buy why should you strong-arm other nations, other companies into reneging on their trade agreements with us? The Torricelli Amendment is an act of unjustifiable aggression. It is our fundamental right to exchange our goods with those who are willing. Now that is the Cuban scenario. It is very different story with those other countries. What they are saying is, what they are using, is the language of aggressive beggars. Fill up our alms bowls. That is what they scream, fill up our beggars bowls or we cannot even begin to think of human rights. That language, for me, is the language of blackmail, of hostage-takers, and we, on this side of the gulf, are the hostages.

Is the Cuban record of human rights perfect? Of course not. Cuba has not only courageously admitted making mistakes in the past, she has commenced evident steps for positive changes. In any case, is the United States the model of perfection? Or Great Britain? Or Germany? What of the Republic of China with whom the US has just concluded yet another "most favored nation" deal? This constitutes part of the problem over strategies for the implementation of human rights - double standards. Logic and consistency must after all be applicable to the issue of human rights.

One last vexatious expression: this claim of the indivisibility of human rights, which one regional declaration has even described as "sacrosanct." I confess my inability to grasp this concept. Does it mean that we dare not think about human rights without the others? Or maybe that we are not permitted to act upon one without the others? Or perhaps simply not engage in any discussion of one without paying lip-service to collective rights? All I know is that it sounds very impressive: "the principle of indivisibility of human rights is sacrosanct." It is the intimidating language of political rallies, full of sound and passion but signifying what exactly? But I am content to let yet another regional declaration have the last word on this. I quote,

We hold that the interdependence, etc. of civil, political, economic, social and cultural rights are the basis for consideration of the question of human rights, and therefore the exercise of some cannot and must not be disallowed on the pretext that full enjoyment of others has not been achieved.

This unexceptionable principle has found expression, I am happy to note, in the Draft Document presented to the General Assembly under Principal 3 where it appears as follows:

The exercise of any human right must not be denied because the full enjoyment of other rights has not been achieved.

What the adoption of this principle does is to permit anyone to extend the range of human rights in any direction they wish. Development, over development, super development, development explosion, etc., etc. But the exercise of these lofty extended agenda on any other human rights must not be denied because the full enjoyment of other rights has not been achieved.

Let me round up with some specific recollections very briefly. When Israel abducts Palestinians from their homes, bundles them into a no-man's land and abandons them to the inclemency of a wintry desert, we do not ask who has been denying poor Israel its right to development. Our outraged sense of justice is centred squarely on the violated human rights of the Palestinians. Again, by chance, only a few days ago, I was able to watch on television news three Ethiopian women describe their experiences at the hands of their torturer with whom they came face to face, quite dramatically, in the United States. He had been an official on the regime under Mariam Mengistu. They have now sued him to court for civil damages. The law of the United States, alas, cannot place him on criminal charges. And yet a third scenario. Indonesia not only gobbled up East Timor, brutally, she has systematically ravaged that nation and reduced her people to a status of glorified peonage through state terror, massacres and cynical exploitation.

Brought before an International Court of Human Rights, all these and other perpetrators of inhuman proceeding would like our own Nigerian violators of the rights of the Maroko people be given their chance to plead the extenuating circumstances of retarded development. They may even be exonerated. But at least, torturer and victim would confront each other under a structure of moral and juridical authority, and the world would bear witness. We are content with one step at a time. Fifty years after the United Nations Declaration of fundamental human rights, however, it is surely time for the next, one small step for man, one giant step for humanity" Let that small step be taken at this Conference.

Thank you.

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

I thank His Excellency, Mr. Soyinka, for his statement. I now give the floor to Mr. Carl Aage Norgaard, President of the European Commission for Human Rights. You have the floor, Your Excellency.

NORGAARD, Carl Aage (European Commission on Human Rights):

Keywords: EUROPE - HUMAN RIGHTS MONITORING - TREATIES - European Commission of Human Rights - European Court of Human Rights - REGIONAL ARRANGEMENTS

Madame President, Excellencies, ladies and gentlemen,

It is an honor for me to address you here today on behalf of the European Commission of Human Rights and I shall do it very briefly. I shall not attempt to describe the European system for the protection of human rights in any details. I can refer you to the report by the Council of Europe to this Conference. Chapter 2 of the report deals with the European Convention on Human Rights. I would only like to say a few words about the system. It is the oldest regional system for the protection of human rights in the world. It started its activities in 1955. The convention organs, as you will know, can deal with both complaints by states against our states complaining of about violations of human rights. What was a sensation in the 1950s was that the Convention also makes it possible for an individual to complain against each state's directly to an international organ, which can take binding decision with regard to violation of human rights. There have been rather few cases of states complaining against each other, less than twenty cases. On the other hand, there has been a great number of individual complaints. So far, the Convention system has dealt with about 20,000 cases. The number has been increasing, now that is about 2,000 cases dealt with per year by the Commission. The most important cases dealt with by the Commission will later on go to the Court of Human Rights that up till now has decided nearly 400 cases.

There is one striking element in the development, namely that the number of applications has increased dramatically during the last years. One may ask oneself why these that, is that because the human rights situation in Europe has worsened so much? I do not believe that. I think, and I think that

is important, the main reason is that the Convention has become known among lawyers, among citizens; and citizens now use this instrument for the protection of their human rights. I think in all modesty it is fair to say that the European system was become a success by creating an effective international protection system. There is no reason to be proud of this result but only grateful because it has been possible.

I think it is worth mentioning here, the message being that even in the many countries with serious human rights problems you may never lose your optimism. It is possible to arrive at a situation where human rights are internationally effectively protected. I believe that the ideal situation would be that human rights were protected under one universal system. Nevertheless, until we can arrive at this goal, the regional human rights protection systems serve a useful purpose for the implementation and promotion of human rights and should, therefore, get all necessary support financially and otherwise until this final ideal goal, the establishment of universal protection system, has come. In this connection, we appreciate that the meetings between treaty Parties, including regional human rights organizations, have been arranged as part of this Conference.

Let me finish by saying that we have heard many interesting interventions and opinions on all kinds of human rights problems. We should certainly hear many more. We all know that there are very serious human rights problems in the world today, but let us not make matters more complicated than necessary. I believe that the crux of the matter is simple. Namely that human rights must begin in the heart of every human being and you shall treat your neighbor as you want him or her to treat yourself.

Thank you.

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

I thank His Excellency for this statement. I now give the floor to Mrs. Gertrude Mongella, Secretary-General of the World Conference on Women. Madame, you have the floor.

MONGELLA, Gertrude Ibengwe (Fourth World Conference on Women):

Keywords: WOMEN'S RIGHTS - WOMEN'S STATUS - GENDER-BASED VIOLENCE

Madame President,

It is a great pleasure for me to address the World Conference on Human Rights in my capacity as Secretary-General of the Fourth World Conference on Women to take place in Beijing 1995. The results of this Conference will definitely have a great impact on the Fourth World Conference on Women, scheduled to be held in Beijing in September 1995. For that reason, my statement will be directed to addressing women's rights as human rights.

Madame President,

With just two years to the 50th anniversary of the founding of the United Nations Organization, forty-five years after the Universal Declaration of Human Rights and twenty-five years after the First World Conference on Human Rights, which was held in Teheran, there could not be any more opportune moment for the United Nations Member States to convene this Conference in order to review and assess the progress made on the implementation of fundamental principle of human rights on which the Organization was founded.

At the inception of the United Nations Organization in 1945, the desire of the people, men and women, across the world to respect and protect human rights and fundamental freedoms was expressed in the Preamble of the United Nations Charter, which reaffirms faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of

nations large and small. It relates to all spheres of life, political, economic, social and cultural. It is a right which is central to the theme of today's discussion.

Since then, the United Nations has relentlessly labored to implement this goal but much of what has happened during this century indicates continuous and greater violation of human rights. The continuous armed conflicts within nations in Asia, Africa, Latin America and, now, Europe; the increased violence within the communities; the economic miseries inflicted by deteriorating economic systems; the lack of peace within and among nations poses a great threat to human beings more than ever and creates a more conducive environment for human rights violations. As far as human rights for women are concerned, the following observations can be made:

Madame President,

The violation of women's human rights is a result of discrimination against women by society, governments, the international community and individuals. In the case of apartheid, persons are discriminated against because of their color, likewise women are discriminated against because they are women. The economic, political and social discrimination against women is further sanctified by the excuse of cultural adherence, religious beliefs and practices and traditional identities. As a result, the economic, social, political, cultural and traditional systems have institutionalized the discrimination against women and in which men, and even sometimes women, strongly believe.

If discrimination is a violation of human rights, discrimination against women is also a violation of human rights because women are human beings. Taking the same analogy of racial discrimination and women's discrimination, it is, therefore, imperative for the governments to act on discrimination against women in the manner in which they and the international community dealt with apartheid and continues to. Women are supposed to fight, they are ready to fight against the discrimination but the international community should be held accountable for dismantling of discrimination against women, which exists in all nations. Women's rights should not only be viewed as a legal issue but rather be considered as economic, political and social issue.

In many countries, women are accorded a very low status in society and are regarded as second-class citizens. The low status of women in society results in the following:

They are subordinated to the extent that sometimes their freedom of expression and association is denied.

They are deprived of their right to own and inherit property, even if they have contributed to the generation of it. In many countries, women cannot own land, one of the most important prerequisites for economic development.

In a few countries, women are still considered by constitution to be minors and, therefore, have no right to testify before a legal court or to vote.

And, in many cases, women are still paid lower wages because they are women regardless of their competence, experience and qualification. They are very often engaged in activities of lowest returns, which finally causes women to remain the poorest of the poor. This is dangerous not only to the women themselves, but it is a dangerous trend because by the turn of the century statistical indicators show that more than half of households in the world will be female-headed households and if this is so many children, both boys and girls, will be brought up in poor conditions.

The long historic subordination of women in society has resulted in a deep silence of women even in cases where they would have spoken against these injustices and the denial of their rights. But thanks to the United Nations Decade for Women, women have learned to organize, to network and to express themselves globally, and they have started to raise their voices on issues that were considered to be taboos to be pronounced by women, such as rape, incest and violence against women in the family. It

is only recently that the international community is considering to make rape a war crime. For a long time, rape during war was not considered as a violation of human rights against women.

Most violence against women occurs in the family. Violence inflicted on women by their spouses, in-laws and other members of the family has resulted into women's anguish, physical and mental torture, humiliation, and in most cases such acts are considered to be private and personal and they go unpunished by law.

Women are conspicuously absent in the economic, political and social decision-making bodies, such as parliaments and other representative bodies. They often find themselves bound to or suffering from decisions taken without their participation, particularly in the military conflict - and the statistics we have is that more than fifty percent of all refugees are women and children - and in the economic restructuring. It is in this regard that this distinguished gathering, which believes in democracy and self-determination, should raise the lack of women's participation in decision-making as a matter of concern. Even in areas where women have participated and contributed greatly to the political liberation of their own countries, women have been left to struggle for equality after independence. If we believe democracy to mean equal participation and representation of all people it could, therefore, be argued that most governments are in fact not democratic because of the absence of women from politics and decision-making.

governments and the international community have continued to ignore and condone violation of women's human rights under the different cultural, religious and political camouflage in order to avoid conflicts generated by heated debates. As a result, given the statistical evidence, there is no government that is innocent in the violation of women's rights as human rights.

Madame President,

One of the tasks of this Conference is to examine the relations between development and the enjoyment of everyone of economic, social, cultural, as well as civic and political rights and to recognize the importance of creating the conditions whereby everyone may enjoy these rights which are set out in the international covenants on human rights.

As the main instrument for women's human rights, the General Assembly adopted in 1979 the Convention on the Elimination of All Forms of Discrimination against Women, and established the Committee on the Elimination of Discrimination against Women to monitor the implementation of the Convention. As of today, 122 Member States have ratified or acceded to the Convention, thereby committing themselves to adapt their legislation, customs and practices to promote and protect women's equality and rights. The work done by the Committee highlights crucial areas that have often been ignored or overlooked by conventional human rights advocates. The complexity of family laws, including inheritance, the right to own property and to an independent livelihood, demonstrates the linkages between the public and private spheres, the individual and their macro-policies which have conventionally been divided by political scientists and economists.

The work of the Committee, through its consideration of the periodic reports by States Parties, has shed light on social trends and personal details, like pregnancies, child marriages, maternal mortality, maternal health, prostitution and trafficking of women for prostitution, and violence against women — factors which require specific women's human rights to be mainstreamed in the broad spectrum of human rights. Regarding the issue of violence against women the Commission on Status of Women, by consensus, has requested that the Economic and Social Council forward the draft Declaration on the Elimination of Violence against Women to the General Assembly for its adoption. This draft Declaration is the result of a concerted effort by governments and non-governmental organizations working together for a common goal.

It is my hope and that of many women that the result of this Conference will not be limited, I repeat, it is my hope and that of many women that the result of this Conference will not be limited to

understanding, recognizing, noting and expressing concerned about women's human rights violations, but rather will initiate concrete international action to condemn, redress and stop violation of women's rights as human rights under any circumstances.

The non-governmental organizations community and especially those concerned with women's issues have demonstrated at this Conference and during its preparation their determination and commitment to address these issues.

Human rights are deeply rooted in economic, social, political and cultural structures. It is, therefore, important to examine the existing structures and institutions to recommend changes that will enable the integration of women's human rights in all human rights instruments. Legal systems should be oriented to gender justices and not to merely administration of law.

In order to achieve the goal of making women's rights human rights, it is important to consider some of the recommendations already given during this Conference by Member States and the non-governmental organizations Forum, including the following:

The strengthening and the enforcement of the Convention on the Elimination of All Forms of Discrimination against Women by the universal ratification and the withdrawal of reservations where made upon ratification.

To develop a mechanism for women who have been denied access to justice within their own countries to bring their complaints under an optional protocol before the Committee on the Elimination of Discrimination against Women.

To integrate gender perspectives in all human rights committees under human rights treaties.

And, to appoint a special rapporteur with the broad mandate to investigate violations of women's human rights.

In the process of the preparations for the Fourth World Conference on Women in Beijing, there are strong indications that women all over the world are now more aware of their rights, they are prepared to demand their rights, and to break the long deep silence. If this Conference succeeds to incorporate women's human rights in all sections of the final document that would be a milestone in the history of women and mankind and will accelerate the achievement of the goals of equality, development and peace.

In conclusion, Madame Chairperson, I would like to say that the deliberations of this Conference are crucial to the success of the Women's Conference in 1995 and women of the world are waiting anxiously for the outcome of this Conference.

Thank you very much.

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

I thank the Secretary-General of the World Conference on Women for her statement. I now give the floor to His Excellency, Ferdinand Leopold Oyono, Minister for Foreign Affairs of Cameroon. You have the floor, Excellency.

OYONO, Ferdinand Leopold (Cameroon), spoke in French:

Keywords: AFRICA - HUMAN RIGHTS – HISTORY – NORTH-SOUTH RELATIONS - UN High Commissioner for Human Rights – INTERNATIONAL COURTS AND TRIBUNALS – CAMEROON – GOVERNMENT POLICY

Madame President,

In speaking here on behalf of the Republic of Cameroon to the numerous delegations who have come to participate at the Second World Conference on Human rights, I would first of all congratulate Mr. Alois Mock, Minister for Foreign Affairs of the Federal Republic of Austria, on his election as President of our Conference and to wish him every success in his difficult task. I would like to thank most sincerely for their warm welcome Austria, a country that has been a friend to my country for a long time, Austrian government and the inhabitants of Vienna, one of the most beautiful towns of Europe, which has played a vital role in international relations. I would also like to thank them for their excellent preparatory work the orchestrators of this meeting, in particular, Dr. Boutros Boutros-Ghali, Secretary-General of the United Nations, the Chairman of the Preparatory Committee Mrs. Halima Embarek Warzazi and the Secretary-General of the Conference Mr. Ibrahima Fall as well as all their collaborators.

Madame President, ladies and gentlemen,

Our Conference is being held at a very important stage of history and human rights at the end of the 20th century. We are going through a period of transition. The cold war is over. The wind of political and economic reforms is blowing across the world: from the former Soviet Union to Africa, going by the Eastern Europe. In the particular case of Africa, the spectacle of the upheavals that have characterized the former totalitarian countries does not allow us to take the full measure of the efforts that were accomplished and the promises of democracy, which mobilized its peoples, and especially realizing that we are witnessing the passing of the baton to a new generation of leaders determined to create a truly democratic and prosperous Africa for all.

Nevertheless, in spite of the importance of its context, this event cannot fail to bring to mind all the main texts that the human mind has ever created in the field of human rights. I have in mind in particular

- the famous funeral oration of Pericles before our era honoring the victims of the Peloponnesian War, in which he recalled the right and liberties of the citizens of the first democracy, that is of Athens.
- The Magna Carta of 1215, which transformed the feudal rights of the barons in England into constitutional rights given for all.
- Habeas corpus adopted by the English Parliament in 1679, as a result of which every imprisoned person has the right to be brought before a judge to rule on the validity of their arrest.
- The Declaration of the Rights of Man and of the Citizen of the 26th of August 1789 as a result of the French Revolution.
- The American Bill of Rights of the 25th of September the same year.
- The Universal Declaration of Human Rights adopted on the 10th of December 1948 by the General Assembly of the United Nations.
- The Final Act of the Conference on Security and Cooperation in Europe adopted in Helsinki in 1975.
- The African Charter of Human and People's Rights of 1981.

- The Paris Charter of 1990 adopted by the Second Conference on Security and Cooperation in Europe...

As we all know, the Declaration of Human and Citizens Rights and Declaration of Human Rights were inspired by the doctrine of natural rights and were fueled by other philosophical sources, in particular, those of the Age of Enlightenment inspiring itself from the messianic idea of fraternity and equality between people without discrimination of any sort.

A century and a half later in adopting the Universal Declaration of Human Rights the General Assembly of the United Nations very simply and solemnly consecrated for the whole of humanity the relevance of this ideal. Thus, the signatories, joined by many other since then:

- made of it "a common ideal to be achieved by all peoples in all nations" and stressed their need to protect human rights by a rule of law;

- they committed themselves, therefore, to respect freedom of thought, conscience and opinion;

- they proclaimed the right of every individual to life, liberty and security of a person as well as to the equal protection before the law;

- finally recognized the right of every person to participate in the ruling of the government of his choice.

Madame President,

Over half a century have elapsed since the adoption of this Declaration and the World Organization has come to the forefront in reflection and action aimed towards greater recognition, promotion and enjoyment of human rights and fundamental liberties.

We have as proof the many legal international instruments relating to it, which the international community has endowed until now, as well as the many institutional mechanisms created to ensure their effective implementation.

This is why we need, today and always, to pay tribute to the United Nations for its capacity and vitality that it has shown in carrying out this tremendous task.

Madame President,

While we must to deplore the explosion of violence fueled by religious and ethnic intolerance, which manifests itself in a form of ethnic cleansing that we have always condemned, the contemplation of the road travelled towards recognition of the effects - on the evolution of young countries - of acceleration of the political upheavals of the last five years, makes many think that we are closer more than ever to achieving their universal application of the letter and spirit of the Charters that we mentioned earlier.

This is, however, a situation that is prevalent in western societies where economic and social conditions have developed in such a way as to make man to be able to enjoy the full rights that are recognized to him by these texts. It is clear that in these societies, political freedom and the effectiveness of the rights attached to it stem from the overall improvement of living conditions.

The question, therefore, arises as to whether these Charters - lock, stock and barrel - are transposable and applicable in countries where these conditions do not yet exist. Also, in an unequal global context characterized by economic recession and national egoisms, the South, which has suffered so much from cultural contempt, demands the guarantee of

Ultimately, the political will of the countries of the South would not enough to guarantee to their citizens full realization of human rights if they are, on one hand, in a grip of misery, poverty and other privations and if, on the other hand, the wealthy nations of the North representing less than a third of humanity possess over two-thirds of the wealth of the world.

Notwithstanding, our states remain perfectly conscious of their responsibility to lead their people towards greater democracy, not by improvising or in haste, as some of our partners from the North seem to demand, but to do this in giving it great thought, patience and a rhythm that is compatible with their social and cultural specificities. Because beyond from simple setting up of the institutions, beyond simple organization of multiparty elections, they have to ensure the democratic values are instilled in people's awareness and that, at the same time, they ensured the notion of the state, the idea of primacy of the collective interest over the rights of the individual and the obedience to democratic rights is established.

In this regard, the establishment of a post of High Commissioner for Human Rights and the establishment of an international court of human rights due to the heavy responsibilities that they imply and the misunderstandings to which they could lead, should be given careful consideration. We have not yet been given a document, which would give us some idea of the competencies and procedures of the new institutions.

Madame President,

We cannot say enough that a good conception of human rights has to be comprehensive, ensure their universality, their interdependence and their indivisibility and, above all, stress the ambivalent relations between development and human rights, as has been affirmed by President Paul Biya at the 87th Conference of the Inter-Parliamentary Union in April 1992 in Yaoundé. He was referring specifically to Africa:

We cannot privilege the rights of people to freedom and ignore their right to wellbeing and development. For there can be no true democracy without development... The support of democratization necessarily involves the increased support to economic recovery of developing countries.

The preparatory work for our Conference as well as the conclusions of our meetings in Tunis, Bangkok and San José have clearly highlighted these requirements.

Madame President,

Cameroon as far as it is concerned is fully committed to the irreversible process of democratization and promotion of human rights, which has been started over a decade ago by President Biya.

The substantial legal and institutional mechanisms that have been set up since then have demonstrated that things are developing along the right track:

- we have now a National Committee of Human Rights and Freedoms and a plethora of information bodies enjoying incomparable freedom of expression;
- we have seen a proliferation of political parties;
- we have liberalized economic activities;
- we have repealed the legislation of the state of exception;
- here and now, we affirm that there are no political prisoners in Cameroon.

During 1992, this process has seen two other peaks - the organization of legislative and presidential elections in March and October, which have led to a pluralist National Assembly and the very first president of the Republic that won his election as a result of multiple candidates being put forward and a large national union in the government.

Throughout this process, the will of the Chief of State, the government and people have been firm in the search for development of the individual and the nation of Cameroon as a whole according to the means and the characteristics prevailing in our country.

There is no doubt that these substantial advances will be confirmed at the end of a broad national debate, in which all the political forces of the country take part freely with a view to the adoption of a new constitution.

All these efforts that have been taken internally demonstrate the will of my government and of Cameroon to modulate, to ensure the preservation, our institutions to adapt them to the demands of democracy and of the humanism that characterize the end of this century. During this dynamic we, at the same time, reaffirm both our international commitments and the many instruments that we are Parties.

Madame President,

In Cameroon as elsewhere, the transition towards a democratic society that respects human rights is not something that is achieved lightly, far from that. In connection with the obstacles linked to the unfavorable economic conditions, further difficulties have cropped up due to social and cultural realities and to the slow evolution of mentalities.

This is why Cameroon, like other developing countries, needs to rely on understanding, objectivity, financial and technical support, which should be given unconditionally by the international community and by friendly countries in order to overcome the obstacles that are raised on the path of promoting human rights.

We call, therefore, on this Conference to identify clear ways and means for future action to be taken by the international community to achieve this.

At the dawn of the third millennium, our conviction is that humanity does have, thanks to the enormous progress achieved by science and technology a number of means to promote human rights.

May this Conference be a new starting point in the mobilization of these means in the service of our common good.

Thank you very much for your attention.

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

I thank His Excellency for his statement. I now give the floor to His Excellency Roberto Garreton, Ambassador on the Questions of Human Rights of Chile. You have the floor, Your Excellency.

GARRETON, Roberto (Chile), spoke in Spanish:

Keywords: CHILE - HUMAN RIGHTS MONITORING - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS - CAPITAL PUNISHMENT - WOMEN - INDIGENOUS PEOPLES

Madame Chairman,

First of all, I would like to congratulate Dr. Alex Mock, Foreign Minister of our host country on being elected to direct the labors of this Conference. And to you, distinguished Madame Samoya, who are chairing our Conference today. A day specifically dedicated for dealing with matters relating to women. Our delegation is convinced that under your leadership this Conference will produce results as expected by millions of human beings who are suffering oppression, violence, and misery. You may count on the full cooperation of our delegation.

Madame President,

During this second World Conference on Human Rights, at the request of the General Assembly, we have to assess the progress achieved and difficulties encountered since the First Conference held in Teheran in 1968. At that first great gathering, the Member States of the United Nations took stock of the achievements with regard to the Covenants of 1966, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the International Convention on the Elimination of All Forms of Racial Discrimination, and made general reference to other United Nations declarations and covenants.

The Teheran Declaration, which took the form of a political declaration, without specific objectives that could be subject to future evaluation and without mentioning the human rights situation at that time, unfortunately, sank into complete oblivion to such an extent that it is not even mentioned in any of the General Assembly nor Human Rights Commission resolutions in relation to the event that brings us together here.

God willing that this is not the fate of the Vienna Conference. It is up to us to deliver to all the peoples of the world a landmark to which they can refer in their quest for greater freedom and which will contribute to improving the international system of human rights protection as an expression of solidarity between those peoples.

Madame President,

I represent a people who are grateful to the United Nations for its intervention on behalf of human rights and democracy. No sooner had civil society, in which Chileans were proud was crushed, the vast majority of the peoples that make up the United Nations demonstrated their concern for and solidarity with our tragedy. One of the most remarkable expressions of this, because it was so innovative at the time, was the appointment of a Working Group of the Human Rights Commission to review the human rights situation in our country. When it completed its mandate in 1978, the Commission appointed successively three special rapporteurs to the same purpose, and the last of whom completed his mandate when we recovered our freedom. The names of the experts and rapporteurs, Fernando Volio, Rajsoomer Lallah, Ghulam Ali Allana, Abdoulaye Dieye, Marian Kamara, Leopoldo Benítez and Félix Ermacora, are unforgettable for the Chileans. They allowed us to join other nations, near and far, of the most divergent cultures, such as Costa Rica, Mauritius, Senegal, Sierra Leone, Ecuador and Austria, the country that so warmly welcomes us today.

We are also most grateful for the huge contribution to the cause of human rights in Chile made by members of the Secretariat, Mr. Theo Van Boven and Mr. John Patch. We are also grateful for the enormous contribution for the cause of human rights in Chile made by non-governmental organizations. Today, when they are object of attacks and discreditation and when they are accused of

having twisted intentions and being untruthful, we stand in solidarity with them. These same accusations, exactly the same, we heard over and over again in the troubled times through which our country lived. I bear witness to the absolute veracity of their information, which history continuously confirmed and to the honesty of their patient and disinterested work, which on many occasions involves considerable risks. Their victims are many in all latitudes and that is why the government of Chile wishes to pay them tribute dearest to them: we believe in them. Chile in no way looks upon them as enemies, for they are not, considers their work to be a cooperation in the pursuit of public welfare and thanks them for their contributions even if, in fulfilling their mandates, they criticize or make objections to governmental action.

Madame President,

The history of the conquest of human rights, initiated in its modern phase in the second half of the 18th century, has been one of continuous struggles of peoples to have the state and its institutions guarantee their fundamental rights, it has certainly been a complex process, as it is been a matter of overcoming centuries of authoritarian political systems and iniquitous economic systems. The most spectacular progress at a national as well as an international level, has always been made as the result of reactions to sheer despotism and the slaughter of war.

"We the peoples," founded the United Nations. The defense their rights is to be the prime objective of the Organization.

Unfortunately, in spite of the undeniable progress made in the field of human rights, there are still many states which instead of accomplishing their essential task of promoting public welfare, are seriously and systematically violating the fundamental rights of their citizens. Fortunately, the United Nations has been steadily improving mechanisms for investigating such violations. Naturally, much remains to be done but what really matters is that we have been moving in the right direction and that is towards protecting the interest of any individual, anywhere on the Earth, whose basic rights have been violated. The peoples expect us to continue in this noble task so that no excuse whatever, whether it be *raison d'état*, national security, of racial or class interest, may be misused in order to neutralize the endeavors of the World Organization to further the protection and promotion of human rights.

Specifically, we invite this Conference in its debates to be guided by the following fundamental question: what is, in any of the matters to be discussed here, what is – the interest of the prisoner of conscience; where lies the interest of the victim of torture, of the indigenous person, of the illiterate; of the relative of a missing, or detained or summarily executed person; where lies the interest of the member of an ethnic minority, of a disabled person, of a migrant; where lies the interest of the discriminated woman, of the refugee, of the victim of foreign occupation, of the starving; of the individual deprived of the right to choose his rulers or to participate in public affairs? Finding an answer to that question should be the aim of our discussion.

It is in this perspective that our delegation has studied the main subjects that will retain our attention in the coming weeks and has taken a position on them. I will briefly refer to a few of these.

First, for Chile, the universality of human rights means recognizing the intrinsic equality and dignity of each and every inhabitant of this planet, without distinction as to culture, religion, history, race, and traditions. This assertion is valid in the light of the most divergent philosophies, religions and political ideologies. It would be highly discriminatory and quite contrary to the UN Charter to recognize that certain worldviews denying the essential and equal dignity seek to ignore its consequences, which are fundamental rights, to certain human beings. The great success of the editors, which enabled the approval of the 1948 Paris Charter, was to abstain from discussing the nature and purpose of humankind and to dedicate themselves to the protection thereof.

Second, my delegation considers that international concern for the observance of human rights in any country is not only morally unavoidable, politically desirable, legally feasible and humanly essential, but also in practice has proven to be very useful. My country is a prime example. This concern cannot be rejected by describing it as intervention in the internal affairs of another country, or as being unjustly "selective." The concept of "non-selectivity" has no historical basis, as it does not appear in the Charter of the Organization, nor in the Universal Declaration, nor in any of the covenants and conventions on human rights, nor in the Teheran Declaration, nor in any other important text. Its use arose during the military dictatorships, which plagued the Latin America for more than two decades. In Chile, we heard this term for years, helpless, while being grateful to the United Nations for its support - selective or not – for our struggle to regain our freedom. It also devoid of any legal basis for there is no text, no doctrine, nor custom to enshrine it. My delegation cannot find any ethical basis for it since life itself, and particularly political life, are nothing but an uninterrupted series of "selections" made at every moment. The selectivity is meaningless.

In the third place, for Chile democracy is intrinsically a fundamental human right. Man's social dimension means that he cannot be considered to be indifferent towards the destiny of a nation to which he belongs, or marginal to its interest. To refuse the right of political participation or to establish mechanisms that alter the free choice of the people, to suppose that there is one single ideology capable of solving the problems of the nation, means denying the philosophical and political quintessence of one of the essential components of freedom. The exercise of the right to development, to which my country attaches the greatest importance as an inalienable human right, demands, requires the exercise of political freedom and democracy. Democracy is not a luxury for the developed countries; they became what they are mainly they have practiced democracy.

The other day we heard in this room a message from the Secretary-General Mr. Boutros-Ghali. He said there were varying interpretations on the concept of democracy. Well my delegation accepts that but we understand that there are certain components without which democracy cannot exist. There is no democracy without the separation of powers. Particularly without an independent judiciary. There can be no democracy if authorities are not renewed through regular public elections. There is no democracy in single party regimes. There is no democracy without freedom of expression. There is no democracy if the governed and the government are subject to the majesty of law over and above the will of governed and the governor.

That is why in the Declaration of San José in January earlier this year, the representatives of the Latin America and the Caribbean countries expressed the view that the defense and strengthening of representative democracy constitute the best guarantee for the effective observance of all human rights; and emphasized that the disruption of democratic order constitutes a threat to human rights in the country concerned with negative repercussions on other countries in the region, particularly upon neighboring countries. If democracy is a human right as it is, the United Nations programmes for strengthening democracy and electoral assistance should be a priority of its work.

Fourth, along the same lines already stated, my delegation believes that if we want to protect the individual, we must endow him with efficient mechanisms, within the framework of the United Nations, to properly deal with his grievances. The current complaints procedures are based on acceptance by the states - through conventional procedures - or in wider unconventional procedures, on confidential mechanisms in which the person is not even informed of the result of the claims and even less of the reply given by the state concerned to the claim raised. There's an abysmal inequality between the individual and the state in this process and it gravely undermines the credibility of the Organization. We don't question the fact that the confidential process when it was established in 1970 was able to contribute to progress but in 1973 it showed itself to be quite insufficient.

Fifth, the delegation of Chile always bearing in mind the victims would support the establishment of a permanent High Commissioner of Human Rights, which without prejudice to the competence of General Assembly, the Economic and Social Council and its subsidiary organs and within the competence of the Secretary-General, could assume the coordination of all activities throughout the

United Nations in matters related to human rights including the responsibility for human rights in peace operations in which the organization is involved. Unfortunately, in the magnificently successful mission to El Salvador human rights was not a component. We believe that the High Commissioner should also send missions in cases of serious and massive human rights violations and should report to the Secretary-General on situations which require specific action from the United Nations pursuant to Article 99 of the Charter.

Sixth, two international judicial instances have been proposed, both clearly necessary. The first is an international court of human rights. The international community is already familiar with the experiences of the European and the Inter-American Courts of Human Rights, whose pronouncements are issued either as consultative opinions or as settlements of conflicts between individuals and states. Although in the case of the Inter-American Court the individuals are represented indirectly. Resolutions of both courts have become an important barrier erected against human rights violations through imposing reparations demanded by a sense of the supreme value of justice. Can any valid reason be advanced for not establishing a similar court for the benefit of all nations and human beings?

On the other hand, one of the most important incentives for the non-observance of the fundamental rights is the impunity of human rights offenders. "Any person who perpetrates an act, which constitutes a crime against international law, is responsible for that action and shall be subject to punishment." So reads one of the principles of international law, acknowledged in judgements at the Nuremberg Tribunal. That is why it becomes ever more urgent to establish an international criminal court, on a permanent basis, which may insure perfect impartiality for both the accusers and the accused with a regular and expeditious procedure may judge war crimes, crimes against peace, crimes against humanity and massive and systematic violations of human rights, which because of their gravity must be addressed.

Seventh, Madame President, the capital punishment is a subject that has divided humanity and has been of concern throughout history. There has been a long-standing debate on the matter of its abolition. It seems rather unrealistic to plead today for complete abolition. However, a temporary suspension for a period of five years would allow us to assess whether what the supporters of capital punishment argue is true that its abolition would produce an increase in crime. Therefore, my delegation suggests that at the end of the moratorium period there be an assessment made of the effect such a measure had on the crime rates. And if at the end of these five years it can be demonstrated that there has been no increase in delinquency, then a decisive step will have been taken towards the abolition of capital punishment.

Eighth, my delegation is also concerned with the situation of discrimination and violence against women, both in times of peace and in armed conflicts. It is incumbent upon states to adopt measures to prevent and punish these actions. For my government, a strengthening of democracy requires ensuring equal opportunities for men and women and granting their rights as equal members of society. The Optional Protocol to the Convention for Elimination of All Forms of Discrimination against Women is a priority task today.

Ninth, Chile, as a multiracial country, values the contributions its indigenous peoples have made and continue to make to the Chilean identity and culture and to those of the humanity as a whole. The time is ripe to acknowledge the injustices committed against them over so many centuries. The proclamation of an International Year of Indigenous Peoples and the drawing up the Universal Declaration of the Rights of Indigenous Peoples, demonstrate the interest of the international community for justice that includes full and free participation of indigenous populations in all aspects of society, including, obviously, those which affect them directly. Similarly, for the first time in our history, the government of Chile has abandoned its policies of assimilation, switching to a policy of participation and collaboration, to which all indigenous organizations have been invited - although unfortunately one of them opted out - in order to plan together strategies for the development and recognition of indigenous cultures.

Madame President,

Thousands of millions of human beings have their eyes and their hopes turned towards this Conference. They expect from us serious debate on subjects that are important for their lives. They want to feel that the words, "State," "United Nations," "Universal Declaration," "Conventions," "freedom," "justice," "dignity," really belong to them, have real life. They want this World Conference to be "their Conference," in which their anxieties are reflected and the inequities they suffer are properly dealt with. When we finish our work, they want to feel they have gained greater freedom and greater hope.

My delegation urges all who participate in this event to help ensure that those hopes are not dashed.

Thank you.

[Change of president]

Mock, Alois (President):

I thank His Excellency for his statement. I now give the floor to His Excellency Mr. George Wohlfart, Secretary of State for Foreign Affairs, Trade and Cooperation of Luxembourg. Excellency, you have the floor.

WOHLFART, Georges (Luxembourg), spoke in French:

Keywords: INTERNATIONAL INSTRUMENTS - NON-GOVERNMENTAL ORGANISATIONS - DEVELOPMENT – HUMAN RIGHTS PROTECTION - UN. Centre for Human Rights - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS - YUGOSLAVIA - BOSNIA AND HERZEGOVINA

Mr. President,

First of all, on behalf of my delegation, I should like to congratulate you very warmly upon your election to the presidency of this important World Conference. I should also like to thank the government of Austria for its hospitality.

Mr. President, Excellencies, ladies and gentlemen,

The end of the cold war has opened the door at an almost global time towards the establishment of more democratic governments concerned with the rights of their citizens. The era of Gulags is over and many political prisoners have been released. Some of them today have assumed important political duties.

However, despite the certain progress too many regimes throughout the world still today base their power on oppression and the negation of their people's most elementary rights.

I denounce torture, which today is rampant in many states. Likewise, I must denounce racial and ethnic discrimination, religious fundamentalism and xenophobia. Any human rights violation is, indeed, unacceptable.

In this context, I should like specifically to salute the courage of and pay tribute to the Minister for Foreign Affairs of Germany Mister Klaus Kinkel who did not hesitate to firmly condemn from this tribune the criminal arson of foreigners' homes in his country.

Mr. President,

It is with determination that the authors of the Universal Declaration of Human Rights were able in 1948 to codify fundamental principles for humanity. Principles to be respected by those who hold the reins of power. Another important step was taken in 1966 when the Covenant on Civil and Political Rights on the one hand and the Covenant on Economic, Social and Cultural Rights on the other were signed. By ratifying them or adhering to them the states commit themselves vis-a-vis other states to respect all these rights. This commitment is verified through the consideration of periodic reports on the implementation of each covenant that states must submit to Committees created for this purpose.

Similarly, the United Nations has developed very valuable instruments against slavery, genocide, torture and racial discrimination. Other protective instruments were elaborated for refugees, stateless persons, indigenous populations, women and children.

Unfortunately, almost one third of United Nations Member States have not yet ratified these covenants or international instruments. I believe, a re-evaluation of reservations entered by State Parties is called for.

Mr. President,

It is paramount to pursue an ongoing policy of education and information, not only at the world's scale but also at the regional and national levels.

An important role in this context is incumbent upon the non-governmental organizations. I should like to commend their bold and patient activity. I must underscore the need to guarantee them throughout the world, in all countries, freedom of access, movement and expression. Non-governmental organizations play, indeed, a preponderant role in promoting the respect for human rights.

Mr. President,

We must note that too great a part of humanity still lives under terrible economic and social conditions. In this connection, I personally think that there is a close interdependence between human rights and development. Respect of civil and political rights is inseparable from that of economic, social and cultural rights. The protection of human rights and development must be ensured in parallel.

Such an approach has the best chances of success in a democratic, representative and a multi-party system. In this connection, I should recall the Declaration of the European Council of Luxembourg of 1991 which, inter alia, stipulated that any sustainable development should be focused on men as the subject of human rights and beneficiary of development.

In this context, I should like to draw attention to the excellent report of the UNDP this year on human development, according to which we must note

whereas important progress and human development has been achieved in the past three decades, the fact still remains that it is exclusion persists. More than 1 billion of the world's population languishes in abject poverty. Twenty percent of the poorest people are discovering that twenty percent of the richest have an income exceeding 150 times their own.

Mr. President,

The United Nations activities in the field of human rights have multiplied and become more diverse. The United Nations has put an end to internal conflicts by organizing and supervising free elections, such as those in Namibia and Nicaragua. In Salvador it verifies the implementation of agreements concerning the respect for human rights concluded under its aegis and contributes to the establishment of new administrative structures. Pride of place is, thus, given to human rights and the restoration and maintenance of world peace and security.

Increasingly, the UN renders electoral assistance to new democracies. I support the proposal in this context of the Secretary-General to extend the Organization's support activities to establishing free medias, political parties, independent judiciaries, independent unions as well as non-governmental organizations.

This evolution would be, without doubt, facilitated by close cooperation with specialized regional organizations such as the Council of Europe. The United Nations can avail itself of the best experience acquired by these organizations to facilitate the transition towards democracy and achieving genuine protection of human rights.

The report of the UNDP on human development also highlights this unacceptable situation that afflicts minorities, particularly women, rural populations, ethnic minorities, the disabled and the poorest segments of the population. I dare formulate the hope that the Organization will be able to strengthen its action in favor of these groups.

Mr. President,

I should like to associate myself with the previous speakers, inter alia, the Danish Presidency of the Council of the European Communities, advocating that this Conference adopts a concrete plan of action to promote and protect human rights.

This plan should, by priority:

Firstly, strengthen the means and capacity of the Centre for Human Rights; this strengthening means a necessary restructuring and clear delimitation of its activities. It also, of course, implies making available budgetary resources for the Centre.

In this connection I must announce that my government intends to make additional financial means available to such a restructured Centre.

Secondly, designation of a High Commissioner for Human Rights connected with the Centre, who would be entrusted with coordinating all human rights activities in the United Nations.

Thirdly, establishment of an international tribunal for human rights violations, the one created for the former Yugoslavia constitutes only the first step in this direction;

Fourthly, strengthening and creation of necessary machinery for the protection of vulnerable groups, minorities and indigenous populations;

Fifthly, strengthening of the monitoring machinery for the Covenants on civil, political, economic, social and cultural rights;

Sixthly, elaboration of a plan for the eradication of torture;

and seventhly, recognition of the action of NGOs and guarantee them freedom of action and movement.

Mr. President,

We are witnessing in the former Yugoslavia the persistence of massive and systematic human rights violations. A fratricidal and deadly war is being waged in Bosnia and Herzegovina. This tragedy illustrates well the urgency for the United Nations to endow itself with effective machinery to put an end to these violations and to these crimes so eloquently described in Mr. Mazowiecki reports.

These acts must be condemned in the strongest terms by the international community. I consider, that once and for all these atrocities must be put to an end.

The perpetrators of these acts must be held responsible for the crimes against humanity. The international community must bring all necessary pressure on parties to the conflict and compel them to end the fighting and accept a negotiated solution on the basis of the Vance-Owen Plan.

It must make necessary efforts for the implementation of Resolution 836 of the United Nations Security Council establishing security zones. It is, simply, a question of the political and physical survival of the Muslim population.

Mr. President, Excellencies, ladies and gentlemen,

Since the adoption of the Universal Declaration of Human Rights forty-five years ago, an incontestable progress has been achieved, however, the tragic events of recent months and years in the former Yugoslavia demonstrate in the most potent manner that today, more than ever before, it is urgent that a concrete plan of action must be adopted for increased protection of human rights.

Mock, Alois (President):

I thank His Excellency for his statement. I now give the floor to His Excellency, Mr. Fathulla Jameel, Minister of Foreign Affairs of the Maldives. Excellency, you have the floor.

JAMEEL, Fathulla (Maldives):

Keywords: CULTURAL PLURALISM - CHILDREN - WOMEN - ENVIRONMENT - DEVELOPMENT - TERRORISM - INTERNATIONAL OBLIGATIONS

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

At the very outset I would like to congratulate you, Mr. President, on your election to preside over this very important meeting. I would also like to express my profound gratitude and deep appreciation to you and to the government of Austria for the excellent arrangements made for the Conference and the warm hospitality extended to us.

I am confident that with you to guide us we will be able to discharge the onerous responsibility that has been entrusted to us by the peoples of the world in a manner compatible to their expectations.

Let me also pay tribute to the distinguished Secretary-General of the World Conference, Mr. Ibrahima Fall, a friend and a distinguished individual committed to further the cause of human rights throughout the world. I should also like to express our appreciation to the Chairperson of the Preparatory Conference Madame Halima Warzazi.

Mr. President,

It was twenty-five years ago that the first World Conference on Human Rights was convened in Teheran to identify the main obstacles to the full implementation of human rights at both international and national levels. Since then major changes have taken place in all fields of human development. Yet it is sad to see that most of the issues discussed in Teheran remain as valid today as they were then. Ancient evils are still with us, while new forms of discrimination and degradation continue to emerge in various guises. Religious and ethnic intolerance, social and economic repression and deprivation are still wide spread. Torture under occupation and in detention, gender-based violence and discrimination, abuse of children and other vulnerable groups and actions causing environmental degradation are also extensively practiced. The recent increase in occurrences of new forms of violations including neo-Nazism, xenophobia and ethnic cleansing have shocked the international community. These are some of the issues and problems we need to address.

Today, we are gathered here for the second World Conference on Human Rights. We have been asked to review and assess progress and setbacks in human rights since the adoption of the Universal Declaration of Human Rights and examine the relation between development and the enjoyment of these rights and evaluate how to improve the implementation of existing human rights standards and the effectiveness of methods and mechanisms to implement them. This is an enormous responsibility which we cannot and we should not fail. However, the successful discharge of this responsibility lies in the manner in which we address the issues before us. We need to be both sincere and realistic in our endeavor. There cannot be, nor should be, any hidden agenda.

Mr. President,

While we are trying to reaffirm the universality of human rights and to establish common standards for these rights, we should not fail to recognize the reality that the world in which we live is diverse in its cultural heritage. The international community is a mosaic of different religions, cultures, languages, ethnic groups and many other characteristics. The rights of individuals as well as communities to retain, pursue and develop values of their own choice must be recognized. This itself is the one reason why the term "tolerance" has such a high usage in the human rights vocabulary. Therefore, we the representatives of the nations gathered here today, should be the first to demonstrate to our citizens all around the world that the word "tolerance" is not used here as mere rhetoric.

We should recognize that while the fundamental human rights are universal in nature, they must be considered in the context of a dynamic and evolving process of international norm-setting bearing in mind the significance of national and regional particularities and various historical backgrounds. At the same time, let me state emphatically that such diversity or differences shall never be a justification for actions that degrade or debase the dignity of a human being.

Mr. President.

The promotion and encouragement of human rights and fundamental freedoms appear in Article 1 of the United Nations Charter. The emphasis on the issue of human rights by the authors of the Charter is clearly demonstrated by this. It is not only the UN Charter which addressed the principal issue related to the dignity of the human being but history is full of initiatives aimed at restoration of human rights. All these initiatives were taken against the background of suppression and abuse of the inalienable rights of human beings including their basic freedoms. We are all here today under no less circumstances. We believe that it is incumbent upon us to avoid the application of standards that by themselves deny the rights of all or suppress the choices of few in the realization of human rights. It is imperative that if we are to achieve meaningful progress, we should take this opportunity to reaffirm the interdependence and indivisibility of economic, social, cultural, civil and political rights, and the need to give equal emphasis to all categories of human rights. We should at the same time be careful that the occasion is not misused by a few to impose uniformity in human behavior and thinking rather than emphasizing on the concept of universality.

Mr. President,

The future of our nations and of this world lies with our children. It is our duty to protect the rights of the citizens of not only today but also of tomorrow. By nature, the citizens of tomorrow are a vulnerable group today and are not able to fend for themselves. In the Maldives this group accounts for more than 50 percent of our population. Thus, it is our belief that all human rights begin with the rights of children.

During the past several years child rights have moved from the sidelines to the mainstream. Today, we not only have the Convention on the Rights of the Child as an instrument of international law but it has also been ratified by more countries than any other human rights treaty in so short a time. Maldives is among those who have seriously embarked on protecting the rights of the children by

ratifying the Convention on the Rights of the Child, enacting appropriate legislation and establishing mechanisms to monitor and implement the legislation.

Mr. President,

A society will only be able to function well, when all individuals in that society enjoy equal rights. It will be deficient if one group, be it male or female, is suppressed against the privileges of the other. It is disappointing to note that despite the fact that all major religions and cultures recognize the equality of human being, gender-based violence and discrimination still exist. This question needs to be more comprehensively addressed. Maldives is committed to the promotion and protection of the rights of women through the guarantee of equal participation in the political, social, economic and cultural concerns of the society and the eradication of all forms gender-based violence and discrimination.

We need to make our societies more compassionate. Our societies comprise not only of the fortunate majority but also of groups who are vulnerable by nature. The disabled, the aged and the other such groups should also be regarded as an integral part of our societies and their rights fully guaranteed. We should be sensitive to their needs and should address ourselves to these issues.

Mr. President,

There is no right more essential to human being than the right to its own survival. In this context, the right to a clean, safe and healthy environment has become synonymous with the right to survival. This cannot be truer than in the case of our own nation. We are told that as a result of the global warming and sea level rise the Maldives may, sometime during the next century, disappear from the face of the Earth. The Maldives, as one of the least developed, small island nations had contributed absolutely nothing to the degradation of the world's environment, the grave consequences of which we have been compelled to face.

I stand here today, Mr. President, and appeal to the international community to recognize that we, the Small Island States have the same right to survival and protection as any other member of this community. I should also like to take this opportunity to appeal to the international community to urgently ratify the Climate Convention and the Biodiversity Convention and implement the provisions of the Agenda 21, which was agreed in Rio last year.

Mr. President,

A key factor contributing to the full enjoyment of human rights is the existence of a democratic environment and good governance when equality among the citizens and the rights of participation in political life is guaranteed. It is also essential that this process of democratic government should stem from the people themselves who have the right to freely choose their government and set the standards for its performance. Articles 5 to 19 of the Constitution of the Maldives, which begins with the guarantee that "All Maldivians shall be equal before the law," fully guarantees all the basic rights of its citizens. According to Article 20 of the Constitution, "All powers of the administration of the state originate from the people." The Republic of Maldives, by its Constitution and tradition is fully committed to the principles of democracy and good governance.

Mr. President,

The right to development and to improve the living standards of the peoples of a nation is similarly important because it will liberate the human being from the fear of ignorance, disease and underdevelopment. The right to development has been recognized by the United Nations in 1986. Undoubtedly, development and economic advancement leads to an environment of peace and stability, which are both an essential ingredient for the full enjoyment of human rights. Free trade and international cooperation are at the same time vital for the achievement of economic development of the less developed countries.

Knowledge and education are another key factor in the full enjoyment of human rights in any society. It is indeed fair to say that one may pass numerous legislations to protect human rights, they are of no good to any one unless these laws are honored and implemented. In order to honor and implement such laws the spirit of it should be instilled in the individual within the society. In this connection, Maldives fully supports the efforts being made to increase the awareness of the respect for human rights throughout the world.

Mr. President,

Recent history has proved that terrorism and mercenaryism has emerged as one of the most dangerous threats to the enjoyment of human rights and democracy threatening the territorial integrity and security of states and destabilizing legitimately constituted governments. The international community should unequivocally condemn all such activities whether carried out by individuals or states and send an unambiguous message that these inhuman activities will not be tolerated and that those who commit these crimes would not be able to take refuge in any country and will be severely punished.

Mr. President,

There is a pressing need to improve international mechanisms in the field of human rights in order to more effectively carry out the mandate entrusted to them and make their work more credible. Human rights should not be a monopoly of an organization or an individual. It is a universal heritage to be enjoyed by individuals and communities alike. While treaties and other international instruments reinforce the concept of universality and the mechanisms for monitoring the implementation of these instruments and investigating situations of abuse and violations and discrepancies are developed, we should be prudent not to give the authority to pass judgement on their behavior to a single body or person unless there are guarantees that such bodies represent the collective view of the human society and that the process of judgement bears the indisputable standards of fairness.

Mr. President,

My country feels that this Conference is yet another important step forward in our endeavors to fully guarantee the rights of all individuals and communities around the world. However, we must not be complacent with the fact that the Conference has taken place. The work that lies ahead of us is important, as the work and effort we all have put into preparing for this Conference. Mr. President, it is my fervent hope that in our honorable task of ensuring the rights of all human beings in all corners of the world we shall be guided by the noble principles and objectives enshrined in the Charter of the United Nations.

I thank you, Mr. President.

Mock, Alois (President):

Thank you very much for your statement. I now give the floor to Her Excellency, Mrs. Virginia Tsouderou, State Minister for Foreign Affairs of Greece.

TSOUDEROU, Virginia (Greece):

Keywords: NATIONALISM - ETHNIC CONFLICT - RULE OF LAW - DEVELOPMENT - INTERNATIONAL INSTRUMENTS - INTERNATIONAL OBLIGATIONS - UN System - NON-GOVERNMENTAL ORGANIZATIONS - WOMEN

Mr. Chairman,

At the outset, allow me, on behalf of the Greek government, to wholeheartedly congratulate you on your well-deserved election. Our congratulations go also to the other distinguished members of your Bureau. Your qualifications and experience serve well the cause of the Conference.

May I be allowed to express our deep thanks and appreciation to the Austrian government for the tireless efforts they have made to ensure the successful preparation of this International Conference, which is of paramount importance.

Mr. Chairman,

Further to what was stated by the Danish Foreign Minister in his capacity as the President of the Council of Ministers of the European Community, I would like to add the following remarks. There are danger signals on the horizon. In the conference corridors there is too much talk of disagreements, too little on points of convergence.

No doubt every country places its priorities according to its own needs. But we should agree on the universality of our principles, and at the same time acknowledge that their implementation cannot be achieved without economic development and political democracy.

But worse than the differences in outlook, is the fact that the world, created after the fall of the monolithic regimes, has created situations where all basic human rights are being flagrantly violated.

We are witnessing a volcanic burst of chauvinism blind to the respect of human life, to the rule of law, to the right of building through self-respect of all a stable world in which differences are resolved at the table of negotiations and not in the battlefield.

We are paying, if I may be blunt, for condoning hypocritical or double standard behaviour by the international community towards similar problems that had taken place sporadically before the cataclysmic changes took place.

Only too often UN resolutions were not implemented and the culprit continued to be accepted in our midst without suffering special sanctions. Invasion and ethnic cleansing in recent history drew only a series of UN resolutions, which remained a dead letter. A bad example indeed to present-day violators of the rights of others.

Today the cataclysmic changes we have witnessed have led to other scourges in our international community. We would not be paying homage to all those who for years have fought to impose the rule of law and respect of human rights if we did not underline the fact that extreme chauvinism and short-sighted economic interest have led to downright breaches of the universal principles of human rights.

The negation of the basic right of life in these regions has also presented the world community with another problem of human distress. That of refugees or displaced persons. Millions of peoples leave their land of birth seeking safe havens and economic security.

Ethnic clashes, economic insecurity are the main causes. The result is the same. Degradation of individual self-respect, exploitation of man by man, violence. All these we had tried to eliminate in

our privileged societies. Now we are faced with a dilemma. By boat or land, masses of scared peoples are asking for a safe haven, a right to live.

And while all this is happening, other governments or individuals are using in ever increasing instances the principles of human rights to serve their own political aims.

We must beware. Individuals in position of power use our principles only too often to promote insidious policies for aims which have nothing to do with the respect of human rights. We must beware of such misuse. No government, no individual, which does not give proof of respect of human rights within one's own country, cannot claim to be a judge of acts in another society.

Having said that, my government believes that the Conference can and should contribute to enhancement of the rule of law in international relations. Finally, the Conference could reaffirm that the essence of all human rights activities, is the effective protection of individual victims.

The universal and indivisible character of human rights should be reaffirmed. Universality of human rights does in no way mean lack of respect for pluralism and diversity of cultures worldwide. On the contrary, respect for cultural diversity will grow in conjunction with an enhancement of the universal validity of human rights. Any attempt aimed at fragmenting and undermining the universal nature of human rights by introducing national and regional concepts of divergent values should be averted.

We believe that democracy is necessary to secure full respect of human rights. On the other hand, the interrelationship between human rights, democracy and development should be stressed here. The positive role development can play in the full realization of human rights and fundamental freedoms should also be recognized. Finally, the promotion of human rights as an integral part of democracy, sustainable economic and social development should be acknowledged and endorsed together with the major role of the individual as an active subject and not as a passive object of development.

As far as standard setting or legislation in the field of human rights is concerned, the legal framework of human rights has been considerably enriched in the course of the last decades and should be considered as nearing completion. Mention should be made in this respect not only of the International Bill of Human Rights and of the two Covenants but also of the impressive volume of other international documents in particular of those providing protection against all forms of racial discrimination, apartheid or anti-Semitism, discrimination against women, torture and other cruel inhuman or degrading treatment or punishment. In this context, we feel that we should not fail to omit the depth of human tragedy, which is caused by the missing persons in various countries.

Valid norms and principles are already in place. What is needed today is progress in their implementation. The responsibility of governments for any lack of implementation is of legitimate concern to the international community. Such a concern cannot be considered as intervention in other countries' internal affairs. We need effective ways of monitoring and implementing Human Rights. Not government representatives but highly qualified, generally esteemed individuals, should form body to promote and protect the correct implementation of our decisions.

We note with interest the work done by the monitoring bodies such as Committees, Rapporteurs, Working Groups, etc. The role played by the Centre for Human Rights as a focal point for human rights within the United Nations is also to be commended. However, we note with concern the inefficiency of existing mechanisms owing to the relative lack of resources. We are particularly concerned by the growing disparity between the mandates of the human rights programs and the human, financial and other resources available to carry them out. Closer cooperation among the various bodies of the United Nations system would certainly be beneficial.

Careful consideration and study combined with detailed analysis should also be given to the idea of establishing a post of Under-Secretary-General or High Commissioner for Human Rights.

Close cooperation should be established with regional organizations such as CSCE and the Council of Europe. This will lead to effectiveness and reduce waste of resources.

Another point to be addressed by the Conference is that of the valuable role played by non-governmental organizations, which contribute immensely to our knowledge of human rights violations worldwide. If the dialogue with NGOs were to be deepened it would prove mutually beneficial. In the same context, one should not forget the contribution of individual human rights defenders as well as the mass media to the promotion and protection of democracy and human rights worldwide.

Mr. Chairman,

The status of women's rights is another issue the Conference should focus upon. My government seconds the remarks made this morning by the Secretary-General for the Conference of Women's Rights. The Conference should welcome the decision of the Commission on Human Rights to consider the appointment of a Special Rapporteur on violence against women at its fiftieth session. We need a preventive programme. Violence, in addition to animal instinct is also based on culture. A cultural revolution in this respect is needed. We also strongly deplore the practice of violence against women as an instrument to promote political aims.

In conclusion, Mr. Chairman, we would like to reiterate our sincere hope that this Conference will be able to overcome its obvious difficulties, which we all note and set amongst the major goals of the United Nations Charter, that of human rights together with peace and development. It is only then, that it will be possible to achieve our ultimate goal that is to create a more secure, just and prosperous world for everyone.

Thank you, Mr. Chairman.

Mock, Alois (President):

Thank you very much for your statement. I now give the floor to His Excellency, Mr. Farouk Al-Shara', Minister for Foreign Affairs of the Syrian Arab Republic. Excellency, you have the floor.

AL-SHARA', Farouk (Syrian Arab Republic) spoke in Arabic:

Keywords: ARAB COUNTRIES – TOLERANCE - UN High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS - BOSNIA AND HERZEGOVINA - ISRAEL – SOVEREIGNTY

Mr. President,

It gives me a great pleasure to express in the name of the Syrian delegation our gratification at your Presidency of this important Conference held in Vienna, this beautiful historical capital. I am fully confident that your experience and your wisdom and your efforts and perseverance before the holding of this International Conference on Human Rights will be conducive to the success of our deliberations.

I would like to avail myself of this opportunity to express my thanks to the Secretary-General of the United Nations for his effort in reinforcing the role of the United Nations as well as the issues of peace and human rights. I wish to express our appreciation for the efforts that are being made by Mr. Ibrahima Fall, the Secretary-General of the Conference for the success of our efforts.

Mr. President,

Since the dawn of history, the issues of human rights have been in the forefront of man's continuous struggle against slavery and oppression in order to provide a dignified life characterized by peace, justice and freedom.

I wish to point out at the beginning of my speech that one would be mistaken to believe, either due to ignorance of history or because of ignoring history, that the issue of human rights is a recent phenomenon. Ancient cultures have dealt with human rights, one way or another. Some of them enacted legislations in this respect, the monuments of which are still engraved on stone, like Code of Hammurabi that dates back to over four thousand years. One would also be mistaken to believe that concepts and patterns of human rights can be imposed on other peoples since each people has its own history, and each nation has its legacy and its special civilization. Through dialogue it is possible to bridge the gaps between different nations, to harmonize their manifold value systems and to bring them closer to each other.

In this sensitive part of the world, through our long history, we have recognized that diversity would not lead inevitably to disagreement. Our land has witnessed the three revealed religions where peoples have lived in *rapprochement*. Therefore, the history has never witnessed the ethnic cleansing or religious cleansing as it witnesses now what take place in the middle of Europe or as it had witnessed what had taken place in the 15th century in Spain. The Arabs had known tolerance in its best forms, they have lived for hundreds of years in harmony without any discrimination on the basis of color, ethnic origin or religion. They also never tried - even when their authority was undisputed in the world- to impose by force on others their beliefs, concepts or traditions. In this historical context, those who are concerned about human rights issues during this era may know that the Arab Khalif Omar Ben Al-Khattab said over thirteen hundred years ago: Since when have you enslaved people while they were born free?

We do not claim, nor do we think that anyone can claim that we live in an ideal world as it was envisioned by prophets and social reformers, though we aspire like other people of the world to reach this noble goal. If there is any one in this World Conference for Human Rights, an individual, a government or a non-governmental organization, who may claim that they are living in an ideal system that they want to impose on other countries, we feel that such a claim would render them liable to bear an immense responsibility; and we do not believe that they are capable to shoulder or fulfill it in the most ideal manner.

It seems to us that it is self-evident that the fulfilment of such a responsibility requires that principles be put above interests in all circumstances. First, the non-resort to double standards should be avoided in dealing with the violations of human rights whether these violations were committed by a friendly or unfriendly state, in the West or in the East or in the North or in the South. Secondly, to deal strictly with the racial laws and practices in the forefront of which is ethnic cleansing and mass deportations; thirdly, not to discriminate between the fundamental freedoms of man: social, economic and political, which means providing bread and medicine to each and every hunger stricken and ill person similar to providing an independent attorney and a fair trial for every one charged. Fourthly, not to use arbitrary, undemocratic means in international relations under the pretext of defending the rights of the individual and democratic values. Since the free will of the international community is the result of the free will of individual states. Last but not least, priority should be accorded in dealing with human rights issues to the violations that are more serious, common and horrifying.

Mr. President,

We are strongly convinced that when these principles, concepts and requirements find their way to implementation in an honest and proper fashion they will receive the support and respect of all the peoples in the world. In that case we shall not find a single state in the World Conference, especially among developing nations, that might object to the appointment of a High Commissioner and the establishment of an international court for human rights. A look at the deliberations of Heads of States and governments of Non-Aligned Countries during the last summit in Jakarta convened last

September, demonstrates that more than one hundred developing countries adopt these principles and concepts and that the serious concern of these countries is fixed on the lack of commitment on the part of the developed and influential countries in their foreign policies to these principles, concepts and requirements, which are at the core of the United Nations Charter, the Universal Declaration on Human Rights, the Covenant on Civil and Political Rights and the Covenant on Social, Economic and Cultural Rights.

The real challenge that is facing the world today, both as peoples and individuals, is not to look for more covenants and instruments to improve the situation of human rights nor to create new mechanisms to implement these covenants and instruments but to provide the political will and faith without any hypocrisy in the principle that people are equal in the eyes of international law regardless of their color, race or religion.

In this context many questions arise. These questions might seem at a first glance hypothetical but they in essence shake man's conscience and threaten his fate. First, one cannot help wondering whether the Bosnian Muslims who have been subjected for over a year to ethnic cleansing, mass displacements and rape, had they been from another race and faith would this massacre have lasted until now?

The second question, if the Israelis were the ones to be subjected in thousands at the hands of the Arabs to internment, torture and mass displacements, if their children were killed on a daily basis, if the lands were used for settlements for any reason whatsoever, be it security or political, would the world have stood tight handed all these long years doing nothing?

The final question, if the Arabs had at the possession what Israel has of weapons of mass destruction: nuclear, chemical and biological and if they had the capability to produce and manufacture all sorts of weapons from the tanks to missiles as Israel does, or were they to refuse to ratify the Treaty for the Non-Proliferation of Nuclear Weapons and refuse the international inspection of their nuclear installation as Israel does, would it have been possible for this situation to continue without any international deterrence?

The only answer friends of Israel in the Western capitals offer to all these dangerous Israeli violations is the claim that Israel is doing all this because it is the victim and the Arabs are the aggressor. Here we wonder once more whether history, both ancient and contemporary, has ever witnessed such a mighty and arrogant victim, a victim that ironically occupies the lands of others by force, expels more than half of its legitimate population, builds settlements on it, challenges the United Nations resolutions and behaves as if it is above all human beings and above all laws.

In the light of this inhuman reality where racism is practiced more in the dark than in the open and where historical facts are falsified and known openly, events are distorted, we wonder how the credibility and the justice of the new world order be trusted or how can we put our trust in the proposed mechanism for strengthening the process of human rights.

What this Conference is asked to do prior to appointing a High Commissioner and establishing an international court to look into the violations of human rights in the world, is to reach an agreement though a dialogue on yardsticks and rules, which ensure the non-infringement upon state sovereignty, territorial integrity and to preserve the rights of its people regardless of their color, race, religion or language. All this requires such courage and political will more than juridical skills and a legal wrangling.

Mr. President,

Despite this gloomy picture of the situation of human rights in the world we remain truly optimistic as to the future for history does not regress. When we look into the past and see how most people were

drowned in darkness, ignorance and illness we realize to what extent the present is better than the past and that the future will certainly be better than the present.

My country, Syria, which is committed to the Universal Declaration on Human Rights and which participated in the formulation of international human charters and covenants and reflected in its different legislations and laws the humanitarian yardsticks, which are embodied in these charters and covenants, will participate side by side with the international community to bring about a more secure, stable, prosperous and peaceful world for every human being anywhere.

May the peace and the mercy of God be upon you. Thank you.

MOCK, Alois (President):

Keywords: WOMEN STATUS – WOMEN’S RIGHTS – WORK ORGANIZATION - World Conference on Human Rights (1993 : Vienna)

I thank His Excellency for his statement.

[spoke in French]

Excellencies, ladies and gentlemen,

The United Nations have chosen the 17th of June each year to commemorate the International Day of Women. The fact that the 17th of June of this year falls during the Conference on Human Rights seems to me particularly significant. Since the beginning of our Conference, the situation of women was at the heart of our debate for the role they play and for the price they paid and continue to pay for the cause of protection of human rights. I should, therefore, like to pay tribute to women, all women of the world, and to assure them that the process for greater equality is ongoing and will not be interrupted. We cannot speak of respect for human rights as long as there is no respect for women, as long as women do not play their proper role in society. I should also like to thank women for the important roles that they have played in the preparations for this Conference. Their dynamism and their conviction have greatly contributed to making this Conference a success. I am convinced that their voices have been heard and that the Conference in its final act will echo their concerns so that all violations of women's rights cease and so that a world is created that is more just for all, regardless of their sex or a group they belong to.

[spoke in English]

Furthermore, I wish to announce that the list of speakers, having been closed, the Bureau has now received a complete list of speakers. This list covers all participants at this Conference including a number of non-governmental organizations. It is my intention to consult the General Committee in this regard in its meeting tomorrow morning. Since some of these speakers had inscribed to speak during this week but have not had the opportunity to do so up to now and, particularly taking into account our theme that today focuses on human rights of women, I am adding a number of speakers to today's list. I shall ask these speakers to limit themselves to five minutes. That means: Women in Law and Development in Africa, Asia-Pacific Women in Law and Development, Global Women's Tribunal, World Jewish Congress, Unity of Men, IRCT and Human Rights Watch groups.

I now give the floor to His Excellency, Mr. Soeshiel Girjasing, Minister of Justice and Police of Suriname. Excellency you have the floor.

GIRJASING, Soeshiel (Suriname):

Keywords: DEVELOPING COUNTRIES - HUMAN RIGHTS PROMOTION - ECONOMIC CRISIS - SURINAME – INTERNATIONAL INSTRUMENTS

Mr. President, distinguished members of the delegations, ladies and gentlemen,

It was twenty-five years ago, a quarter of century, that at the World Conference held in Teheran the international community urged all peoples and governments to dedicate themselves to the principles enshrined in the Universal Declaration of Human Rights and to accelerate their efforts to provide for all human beings a life consonant with freedom and dignity and conducive to physical, mental, social and spiritual welfare.

This consensus has been instrumental in guaranteeing to mankind a sense of dignity, pride and protection in order to be able to fulfil its plight as master of this world, guaranteeing this planet and its peoples for the future to come. This consensus has been during the past twenty-five years the significance of human rights has always been of major concern to the international community and has resulted in the adoption of various legal instruments. Whereby, we have witnessed success and failure in upholding what was agreed upon.

In the past twenty-five years, there has been tremendous changes in the economic and political field all over the world. To mention a few: the end of the cold war; the emergence of new states; globalization of the international economy with emergence of new economic blocks and most important the integration efforts by states as a consequence of greater interdependency between themselves.

Despite these developments, the international community faces not only a further marginalization of the developing countries vis-a-vis the rest of the world but also challenges in the area of poverty and internal political tensions resulting in mass and gross violations of human rights.

All the political and economic changes have had a great impact on the interactions between peoples, between states and peoples and among states and have compelled the world community to face a multitude of other major challenges: those of development, promotion of democracy and human rights.

This Conference is an appropriate forum to discuss these questions. It will provide an opportunity to review the progress made in the field of human rights since the adoption of the Universal Declaration, to identify obstacles to progress and to identify operational guidelines for implementation activities and most important to analyze in what we should redefine and compel the guidelines accepted in 1948.

Mr. President,

Let me seize this opportunity on behalf of the government of the Republic of Suriname to congratulate you on your assumption of presidency of this Conference and the other members of the Bureau on their election. It is also certainly my greatest pleasure to thank the government and people of Austria for their generous hospitality. The city of Vienna, with its great history and cultural heritage is certainly a most appropriate place to embark on attempts. To redefine the place of human rights in our contemporary world.

Today, Mr. President, we focus our attention on a crucial and sometimes strident debate on what should constitute human rights and how to improve the mechanisms to guarantee those rights. There is a general consensus among members of the United Nations that guaranteeing human rights is of fundamental importance and accordingly affirm their citizens' freedom to exercise their human rights within the framework of the existing laws. The common commitment to guarantee the peoples' exercise of human rights is, however, given concrete expression in ways in which delineate the two poles of the current debate.

One of these poles places preeminent emphasis on the civil and political rights of the individual, and on the basis of that the protection of individuals' rights ensures protection of the society's rights. The other emphasis, the equal if not preeminent, necessitates the insurance of the exercise of people's economic, social and cultural rights as the basis upon which the full exercise of civil and political rights must be founded. Events in the world have frequently provided the occasion for such of the debate on human rights.

In the view of my government, conditions should be created whereby all citizens can enjoy the exercise of their economic, social and cultural rights equally with their civil and political rights. Let me stress that my government considers a clear connection between respect for fundamental human rights and economic and social development. Consequently, the question of a country's development cannot be separated from its implementation of respect for and the promotion of human rights. In this respect, we state unequivocally that there is a direct link between human rights, democracy and development.

The full enjoyment of individual rights requires material conditions of social and economic organization grounded in the idea of justice. Democracy is expressed through genuine popular participation and not through free elections and freedom of expression alone. Of course, there must be participation in the political process, but also active participation in education, access to economic and social opportunity and better standards of health, housing and nutrition, the so-called basic needs. In other words, the social and economic aspects of human rights are of far-reaching importance and should be carefully addressed by every state.

It is regrettable, however, that the developing countries cannot fully control their economy in today's circumstances. The world economic crisis has had a negative and harmful impact on the economies of the developing world and compounded our economic and social problems.

Although democratic governments have never ever been so widespread in our Latin American and Caribbean region, economic and social indicators have dramatically declined and poverty has remarkably increased.

Mr. President,

Special attention should, therefore, be paid in this context to the need for a concentrated development assistance effort, based on the principle that violations of human rights are a legitimate concern of the international community and that the human rights and democracy will contribute to little substance if social misery and underdevelopment are the fate of the great majority of the population of this planet.

Mr. President,

The government of Suriname has firmly committed to guarantee, enforce and expand the fundamental rights and freedoms of its citizens, however, in order to fully comprehend the trust of my government's policies with respect to human rights, it is necessary to understand its perception on this concept.

My government does not consider human rights as embracing only the fundamental civil and political rights and freedoms which laid down in our constitution. The economic, social and cultural rights of the people are, in the view of my government, of equal importance and are also reflected in our Constitution.

Suriname subscribes to and is committed to promote and enforce the rights enshrined in the International Covenant on Economic, Social and Cultural Rights adopted by the General Assembly of the United Nations on 16 December 1966. We are embarked on a conscious and deliberate programme of development in which is calculated to redress the neglect of economic, social and cultural rights of our people.

It is clear to us that no declaration, convention or constitution can on itself guarantee human rights but that it takes an awakened and conscious population, active non-governmental organizations and a principled government, which is committed to sustain and nurture the processes and structures within which the people may exercise their human rights.

Mr. President,

Even today, in many places around the world, individuals are terrorized and minorities maltreated. Cultural, religious, ethnic minorities, women, children, refugees and migrants are social groups frequently exposed to intolerance and have their most basic rights and basic needs violated.

Fortunately, a new perception has evolved in the field of human rights that focusses on the need for special protection for the most vulnerable groups in each country. Last year, my country Suriname became party to the International Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. Furthermore, we have enacted legislation by which sex discrimination of women is absolutely forbidden.

Only in societies that respect the value of the human person, irrespective of color, race, ethnic origin, creed or sex, fundamental human rights and equality can be meaningful for its citizens. By upholding the right of the individual we bring the welfare and dignity of men and women to the centre of our political preoccupations.

Mr. President,

The universal and indivisible nature of human rights is a principle that deserves general acceptance. All human rights must be universally respected.

Therefore, the developed world must also take in responsibility in the effort to strengthen economic, social and cultural rights of peoples with the same determination with which political and civil rights have been promoted.

Though every nation has the right to determine its own political and economic system and to preserve its cultural identity as shaped by its own particular historical experience, human rights should not be violated under any pretext whatsoever.

Selective implementation of human rights remains a major obstacle to the full enjoyment of human rights. The monitoring of human rights should be objective. For if not, we lose sight of the essential values that these rights represent, namely tolerance, respect and human solidarity. They should protect every human being without distinction.

The protection of human rights is also included in the broader concept of international security. Against this background it is imperative to work for measures and procedures that can increase respect for human rights throughout the world, both in developing and developed countries. We, therefore, believe that observance of the main international covenants is a fundamental condition for peace and progress.

Mr. President,

It cannot be denied that in the four decades since the adoption of the Universal Declaration of Human Rights, the international community has made important steps in ensuring respect for human rights and fundamental freedoms. Many provisions of the Universal Declaration on Human Rights have become binding and other legal instruments putting additional pressure on states for compliance.

However, Mr. President, scanning the planet from the north to the south, from the east to the west, the turbulence of the present times has marked the face of the Earth. The recent upsurge of civil strife and old hatred have added to the multiple forms of oppression within the human race.

The situation might be dismal but there is light at the end of the tunnel. The consensus acceptance of the human rights' international agenda and its constant consideration by governments give us hope that mankind pursuit for a better world for everyone will bear fruit one day. Endeavors for justice at this Conference will go a long way in sensitizing the governments and peoples to the need for a just world through the application of universally accepted human rights.

Mr. President,

The success of this Conference will depend on the unwavering commitment by the international community to implement in totality all its recommendations. The lack of political commitment has very often caused serious human neglect. Therefore, it is important to state that adoption of a declaration does not automatically result in its implementation. The outcome of this Conference should not be considered as another landmark of the history of mankind but we should make a concerted effort to ensure this implementation.

The government of Suriname sincerely hopes that the outcome of this Conference will be a stepping-stone towards a more effective implementation of human rights standards all over the world. For, Mr. President, let me stress it and let it be understood that we did not inherit this world from our forefathers but we have borrowed this world from our children. We, therefore, have to [inaudible] to give back to our children a world in which there will be peace, democracy, respect for human rights and fundamental freedoms and prosperity for all.

Thank you, Mr. Chairman.

[Change of president]

LEHMANN, Tyge (President):

I thank His Excellency for his statement. I now give the floor to His Excellency Mr. Thorsteinn Palsson, Minister of Justice of Iceland. Excellency, you have the floor.

PALSSON, Thorsteinn (Iceland):

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

Mr. President,

At the outset, allow me to express our appreciation for the kind hospitality provided to us by Austria and to associate myself with previous speakers in congratulating Foreign Minister Mr. Mock on his election to the Presidency of this important World Conference on Human Rights. I am confident that his diplomatic skills and leadership will lead the Conference to a successful conclusion.

It is the view of my government that the overriding objective and purpose of this Conference should be to strengthen the implementation and surveillance of human rights.

Our expectation of the World Conference should be realistic. The United Nations reflects, to a large extent, the world we live in. Experience demonstrates that the United Nations achieve the most when they act with the consent of the states.

Cultural relativism undermines the basic human rights principle of equal dignity of all human beings; women, men and children, whatever their race, gender or age. We should strive to understand a manifold cultural inheritance but never at the expense of recognized universal human rights standards. It is of paramount importance that the World Conference reaffirms the principle of universality and

indivisibility of human rights. The international donor community has increasingly placed the principles of human rights as one of the central elements in development cooperation. In order to avoid counter-productive confrontations between the peoples of North and South, we should base development cooperation on a constructive dialogue taking into account mutual concerns, including human rights and most importantly the wellbeing of the individual, who should be central to all development assistance. We are, therefore, particularly pleased with the decision by some donor governments to use development aid to strengthen national human rights infrastructures and to support initiatives for the promotion of human rights, democracy and the rule of law.

We should also address the plight of more than one billion people that live in extreme poverty and are denied the most basic human rights. We should promote international cooperation in the field of human rights, rise above our disagreement, act together and reaffirm that all human rights are interrelated and indivisible.

The promotion and protection of human rights is central to the activities of the United Nations. The past few years have been characterized by positive political developments, which have considerably increased the activities and workload of the Centre for Human Rights. This trend has, however, not resulted in substantial additional financial and human resources for the Centre. These resources must be increased if the Centre is to be able to provide effective advisory services and human rights monitoring.

One of the most important achievements of the United Nations has been the progressive development and codification of human rights. These agreements are today a part of international customary law, which reflects the legitimate interest of the international community for universal adherence for basic human rights. No state can claim that the concern of the international community for the respect of human rights constitutes interference in its internal affairs. Universal ratification and accession to international human rights treaties by all states is, however, a priority for the international community, which would strengthen the implementation of the international human rights agreements. It is, therefore, of the utmost importance for the World Conference to encourage all states to ratify human rights conventions and to withdraw reservations that run counter to their objectives.

The Commission on Human Rights has been one of the most important contributing factors in the international respect of human rights. Its political importance is incontestable and among its achievements is the creation of the special procedures - the thematic and country mechanism. It is important to seek ways and means to encourage cooperation around the machinery and to strengthen it.

We, nevertheless, feel that there is a need for an additional and more open mechanism to respond to gross human rights violations, especially in emergency situations.

The atrocities committed in the former Yugoslavia and other regions of the world underline the urgent need to explore the links between human rights and humanitarian law and ways and means to guarantee basic humanitarian standards in international conflicts and especially in the gray zone between civil wars and internal violence.

We see particular merit in the proposal to create a position of a special High Commissioner for Human Rights who would be endowed with greater capacity to deal with human rights emergencies and could coordinate the whole dimension of human rights in the various bodies of the United Nations. The post, however, would not be effective unless widely supported by states.

For the first time in history, it appears that the majority of governments in the world now adhere to the principles of democratic rule of law. There is also a growing recognition among states, that democracy and respect for human rights are a prerequisite for sustainable development and contribute to a more effective allocation of resources and equitable sharing of the fruits of development.

We welcome the increased emphasis of the United Nations on electoral assistance in a number of Member States. We would also like to underscore the importance of strengthening other aspects of democracy, such as independent judiciary, participation of NGOs, free mass media and respect for the rule of law and human rights.

Mr. President,

The Security Council is increasingly including the element of human rights as one of its priorities. This development should be welcomed and we believe that human rights should be coordinated effectively and integrated in all the bodies of the United Nations. We must act cautiously and avoid double standards. Impartiality must also be guaranteed to ensure the credibility of the United Nations.

It is deplorable that now, nearly fifty years after the Universal Declaration of Human Rights, we are still to ensure respect for these basic human rights. We are confronted with atrocities, which have deeply touched the conscience of mankind, including the violence of neo-Nazi movements against immigrants in many states of Europe and "ethnic cleansing" in Bosnia and Herzegovina, which recall memories of barbarous acts that the international community had promised coming generations would never be repeated.

The Second Decade to Combat Racism has come to an end. The Third Decade should be launched to deal more effectively with discrimination against vulnerable groups that have received increased attention in the past few years, in particular ethnic minorities, refugees and migrant workers. We hope, furthermore, that the International Year for the World's Indigenous Peoples will raise international awareness of their rights and discrimination against them.

The problem of implementation and supervision of human rights is, in part, related to the absence of an international court on human rights with universal compulsory jurisdiction. The tragic events in the former Yugoslavia have highlighted the need for sending a clear message to those responsible that they cannot act with impunity. We, therefore, fully support the resolutions by the Security Council to establish an ad hoc tribunal for war crimes in the territory of former Yugoslavia.

Mr. President,

We are of the view that abuses against women should be given special attention in the Centre for Human Rights and the various human rights bodies and mechanisms. We support the proposal to appoint a special rapporteur by the Commission on Human Rights to monitor violence against women.

The World Summit for Children proclaimed that children should have the first call on the resources of society for the essentials of their survival, protection and development. We continue to receive reports of abhorrent human rights violations directed against and involving children in all regions of the world and over 40,000 children die of hunger and malnutrition every day.

Human rights are especially intended to protect the rights of vulnerable groups such as disabled people. We fully support the adoption of standard rules for persons with disabilities.

The struggle for human rights would have carried less weight if it were not for the role of non-governmental organizations, which have made especially valuable contribution in the field of increasing public awareness, education and training. Their cooperation on national and international level should be facilitated and encouraged.

Let me conclude, Mr. President, by stressing the importance of education, training and information on the national and international level. Education for human rights is of paramount importance to promoting understanding, tolerance, friendship among the people of all nations and, thereby, further the maintenance of peace. Education should promote human rights culture and mutual understanding among the peoples of the world.

Mr. President,

Finally let me just emphasize that no compromises can be accepted on the principle of universality and individuality of human rights and that they are a matter of direct and legitimate concern of all. The preceding generation gave us the Universal Declaration of Human Rights and the Charter of the United Nations. Let us strive to give something to our children and succeeding generations, which they can be grateful for.

Thank you, Mr. President.

LEHMANN, Tyge (President):

I thank His Excellency for statement. I now give the floor to Her Excellency Madame Jacqueline Lohoues-Oble, Minister of Justice of the Cote d'Ivoire. Excellency, you have the floor.

LOHOUES-OBLE, Jacqueline (Côte d'Ivoire), spoke in French:

Keywords: CÔTE D'IVOIRE - HUMAN RIGHTS PROMOTION - WOMEN - MIGRANTS - DEVELOPING COUNTRIES

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

If I may at this stage of our discussions to join, with the rest of the delegation of Côte d'Ivoire whom I have the honor to lead, the distinguished speakers who spoke before me here at this rostrum to express to the government and the people of Austria our gratitude and sincere thanks for the very cordial and warm welcome that has been extended to our delegation ever since we arrived in this beautiful capital.

I am delighted with the choice of Austria, the land of asylum, which has always remained a haven of peace for refugees, seeking freedom, and of Vienna, its capital, whose prestigious name, a symbol of might and power of Europe, has always remained linked to the colossal task of codification of international law elaborated during the last decades by the international community.

Mr. President,

Since the adoption in 1948 of the Universal Declaration of Human Rights and after the Teheran Conference of 1968, it is for the second time that the international community has come together in all its diversity in order to talk about one of the greatest challenges of our time - respect and protection of human rights.

This Conference is taking place at a time when we have seen throughout the world an increase in infringement of human rights, whereas the hopes born of structural changes that have taken place in international relations recently, such as disappearance of blocks, the end of the cold war, democratization, had legitimately led us to believe in a new international order.

The Universal Declaration of Human Rights is the first instrument that affirms that the respect of human rights is at the very basis of harmonious development among states.

We have come a long way, in fact, since the time when certain individuals because of their rank in the society could legitimately deprive people of life or subject them to humiliations and inhuman treatment in total impunity!

Notwithstanding a large number of conferences already devoted to multiple aspects of human rights, some of which resulted in adoption of two international covenants on human rights, it is clear that the problem of the respect of human rights still poses keenly in many parts of our planet.

Mr. President,

As far as my country is concerned, already in January 1944 the President Houphouët-Boigny, then a member of the Parliament, had become an ardent defender of the right to life, which is actually the first of human rights.

Since its accession to international sovereignty, Côte d'Ivoire, that has always stood for peace and encouraged the development of men, could not do other than to stand by the United Nations Charter and the Universal Declaration of Human Rights.

It is, therefore, affirmed its adherence to these ideals in the preamble of its Constitution and ratified the main international legal instruments in this field, to which its legislation conforms.

As far as civil rights are concerned, the Constitution of Côte d'Ivoire consecrates the position of equality of the citizens before the law on the basis of: non-discrimination as far as nationals as well as foreigners living on the Côte d'Ivoire territory are concerned, the right of every citizen to an equitable and fair trial, access to independent justice and the prohibition of all inhuman and degrading treatment as well as non-discrimination against women.

As far as women are concerned, Côte d'Ivoire since its first years of independence consecrated their promotion by forbidding polygamy and granting the future wife a free choice of her spouse.

The Ivorian women subsequently acquired within the framework of the modifications carried out to the legislation in force the right to hold their own property and to exercise a profession that is different from that of their husbands.

The government has also launched an internal fundraising campaign called "Operation N Women" in order to enable women who are living in poverty to get a loan to start income-generating activities. A similar fund was also created for the benefit of the youth.

As for the foreigners, who number 4,000,000 out of the total 12 million inhabitants in Côte d'Ivoire, my country remains for them the land of asylum where they enjoy the same rights as the nationals of the country and are not subjected to any kind of discrimination. As a proof, they benefit from the right to own a property and the right to vote.

At the level of political rights, the Côte d'Ivoire did not have a need to review its Constitution for a transition from the de facto one-party regime to a multi-party state.

President Philip Houphouët-Boigny, in fact, held in his vision of future development of the nation to have provisions in the Constitution guaranteeing free speech for citizens to express their political convictions.

Therefore, there are about 40 political parties that have emerged in our country since 1990.

It seems important for me to stress that, moreover, the pluralism observed in the domain of the political parties has spread to associations of all kinds, to non-governmental organizations and to trade unions, which were set up in all sectors of activity and whose number reached today 170.

It is important to point out that the freedom of opinion and expression is also manifested by the large number and diversity of newspapers in Côte d'Ivoire, as well as the freedom of belief and religion.

As for the social rights, liberty of work holds a particular place in Côte d'Ivoire. We have to remember, in fact, that the Head of State of Côte d'Ivoire was the initiator of the law that abolished forced labor in the French colony, this is why the penal code of Côte d'Ivoire forbids imposition on others of a work or service for which they did not offer themselves out of their own free will.

In Côte d'Ivoire, the right to education is the main priority for the government that devotes 42 percent of the national budget to education. In terms of the right to health, the Ivoirian government adopted measures that have enabled the state to ensure primary health care for the largest number of the population through a network of 1,400 health facilities.

Mr. President,

Human rights are universal and indivisible from the maintenance of peace and international security.

For us, developing countries, what would human rights mean after all if we had to hide the right to development. "The man who has made is not a free man," likes to repeat the Ivorian Head of State.

Given that the human rights are interdependent, indivisible and egalitarian, this is the place for the international community, here and now, to deal resolutely with the dramatic economic situation that our countries is going through today and which means for us excessive burden of debt, environmental degradation and a drastic decrease in the prices of raw materials on which the survival of our populations depends.

Human rights in all its dimensions cannot be fulfilled but in the context of peace because human rights cannot go hand in hand with poverty.

The international community, therefore, must tackle the economic problems for greater justice to create a world of shared happiness, which alone could further consolidate and strengthen human rights.

My country fully endorses the Tunis Declaration adopted by the African States within the framework of the preparatory process to this Conference.

Mr. President,

If we are to rejoice and congratulate ourselves on the fact that the industrialized countries and international organizations have made of human rights a criterion for assessing the progress made by the developing countries in the field of social justice and democracy, it is also necessary that the countries concerned have adequate resources in order to implement the measures recommended by different human rights instruments.

To save the Third World from the danger of pauperization is to help the world to progress along the path of effective promotion of human rights.

Only together can we rise to defeat the challenge of the end of this century to re-establish the world of justice and peace.

I thank you.

LEHMANN, Tyge (President):

I thank Her Excellency for her statement. I now give the floor to His Excellency Dr. Muhammad Javad Zarif, Deputy Foreign Minister and Head of Delegation of the Islamic Republic of Iran. Excellency, you have the floor.

ZARIF, Muḥammad Javad (Iran (Islamic Republic of)):

Keywords: ISLAM - HUMAN RIGHTS - INTERNATIONAL RELATIONS - DEVELOPED COUNTRIES - HUMAN RIGHTS VIOLATIONS - BOSNIA AND HERZEGOVINA - PALESTINIANS - UN High Commissioner for Human Rights - DEVELOPMENT - SOVEREIGNTY

[Spoke in Arabic]

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

[Spoke in English]

Mr. President, Excellencies, ladies and gentlemen,

Twenty-five years after Teheran, in a much more representative international community and one spared from the ills of the cold war, the second World Conference on Human Rights provides a singular and unique opportunity to take stock of the achievements and failures of the past quarter century in this pivotal area of most vital importance to the entire humanity. Let me take this opportunity to express my delegation's appreciations and thanks to the government and people of Austria for hosting the Conference and for their gracious hospitality.

Having put behind the cold war era, when all debates were governed by the rules of inter-bloc rivalry and competition and did not lend themselves to objective and genuine discourse on issues of such primary international significance, the opportunity afforded by this global gathering of governmental representatives and representatives of non-governmental organizations should be fully utilized to address the fundamental issues pertaining to the full realization of human rights and fundamental freedoms throughout the world. This meeting, this opportunity should not be wasted through dealing with secondary and cosmetic issues.

Human rights, Mr. President, are rooted in the nature of human beings and, thus, indivisible from the very existence of this masterpiece of creation. For this reason, the dignity, value and the exalted worth of a human person are the centerpiece in the teachings of divine religions. Rights in the divine logic are not originated in conventions; rather they are bestowed upon human beings by their Creator. They are, thus, universal, independent of conditions, transcend all boundaries be they temporal or geographical and do not lend themselves to distinctions of race, sex or other superficial attributes and barriers. Nor do they sacrifice the value of the individual for the wellbeing of the community or the health of human society for license of individuals as these rights emanate from the totality of the human person.

The peak of such conceptions of man and his rights is to be found in the following Verses from the holy Quran:

[Spoke in Arabic and English]

And when thy Lord said to the angels, 'I am creating a mortal of a clay of mud molded. When I have shaped him, and breathed My spirit in him, fall you down, bowing before him!' (XV:29-30)

And when thy Lord said to the angels, 'I am setting in the earth a viceroy.' They said, 'What, wilt Thou set therein one who will do corruption there, and shed blood, while we proclaim Thy praise and call Thee Holy?' He said, 'Assuredly I know That you know not.' (II:30)

We have honored the Children of Adam and carried them on land and sea and provided them with good things and preferred them greatly over many of those we created. (XVII:70)

[Spoke in English]

And thus, the sanctity of this manifestation of God, Mr. President, is not only beyond any reproach by any authority but also inviolable by the man himself since the killing of one person in the logic of Quran is tantamount to the murder of entire humanity. Again according to the Quran:

[Spoke in Arabic and English]

Therefore, We prescribed for the Children of Israel that whoever slays a soul not to retaliate for a soul slain, nor for corruption done in the land, shall be as if he had slain mankind altogether; and who gives life to a soul, shall be as if he had given life to mankind altogether. (V:32)

[Spoke in English]

It is in the same tradition that equality is an extension of creation and not a product of definition or rationalistic deduction:

[Spoke in Arabic and English]

O mankind, We have created you male and female, and appointed you races and tribes, that you may know one another. Surely the noblest among you in the sight of God is the most virtuous of you. (XLIX:13)

[Spoke in English]

This divine world-view has left its indelible imprint even on the thinking and writings of the pioneers of contemporary notions of human rights clearly illustrating that human rights have their roots firmly in divine religions.

Moving from this theoretical foundation to the practical issues, problems and challenges that are facing us today, we cannot but start from the premise that human rights represent the noblest aspirations of humanity in its totality. Divine in nature, they do not lend themselves to positivistic deductions and, certainly, they should not be considered the private domain of a single segment of the international community in the codification, implementation or international promotion and protection processes.

In this midst, it is absolutely shocking to hear in and around this unique Conference assertions that there would better be no outcome if the views of a group of powerful countries are not eventually to prevail. The Conference must have an outcome, it should be acceptable to all and it must open the way for a new engagement of all countries and peoples of the world into a genuine discussion where there would be equal rights and opportunities for everyone to participate and contribute to the universality and global realization of human rights.

The erroneous contention that a universal discourse on the concepts and standards of human rights harms their universality will only justify attempts to continue to disregard a great portion of humanity. Human rights are no doubt universal. They are inherent in human person, endowed in them by the sole Creator. As such, they cannot be subject to cultural relativism. However, drawing from the richness and experience of all cultures and particularly those based on divine religions, which have throughout history provided the primary source and inspiration for definition, promotion and protection of human rights, would only logically lead to enrich the human rights concepts and enable them to address and satisfy all aspects of a human person, multi-dimensional being as he is.

The fallacy that an opportunity for participation for all would lead to erosion, qualification or weakening of human rights norms and standards is rooted in a self-righteous position of a few who have already arrogated to themselves the right or the responsibility to set the model of behavior for the entire humanity. The political predominance of one group of countries in international relations, which is temporary by nature and by history, cannot provide a license for imposition of a set of guidelines and norms for the behavior of the entire international community, especially since the politically predominant states do not present an ideal, feasible or practical model, do not possess admirable pasts, nor do they observe a sincere or even a consistent pattern of behavior vis-a-vis human rights and their international promotion and protection.

The sharp increase in violence and crimes in these industrially advanced societies, which deprive the most vulnerable segments of society including children, elderly and women of their right to life as well as their dignity, the dangerous escalation of xenophobia and its manifestations in new and violent forms, the drug menace, rape and other abuses of women and children, prostitution and especially child prostitution, pornography, vulgarity and other social maladies so prevalent in these societies require a fresh look and assessment. No wonder that an increasing number of individuals from these societies, submerged into materialistic luxuries, seek refuge in oriental cultures to somehow find peace with themselves. It should indeed be a source of concern that even most bizarre claims to morality and spirituality easily attracts devout followers into cults in such societies.

If this is the culture built upon and around human rights values then by the reason of logic something has to be wrong with the manner that these few politically and economically advanced and powerful societies have conceived and interpreted the nature of human being and his rights. It should be emphasized, and this should not be misinterpreted, that a genuine discourse on these fundamental questions and concepts is by no means a license for violations of fundamental human rights and freedoms. It is rather our conviction that a multi-dimensional approach to human rights, which emanates from a sound appreciation of the human nature coupled with a need to preserve the identity, health and safety of the social environment within which such rights are to be exercised, can provide a better background and a better atmosphere for the full realization of human rights.

Mr. President,

When human rights, which are essentially reflective of the highest aspirations of humanity, are considered by some as their own monopolized domain they become tools rather than goals and objectives. However, the universality of human rights does not only require a truly universal theoretical base but also a universal method of application outside anyone's control. The abuse of the available international machinery for protection of human rights for shortsighted political expedencies connotes that human rights, rather than being universal aspirations and instead of governing the conduct of domestic and foreign policy, have in fact become tools of foreign policy. The more regrettable fact, Mr. President, is that application of double standards and the predominance of political considerations are no longer exceptions but the rule of the game.

The tragic situation in the Republic of Bosnia and Herzegovina and the genocide that is being so systematically perpetrated against the Muslim population of that country through the abhorrent policy of ethnic cleansing has been allowed to continue. The same dominant forces, which also monopolize the Security Council, have not only prevented concerted international action under Chapter VII of the United Nations Charter to combat aggression and genocide there, they have also prevented the government of the Republic of Bosnia and Herzegovina to exercise its most fundamental right, that is the right to self-defense.

In another place the gross, systematic and massive violations of the inalienable right of the Palestinian people to self-determination as well as their other fundamental human rights receive reaction ranging from indifference to complicity by those who maintain a high profile in international human rights fora vis-a-vis others. The same is true everywhere when Muslims are victimized and brutalized.

We need to tackle this fundamental problem at its roots; that is the abuse of human rights for political gains. This Conference can discharge its historic responsibility if and only if it can mobilize the political will and establish the necessary machinery and mechanisms to minimize political manipulation of human rights and ensure that human rights and their protection and promotion are addressed on their own merit and for their own sake. It is only then, that one can seriously and constructively consider ideas including the establishment of a High Commissioner for Human Rights, which under appropriate political conditions could prove vital for the strengthening of the international machinery for human rights.

Such political considerations, Mr. President, have also been applied to the categorization of rights; some accorded priority and predominance over others, notwithstanding the fact that indivisibility of the civil, political, economic, social and cultural rights has been so frequently emphasized and is solidly based in theory and proven in contemporary life.

Moreover, there is no need to dwell on the self-evident interdependence between democracy and development. What is really at issue behind the smoke screen of propaganda is that the right to development has been and is still being so grossly and systematically violated that it has given rise to a false dichotomy. Deliberate pursuit of self-serving economic and financial policies by the developed countries given the existing unjust international setting do not but further hamper the development process in the South. Failed development would in turn either frustrate attempts at democratization of societies or debilitate the existing ones. The question, however, begs to be answered: if the developed countries are set to continue their current political, economic and policies, which are no doubt motivated by what they perceive to be their national interests, then why do we need to dilute the debate on the right to development or for that matter of democracy and human rights?

Another related point, which is very much again diluted in human rights debate, is the relationship between international protection of human rights and the principles of sovereignty and non-interference in internal affairs of others. Again, notwithstanding the prevalent propaganda, the real issue is not whether a serious, balanced, objective and non-selective international concern for human rights is legitimate. The point is when human rights and the international machinery for their protection become vehicles for the advancement of political considerations of a few it becomes a totally different scenario; the one we are facing today. Such political acts of intervention are certainly against the well-founded and universally recognized principles of non-intervention and the imperative of respect for sovereignty. The argument that "human rights are legitimate international concern" cannot be applied to a process whose object is not, in fact, protection of human rights but rather furtherance of political ends.

Mr. President,

My delegation is convinced that despite all the apparent difficulties this Conference can succeed in setting a realistic and comprehensive agenda for international action for the genuine protection and promotion of human rights and fundamental freedoms throughout the world. The only condition is to face and address the issues and challenges before us with open mind, fair play and positive will.

Thank you, Sir.

LEHMANN, Tyge (President):

I thank His Excellency for his statement. That concludes the statements by governments this morning. I have been requested to give the floor for a short statement by Dr. Nafis Sadik, Executive Director of the United Nations Fund for Populations Activities. She is also Secretary-General of the 1994 United Nations Conference on Population and Development. Dr. Sadik, you have the floor.

SADIK, Nafis (UNFPA):

Keywords: POPULATION DYNAMICS - FAMILY PLANNING - MATERNAL MORTALITY
– WOMEN - CHILDREN

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

On behalf of the UNFPA I thank you very much for giving me the opportunity to address you on the question of population and human rights.

When the last World Conference on Human Rights took place in Teheran in 1968, world population stood at about 3.5 billion. Today, it is 5.6 billion and growing by 95 million people a year, the highest level ever. Almost all of this growth is taking place in the developing countries of Africa, Asia and Latin America. Over half is in South Asia and Africa.

Trends in the growth, distribution, structure and migration of human populations are cause for immediate concern. They affect and are affected by poverty, environmental stress and the ability of individual women and men to exercise their human rights.

Family planning, Mr. President, is one of these rights. The 1968 Proclamation of Teheran adopted at the Conference stated that "Parents have a basic human right to determine freely and responsibly the number and spacing of their children." Many other conventions and declarations have reinforced that basic right.

But twenty-five years after Teheran the right to family planning is a reality for only half of the world's population. At least 300 million couples still have no access to modern, safe and effective services. This is an important abridgement of their rights as individuals. It also has effects on many other aspects of human rights including the most basic right of all the right to survive.

Half a million women in developing countries die needlessly every year as the result of pregnancy and still millions more are made ill or crippled as a result. Millions of women resort to abortion and many become the victims of illegal and unsafe practices. Maternal mortality has been virtually wiped out in all industrialized countries and in many others. But it still remains high in all the developing world. It is an offence against human rights that more has not been done to eliminate, or at least dramatically reduce, maternal mortality in the rest of the world.

Family planning, Mr. President, protects the lives of women and their children and helps to ensure the security of the family. Women know this and their knowledge is reflected in the high and the growing demand for family planning. An estimated 100 million women would use modern methods if it were available to them.

Mr. President,

The human right to reproductive choice can only be exercised at the individual level. The decision to have or not to have children cannot be taken by governments or communities or even families. Society and its norms may influence reproductive decisions but the decision itself is the right and the responsibility of the individual.

All cultures correctly regard giving birth as a valuable contribution to society; it is a matter of pride. Yet over and over again we find that giving birth is translated into a woman's duty: the duty to bear children is further interpreted to mean that women have no right to make their own decisions about it.

This is using culture as a means of reproductive repression. Distorting culture and tradition in this way not only takes from women the pride of giving birth; it holds women back from realizing themselves as people and from making their full contribution to development.

Cultural arguments can also be used to prevent women from giving birth; and here again I would say very clearly that to do so is a breach of human rights. Coercion is morally repugnant. It is also ineffective from a practical point of view. The interests of society are best served by allowing and encouraging women and men to exercise their human right of choice; and at the same time to develop their sense of personal responsibility. The acceptance of individual choices and responsibilities contributes to personal growth and to the development of society as a whole.

Mr. President,

Many delegations have emphasized the significance of human rights for women. Today, I understand, is Women's Day at this Conference. Women have not shared equally in the development process either as partners or as beneficiaries. They are the victims of violence within the home and they are more vulnerable outside of it. Because of their responsibility for the family, women carry more than their share of the stresses of war, political upheaval and natural disasters. A disproportionate number of refugees are women; and as we have all seen in the collapse of Yugoslavia, they may be subject to calculated violence precisely because of their reproductive role.

Nearly 20 years after the first World Conference for Women, we are still discussing the need for gender equity. In the meantime, there has been a great deal more rhetoric about women's rights than responsiveness to their needs.

Their health, their education, their wellbeing always take second place. It is time for change. This change must start at home and it must start at or even before birth. Many cultures systematically discriminate against girls. In some countries, this discrimination is evident in the practice of sex selection, showing a distinct preference for male children. From the moment of birth, girls are regarded as less valuable than boys and this is reflected throughout their childhood and their lives as adults. They have less access to nutrition, to health care, to education. Their lack of status pursues them into adulthood and contaminates their lives and the lives of their children. This discrimination, Mr. President, must cease. Equality between the sexes must be the foundation of human rights.

Next year, 1994, is the International Year of the Family. I would like to make it an opportunity to emphasize the human rights of all members of the family, especially children. Too often children are simply seen as an economic asset to the household and as a source of security for parents in their old age. Recent studies by the International Labour Organization and other groups have documented alarming trends in the exploitation of girls and particularly female children. Children have rights and needs - the first of which is to be wanted for themselves and for what is expected for them.

It is the hope of UNFPA, that this World Conference on Human Rights will translate the agreements already reached into a reality for all women, men and children throughout the world. I wish to assure you that the UNFPA will, within its mandate, take all necessary actions to make this possible.

I am pleased also to have this opportunity to inform you of the status of preparations for the International Conference on Population and Development that will take place in Cairo from 5th to 13th September 1994. The overall theme of the conference is population, sustained economic growth and sustainable development. We just had a second preparatory meeting over a month ago. One of the most notable features of the Preparatory Committee was the broad participation of non-governmental organizations, particularly women's organizations and NGOs from developing countries. I was especially pleased at the sizeable participation of women and men from organizations representing indigenous peoples. I hope that the conclusions of this World Conference on Human Rights will be an important contribution to the International Conference on Population and Development.

In a recent article, Mr. President, Secretary-General Boutros Boutros-Ghali observed:

Our contemporary human rights system is heir to demands for human dignity throughout history and across cultures. It expresses the enduring elements of the

world's great philosophies, religions and cultures. Today it builds upon (modern science and advanced technologies, while enabling all peoples to participate in the shaping and sharing of the world in which they live.

Mr. President,

The development agenda for the 21st century will affirm the inherent dignity of all women and men and will afford them the opportunity to exercise their basic human rights. In this agenda, population has a proper and important place. Our aim should be to establish at all levels the widest possible freedom of choice, in the confidence that choice will be exercised responsibly. Let us be prepared to accept freedom and the responsibility that goes with it.

Thank you.

LEHMANN, Tyge (President):

I thank the Secretary-General of the United Nations Conference on Populations and Development for her statement. That was the last speaker on the list for this morning. The meeting will be adjourned until 3:15 exact time. Thank you.