



لتظلّ الشعلة وهاجّة - 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

4th plenary meeting, 15th of June 1993

World Conference on Human Rights

Vienna, 14-25 June 1993

4th plenary meeting, 15 June 1993

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

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

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

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

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

MOCK, Alois (President):

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

Before I take up the list of speakers, may I turn to our organization of work? The senior officials at the informal consultations recommended the following proposals regarding the structure of the Conference. It was recommended that the Conference should consist of the plenary, one Main Committee to discuss agenda items 9-12 composed of all Conference participants and a Drafting Committee to negotiate and draft the final document to be adopted by the Conference composed of all government delegations. Both of these Committees would meet simultaneously and would start the work today. It is understood that the work of the Drafting Committee must not be delayed by the Main Committee. If I see no objection, I take it that this proposal is adopted.

It is so decided.

Before we resume the general debate, I would like to kindly appeal to all the speakers to observe the time limit of ten minutes for their statements. In view of the very long list of speakers already there for the general debate.

The Conference will now resume the general debate on the substantive items of the agenda.

I now have the honor to invite His Excellency Alhaji Dawda Kairab Jawara, President of the Republic of the Gambia, to address the Conference. The Chief of the Protocol will escort His Excellency to the rostrum. I would like now to invite His Excellency Alhaji Dawda Kairab Jawara, President of the Republic of the Gambia, to take the floor.

Ladies and gentlemen,

For reason of politeness, I want to draw your attention to the speaker, and probably important conversations could be held outside the plenary meeting room. Thank you very much.

JAWARA, Dawda Kairab (Gambia):

Keywords: GAMBIA - GOVERNMENT POLICY - UN High Commissioner for Human Rights - DEMOCRACY - SOVEREIGNTY - EXTREME POVERTY - ENVIRONMENT - CHILDREN - WOMEN - REFUGEES - APARTHEID - BOSNIA AND HERZEGOVINA

Mr. President, Your Excellencies, Heads of States and governments, Your Excellency the Secretary-General of the United Nations, Your Excellency the Secretary-General of the World Conference on Human Rights, distinguished delegates,

I would, first of all, like to begin by expressing my own deep and sincere gratitude as well as that of my entire delegation to the government and people of Austria for the warm welcome extended to us since our arrival in this beautiful and historic city.

I myself felt deeply privileged when I received the invitation of the Secretary-General of the United Nations, His Excellency Mr. Boutros Boutros-Ghali to address this summit. More importantly, I considered the invitation highly significant because of the Gambia's deep and longstanding commitment to the protection and promotion of respect for human rights. I should, therefore, like to express my thanks and deep appreciation to the Secretary-General of the United Nations for this kind invitation and congratulate him for convening this World Conference on a subject that is so dear to the hearts and minds of the Gambian government and people.

The choice of Vienna as the venue for this important Conference augurs well for the outcome of our gathering. There could not, indeed, have been a better choice than this ancient city that has over the centuries played such a crucial and important role in international affairs and continues to do so today as one of the major centres of the United Nations system.

The whole world is watching us eagerly hoping for the good news from this Conference that a strong and revitalized United Nations system as well as its members, individually and collectively, stand ready more than ever before to contribute towards world peace and progress on the basis of the protection and promotion of human rights and the observance of the rule of law.

Mr. President,

For us in the Gambia, respect for human rights remains an important aspect of both, our domestic and foreign policy. We believe in respect for fundamental human rights as the cornerstone of our democracy and the catalyst for our socio-economic development. For it is only in an atmosphere of freedom and justice that the individual can effectively participate in the collective effort for the good of all. We remain firmly committed to the observance of the human rights of all persons, to the rule of law and to the independence of the judiciary as the secure foundations upon which a democratic society capable of rising to the social and economic challenges of our times can be constructed. No meaningful and sustained socio-economic progress can be achieved outside such a framework. Yet, we must remind ourselves also that respect for fundamental rights must not be seen merely as a means to an end but as an end in itself. No further justification for the observance of human rights is required other than that they are inherent; other than that the dignity of man so requires.

We believe firmly in the universality of fundamental rights, the rights of all peoples everywhere irrespective of culture and national origin to enjoy them. These have been the guiding principles of our domestic policy and the principles, which have influenced our relations with the rest of the world. On

the occasion of this World Conference, I would like to reaffirm the firm and irrevocable commitment of my government and my nation to the observance of human rights, the rule of law and a democratic system of government.

Since the achievement of independence in 1965, fundamental rights and freedoms entrenched in our Constitution have always been respected and their enforcement constitutionally assigned to an independent and impartial judiciary.

We have maintained the system and the principles of parliamentary democracy that we opted for at the time of independence. We have strongly resisted any temptation to move towards a one-party state, notwithstanding the very real pressures to that end at times. We have always insisted on a system of free and fair elections and the regular holding of national elections, even at considerable expense, to ensure that those who are representing the Gambian people are the duly and genuinely chosen representatives of the electorate in the context of a law, which requires no registration of political parties and, therefore, no recognition by the government. All these procedures we have strived to observe meticulously on a regular basis, notwithstanding the size and level of socio-economic development and very critical problems that have on occasions confronted our nation.

We committed ourselves to these democratic traditions more than a quarter of a century ago, at independence, and we are still as committed to them today. They have served us well both in our quest for maintaining the inherent dignity of our citizenry but equally well in creating the conditions of peace, stability and justice, which are so essential for the social and economic development of our people.

I believe that the maintenance of these democratic traditions adds significantly to the richness of the lives of each and every individual; and as a nation we have benefited from the diversity that is encouraged by a free and open democratic system.

At the international level, the Gambia today is a State Party to most international instruments on human rights as well as a State Party to our own African regional system for the promotion and protection of human rights. Indeed, we feel highly honored to have been chosen to host the African Commission on Human and Peoples' Rights created under the Banjul Charter. My country was privileged to have been closely associated with the idea of establishing an African commission on human rights several years earlier as well as subsequently in the drafting of the Charter itself.

The African Centre for Democracy and Human Rights Studies set up by the Gambia government in 1986 for the purpose of providing training and education to public officers and the public at large on prevailing international human rights standards has, with the assistance of the United Nations Centre for Human Rights and several donor countries, been fully operational. Our support and commitment to the success of the African Commission and the African Centre remain strong and undiluted. Within the Commonwealth, we have been similarly privileged to be associated with the creation of the Human Rights Unit and other measures undertaken by that organization in this field. We remain committed to observing these conventions and treaties.

Mr. President,

This summit will be pleased to learn that in April this year, the Gambia decided to abolish the death penalty as a form of punishment and took the necessary legislative measures to that effect. Though an earlier effort to abolish the death penalty was rejected in 1975, it is to be noted that since independence my government has chosen to exercise the prerogative of mercy in cases of capital punishment by commuting such sentences to life imprisonment. My government has also, with the blessing of our legislature, decided to accede to the Second Optional Protocol to the United Nations Convention on

Civil and Political Rights aiming at the abolition of the death penalty. We have taken these measures because of our firm conviction that the death penalty is increasingly difficult to reconcile with evolving human rights standards, that it is a cruel and inhumane punishment and that it has no value, no useful purpose in relation to crime prevention and control.

Distinguished delegates,

The world has, indeed, come a long way in the protection of human rights and the maintenance of the inherent dignity of man since the scourge of the Second World War. One of the remarkable achievements of modern times has been the manner in which the individual has come to be so much the centerpiece of international relations. With the adoption of the Universal Declaration of Human Rights has come a significant amount of international legislation to codify universal standards for the treatment of the human person in diverse fields ranging from civil and political rights to economic, social and cultural rights.

The rights of refugees and displaced persons, workers, women, children, minorities have all come to be dealt with by international treaties. In addition, mechanisms and procedures have been put in place to enable individuals to seek redress from international bodies for alleged human rights violations both, within the United Nations and under the various treaties.

The Americas, Europe and Africa have in addition concluded their own regional arrangements for monitoring and investigating human rights violations. Both, state practice and international law, have limited the concept of state sovereignty to ensure that the manner in which a state treats its citizens is no longer a purely internal matter. These are real gains, Mr. President, which were hardly imaginable in the immediate post-war era.

In more recent times, an unprecedented wave of democratization with positive implications for human rights is sweeping across the world - in Africa, the Americas and Asia. The end of the cold war and the collapse of communism have resulted in the end of ideological conflict between the powers and in greater liberalization. The tide of human rights and democracy can no longer be stemmed. There is growing international consensus that political pluralism is inseparable from the maintenance of peace both nationally and internationally and that it is similarly indispensable for the socio-economic progress of any society.

The record, though impressive, would be incomplete if we do not admit that much still remains to be done to secure to all persons everywhere the rights and freedoms that have been guaranteed to them. It is saddening to note that four decades after the adoption of the Universal Declaration of Human Rights, serious violations of those rights in a gross and systematic manner continue to be daily occurrences in almost every part of the globe. The dignity of the human person continues to be assaulted unabated with denial of fundamental civil and political rights.

Mr. President,

The principal challenge to the international community today is to ensure that the standards that have been adopted are observed and applied. It is a challenge, which I believe we must respond to and respond in a variety of ways with imagination, commitment and dedication. A sizable number of states still remain outside the ambit of several treaties relating to human rights. We must strive to bring them within this entire treaty regime. The human rights treaties must be made truly universal by all states becoming parties to them. The obstacle to such universal participation must be identified and eliminated and measures taken to encourage all states to adhere strictly to the treaty regime. That surely must be the minimum we must sustain if we are to make any meaningful progress in the protection and promotion of human rights. We must improve the resource base and the structures of

the United Nations with a view to ensuring a better and more effective response to the challenge of ensuring observance for human rights and providing technical assistance to Member States. To this end, my government strongly supports the proposal for the creation of the office of High Commissioner for Human Rights whose responsibilities are envisaged to include the coordination and facilitation of activities related to the promotion and protection of human rights. I believe this office would lend greater cohesion and coordination of the United Nations effort in this important area and facilitate a quicker and more effective response by the United Nations to critical human rights situations.

Mr. President,

The United Nations and the international community as a whole must respond to the new wave of democratization worldwide by assisting those countries committed to democratization to consolidate and secure the gains that have been made so that they make further progress. Such states need the full cooperation of the international community. They should be assisted in their efforts to build and strengthen national institutions such as an independent judiciary, free and fair electoral systems, an effective private press, non-governmental national institutions such as human rights commissions and ombudsmen whose effectiveness is *sine qua non* for a sound democratic system and respect for human rights. Most of these states are confronted with severe socio-economic problems that can exert tremendous pressure on as yet fragile democratic institutions and political structures.

The dangers inherent to such a situation must be recognized and responded to in a spirit of international solidarity for the ultimate benefit of us all.

Above all, distinguished delegates, our own attitudes as individuals and as states to human rights violations matter a great deal. Human rights violations anywhere are an affront to the dignity of man everywhere. Selective responses of condemnation and considerations of political or diplomatic expediency discredit the noble cause to which we are all committed. We must respond to violations in an effective and non-selective manner with the welfare of the human being as our sole concern and motivation.

Distinguished delegates,

Unfortunately, for too long in the past our response to gross and systematic violations of human rights have been limited by over-emphasis on the principle of non-interference in the internal affairs of other states. We simply cannot strive in isolation to create a better world for our peoples; grave violations of human rights, wherever they occur, are the legitimate concern of the international community and no state should be allowed to hide behind the principle of non-interference to mask gross violations; nor should the concept of state sovereignty be a bar to efforts by the international community to remedy such violations. My government firmly believes that multilateral, not unilateral, intervention by and through the United Nations and competent, authorized regional arrangements are a useful way in responding to some of the situations that today not only threaten the integrity of the states concerned but spill over into neighboring countries often with disastrous consequences.

Distinguished delegates,

Even as we grapple with the constant challenge of making human rights principles and standards work, we must prepare ourselves for the new challenges that now face us and now make the problem of human rights much more complex. The challenges are numerous and varied. Underdevelopment and poverty constitute some of the burning human rights issues of our times. Even as we pledge ourselves repeatedly to eliminate them the gap in standards of living between the rich North and the poor South continues to widen. The statistics highlighting the gulf are only too familiar to be repeated

here. In all areas - health, education, shelter, nutrition, child and maternal care - the North and South might, for all practical purposes, be living on separate planets. Poverty and underdevelopment constitute a serious obstacle to the full realization of human rights. Human rights in their fullest sense encompass both civil and political rights as well as economic, social and cultural rights.

How can we boast of attaining considerable progress in the observance of human rights when the majority of the human race continues to toil daily with basic problems of ill-health, malnutrition, illiteracy, famine? The emphasis and support by the developed countries for civil and political rights must be matched by comparable support for the realization of the economic, social and cultural rights of the impoverished populations of the South. We need to remind ourselves of the indivisibility and interdependence of both rights and the necessity of giving equal attention and urgent consideration to both. Indeed, it is this growing realization, which appears to have led to the establishment of the European Bank for Reconstruction and Development as Eastern Europe and states in the former Soviet Union embark on the road to democratic pluralism and respect for human rights. Might this not be a precedent worthy of replication for other regions of the world, Africa, for example?

Distinguished delegates,

The problems of the environment continue to compound the state of underdevelopment. The right to a clean environment continues to elude us as man-made environmental disasters supplement natural catastrophes. Of major concern to developing countries are the related problems of desertification, water and air pollution and the dumping of toxic and hazardous waste. We, in Africa, regard this deliberate and callous exportation of toxic and dangerous waste not only as an affront to state sovereignty but as a serious violation of the rights of our people to a clean, safe and healthy environment. The perpetrators of this odious practice must not go unpunished, and in the Gambia, we have enacted legislation since 1988 to impose stiff penalties on all those who engage in the importation of the "agents of death" into our country. I urge this Conference to take a firm position against this practice. We must not only condemn the practice but also insist on appropriate compensation to the countries that have been affected.

Almost four years ago, the United Nations General Assembly adopted the Convention on the Rights of the Child. Africa also adopted a regional Convention on the Rights of the Child. As in other international human rights instruments, the major problem lies in giving effect to the provisions of the Convention. The condition of children worldwide continues to be dismal, notwithstanding the provisions of the Convention. Nowhere is the gap between law and reality wider. According to UNICEF, more than 1.5 million children have been killed in wars during the past decades; more than 4 million physically disabled; some 5 million are in refugee camps; another 12 million have been displaced. What greater indictment could there be of the international community's will to effectively implement the United Nations Convention on the Rights of the Child and to assist developing countries in providing the necessary conditions for child survival and development. The economic and social deprivation of children is sometimes compounded by cultural, traditional and other practices, which are incompatible with the welfare of the child.

The International Conference on Assistance to African Children held in Dakar, Senegal, in 1992 adopted the Consensus of Dakar calling for greater attention and assistance in addressing the needs of African children as an integral part of the international aid package for deprived children. The Conference noted that over 4.5 million children die each year in Africa largely from preventable diseases. These are the children who continue to die silently and the rest of the world does not seem to notice or care. As Perez de Cuellar, the former Secretary-General of the United Nations rightly observed, "the way a society treats its children reflects not only its qualities of compassion but also its sense of justice, its commitments to the future and its urge to enhance the human conditions for

coming generations.” There cannot be a greater condemnation of all of us than this continuing tragedy. It is imperative that this Conference underlines the necessity of increased international support and solidarity for national programmes for child survival and development as well as for organizations such as the UNICEF if we are to seriously progress in halting this tragedy.

Women, like children, belong to the vulnerable and disadvantaged group within our societies. Not only is there gender bias against them, they are generally excluded from the mainstream. There is, I believe, a strong necessity for a special focus at national level on the plight and status of women through development programmes directed specifically at enhancing their status and removing the obstacles to their full integration and participation both, as agents and beneficiaries, in the development process and in public life in general. In the Gambia, we have had some useful experience with such programmes with the assistance of the World Bank and other donors in setting up a Women in Development strategy. A special project with IDA’s financial assistance was launched in 1990 to increase women’s productivity, income earning potential and general welfare.

The project focuses on agricultural education and skills development, health, nutrition and family planning for women.

It has been specifically designed to identify obstacles to women’s development, devise ways to surmount such obstacles and to promote a more positive perception of the women’s role by the society. I would like to place on record the gratitude of my government to the World Bank and the other donors for their assistance in the implementation of a project that has so fired the enthusiasm and support of our womenfolk.

Mr. President,

As the most vulnerable category of people in society, women and children also swell the ranks of refugees and displaced persons. The phenomenon of refugees and displaced persons continue to be a cause for serious concern and has reached alarming proportions. Just as internal conflicts and gross violations of human rights lead to political refugees, poverty also breeds economic refugees. Africa has more than its fair share of this social malaise that has now assumed increased international dimensions. And to compound the problem, there is growing intolerance coupled with the disturbing tendency to close the door to refugees and asylum seekers. It is the firm conviction of my delegation that at a time when the world is faced with greater numbers of refugees and displaced persons amid signs of greater intolerance of such persons, the international community must not only ensure that there is no derogation from or watering down of the internationally accepted rules and standards that have been evolved for the protection of refugees and displaced persons. There is, therefore, the urgent need for a reaffirmation of internationally accepted and traditional international legal principles governing asylum seekers and refugee status by this Conference.

Such intolerance towards refugees, displaced persons and foreigners has given rise to a spectacular increase in incidents of racism, racial discrimination and xenophobia. Racial discrimination in all its forms is a negation of the inherent dignity and worth of the human person. It is a perennial problem affecting many societies of the world. Nowhere is the situation more serious than in South Africa where the evil policy of apartheid represents the epitome of racial discrimination.

Over the years, great pressure has been brought to bear on the South African government to dismantle the odious system of apartheid. As a result of such pressures, the minority regime has been compelled to embark on a series of reforms leading to the removal of apartheid from South Africa’s statute books. Legally speaking apartheid is dead but in practice it is still very much alive. The international community must remain vigilant and continue to maintain all forms of pressure to bring to an end a shameful chapter in that country’s history.

Apartheid has been one of the ugliest blots on man's dignity and at a time when the prospects for change in South Africa seem greater than ever before, the international community must encourage and help that country find its way out of apartheid to a democratic and non-racial system of government.

Mr. President,

The rise of nationalism and ethnic and religious conflicts seems to characterize the post-cold war era. Atrocities perpetrated against the Muslim people of Bosnia and Herzegovina by way of ethnic cleansing is a sad reminder of the holocaust - an affront to the collective conscience of mankind. Yet, the world remains a helpless spectator in the face of such atrocities. It even appears too divided to attempt to stem the tide of inordinate nationalism and religious intolerance. The imperative of peacekeeping, Mr. President, appears, thus, to be more urgent than before and the United Nations system must be equipped to rise to the challenge.

Mr. President,

As we stand at the threshold of a new century, the challenges that confront us are numerous. Giving full realization to the rights of children and of women, of refugees and displaced persons, the right to a safe and healthy environment, the right to development, to economic and social progress for all, now require urgent attention just as much as the strict observance of the traditional civil and political rights. We must seek to respond at this Conference by striving to create a world of equal rights for men and women, a world with a secure future for our children and, therefore, for the future of mankind, a world of greater justice and more tolerance for minorities and disadvantaged groups; a world in which human rights ceases to be mere rhetoric and becomes a living reality for our peoples.

I am confident, Mr. President, distinguished delegates, that the spirit of solidarity and commitment engendered in Vienna should facilitate our common response to the great but noble challenges that lie ahead.

I thank you.

MOCK, Alois (President):

I thank His Excellency for his statement. The Chief of Protocol will now escort His Excellency to his seat.

Ladies and gentlemen,

I kindly but very firmly ask you to pay attention to the speaker. There is too much noise in the room. Bilateral conversations could go on outside the plenary room. This is also the question of politeness.

I now have the honor to invite His Excellency Sali Berisha, President of Albania, to address the Conference. The Chief of Protocol will escort His Excellency to the rostrum.

Your Excellency, please take the floor.

BERISHA, Sali (Albania):

Keywords: ALBANIA - GOVERNMENT POLICY - POVERTY - BOSNIA AND HERZEGOVINA - BALKAN REGION - THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA - KOSOVO - SERBIA - ARMED INCIDENTS OR CONFLICTS

Mr. Chairman, Mr. Secretary-General of the United Nations, Mr. Secretary-General of the Conference, Excellencies, ladies and gentlemen,

First, I would like to thank Mr. Secretary-General and you, Mr. Chairman, and your country for the organization of this Conference of the UN, which is convened to treat of a theme just as old as mankind and as important and great as man itself. Freedom as the natural condition of the existence of the individual and his basic rights have found their expression in vivid forms and shapes, in the laws and constitutions of various peoples and countries. But, unfortunately, quite often they have been curtailed, neglected or denied altogether. However, amidst these laws and constitutions of the mankind, there has also existed an even older code through which they have been preserved in their original form more clearly and broadly than in any other place. Such code shielded them from all the dictators and dictatorships, from all barbarians and atrocities; it copied and transmitted them alive and unimpaired from generation to generation. This remarkable code is the genetic code of the human being. Hence, the human rights and freedoms are eternal and everlasting, are universal, divine and human at the same time. Coded in the genes of the human being, inscribed in his heart and feelings, transcribed in his ideals, published in the Holy Scriptures and other books, they have been and will remain the most precious treasure of the spiritual and psychological legacy of the individual. They are the main motive of his struggle, labors, sacrifices, hardships and sublime commitment to the eternal path of freedom.

Therefore, in the history of mankind, the rights and freedoms of the individual and the struggle for their achievement has been the chief driving force behind all the great historical, political, economic and social changes and developments.

Mr. Chairman,

This Conference sits amidst the excitement of millions of people who gained their freedom from one of the most hideous dictatorships in the history. I can tell you that in this case, just as in all the great changes in the history of mankind, the struggle for the basic rights and freedoms of individual was decisive in the tearing-down of the Iron Curtain, in the fall of the Berlin Wall as well as in the guidance of these countries towards democracy.

In this context, as it is already known, for the Albanians the communist dictatorship has been one of the cruelest; its notorious memory is not at all a distant past. But the encouraging fact is that today we are more than ever determined to build in the Balkans the model of a society based on the rule of law, on the respect of the basic rights and fundamental freedoms of the individual.

Ladies and gentlemen,

Post-dictatorial societies are extremely complicated. They tend to be a mixture of both, old and new, and often irreconcilable psychologies, practices and behavioral patterns. In such societies, the persecutors and the victims should live together and to a certain extent accept the conciliation as the only way of salvation. In such societies, the social pathology, which during the dictatorship was dominated by self-censure, duplicity and other syndromes generated by a mixture of fear and lies, changed into a new one - first suffering from such syndromes like euphoria and analgesia brought forth by the early breeze of freedom and then deteriorating into the psychosis of despair and

disillusionment, infesting a whole mass of people because of the temporal dissociation of freedom from prosperity.

Post-dictatorial societies resemble a broken mosaic, waiting to put together all the bits and pieces according to the new principles, laws, norms and practices - all of them based on the respect of the individual rights and freedoms.

Mr. Chairman,

The past history for Albania has been one of the bitterest. The legacy of the dictatorship we just left behind is a heavy burden on the brittle shoulders of the newly-born democracy. But I hold the firm conviction that Albania should and will pass from the mimicry of dictatorship into the model of freedom. And this because the Albanians during all their history have created hope. It is true that our long history is fraught with dramas and long-drawn occupations but at the same time there shine in it numerous struggles and unmatched sacrifices for freedom. Moreover, I would say, that an encouraging and hope-inspiring place in it is occupied by the last year of struggle on the road of democracy. Today, Albania has one of the most advanced charters on human rights; furthermore, all the Albanian legislation and institutions are being set up in accordance with the modern standards. In this direction, great help has been provided by the Council of Europe, the European Community, the agencies of the UN as well as other international organizations and institutions - to all these goes our infinite gratitude. On the other hand, Albania has decided to adhere to the UN Convention and has sought to sign the European Convention on the Prevention of Torture. Even more important and encouraging has been the respect and consolidation of the human rights and freedoms in my country. Today in Albania, no one is persecuted for his own thoughts and there exist hundreds of newspapers and magazines - over 80 percent of which being private - where everybody may freely express his opinions. A considerable number of political parties and non-governmental organizations and societies conduct their activity either in the parliament or in all the social life. But, alongside the development and consolidation of the political pluralism, I think that Albania should be appreciated for its religious pluralism, the marvel of which lies in the constituent religions themselves. The three communities: Muslim, Catholic and Orthodox and different sects who have lived side by side since centuries are now undergoing a period of renewal. The perfect religious tolerance of the Albanians carries the great message of peace and understanding from a small nation to all people. Today Albania has adopted the most liberal system of the freedom of movement. It is decided to go on with the adoption of the most progressive norms and standards for the treatment of the minorities. Hence, the Greek minority in Albania, which in the last free elections polled 49,000 votes, is represented in the Parliament by two deputies of their own party and four deputies of other political parties. This minority has placed in the central and local government ministers, ambassadors, judges, mayors, councilors. There are three newspapers in Greek language and their broadcasting as well. It has the right to elementary and high education, and next year the higher school will be opened. This minority may develop its own culture and practice its own religion. It may retain and develop all the links with the country of origin.

During the last year, the Albanian government has drafted and is implementing a rigorous programme of reforms in the economy, through which it aims at the transformation of the centrally-planned economy into a free-market economy. As a result, this year, though still remaining the poorest country in Europe, we succeeded to put inflation under control and reduce it. Thus, the monthly inflation rate was 20 percent a month at the beginning of the reforms; whereas the price index for the last month was minus 0.5 percent. Our currency is still holding stable; long queues and empty shops have disappeared; the budget deficit diminished from 50 percent to 20 percent; the private sector succeeded in employing 100,000 people in one year; about 90 percent of the land was distributed to the peasants in private ownership; the agricultural production has seen an increase of 20 percent, whereas the industrial one is

beginning to show a slight recovery. All these bear witness but to one fact - that freedom is working for the Albanians just as it has worked for the others.

In the hitherto success of the economic reforms in Albania a vital role has been played by the substantial aid provided by the European Community and its member countries, where Italy and Germany rank among the first, by the United States, by the IMF and the World Bank and by the neighboring and friendly countries from Europe, Arab world and Asia as well as your country, Mr. Chairman.

I take this occasion to express my deep gratitude to all these countries: to their citizens, governments and institutions and assure you that their generous help will be remembered for a long time among the Albanians.

Mr. Chairman, ladies and gentlemen,

Besides the achievements in the observation of the human rights and freedoms, in the transformation of the centrally-planned economy into a market economy, I would still point out that today and in the near future Albania is faced with enormous difficulties. Thus, its deep poverty in the middle of the rich Europe, the rather outdated technology, and the high unemployment are but a few serious drawbacks in the path of the reforms.

But the fledgling democracy in Albania is even more threatened and frustrated by the war in Bosnia and its ominous dark shadows over the Balkans. Day in day out, Bosnia is witnessing the murder of the innocent and unprotected children, old people, women and men by the shootings and shelling of the Serb aggressors. Europe is languishing under its most bloody drama since the World War Two. Ethnic cleansing and extermination drove out of joint the understanding, the harmony and the coexistence between people. All these are painful and disastrous. But even more tragic and disastrous is the fact that every day Bosnia is witnessing the murder and death of the lofty values on which the modern civilization is based. The war in Bosnia has become a "Calvary" not only for the unprotected Muslims and often for the Serbs and Croats as well, but also for the universal system of human values and the principles of peace and common security — the reason for which we are here today. The events of the first quarter of this century in Sarajevo led to a world war, whereas the present developments of this *fin-de-siècle* are ominously threatening the long-awaited dream of the new order of the international community. They are weakening the alliances and common approaches. They are encouraging the search for the personal foe, fostering alliances that have been doomed by the past history and weakening the already existing system of the mutual security.

For all these reasons, I believe that today, more than ever, strong and urgent measures should be taken for the implementation of the Vance-Owen peace plan and for bringing the Bosnian conflict to a stop - a thing that the hitherto attempts of the UN and the EC have unfortunately failed to do. These attempts have been unsuccessful not because the international community was confronted by a superpower or a super-state but because this conflict was the direct outcome of Milosevic's decision to forcefully create the Greater Serbia and of the encouragement he receives from those who erroneously believe that their interests are satisfied by a greater Serbian State in the Balkans.

But, ladies and gentlemen, this ruthless calculation, which could end up with fatal consequences for the Balkans and Europe, is just as short-sighted and erroneous as it is to compare the Greater Serbia with former Yugoslavia or with Tito's Yugoslavia and its role in the so-called de-Balkanization of the Balkans. History has proved that a Greater Serbia has always been an expansionist, occupying power, a source of wars and conflicts in the Balkans. Accepting such a creation would mean justification of the aggression and invasion and perpetuation of the conflict.

Therefore, we consider very important the implementation of the joint action plan reached in Washington and are encouraged by the consensus reached by NATO in Athens. But again we reiterate our opinion that the key to the success of the joint action plan does not lie in the safe heavens but, first and foremost, in the strict control by the UN monitors of the Bosnian borders, in general, and that with Serbia, in particular; because not the air protection but the arrest of munition and fuel supplies for the aggressor would force it to submission and save the lives of the unprotected Muslims as well as of the sons from other countries who are in Bosnia on a lofty but dangerous mission.

Mr. Chairman,

Alongside the halting of the conflict in Bosnia, we consider just as important the prevention of a spill over in Kosovo and Macedonia, which would lead to a war with unpredictable consequences not only for the Balkans itself but for the whole Europe as well. No doubt, the Albanian nation divided in four states remains under constant threat. The ethnic cleansing of the Albanians from their homes in the past history and in the present times by Milosevic has always been a crucial element in the scenario for the creation of the Greater Serbia. The total occupation of Kosovo, the heavy military build-up in a region of two million Albanians who make up for 95 percent of the population, the assassination of the Serbian militiamen by the hand of Sheshejl's and Arkan's followers, Cosic's removal from the political scene - all these are clear and definite evidences of Milosevic's determination to pursue his criminal course towards Kosovo and Albanians. Therefore, I seize upon the occasion to appeal to the UN, the European Community, the United States and NATO to take all the necessary measures before it is too late for the prevention of the conflict. Hence, we consider urgent and extremely important the placing of Kosovo under the UN control, its declaration as a neutral zone, the further tightening of the sanctions against Serbia and the conditioning of a possible lifting by a political solution acceptable to all the parties involved. Likewise, the recognition of the independence of the Former Yugoslav Republic of Macedonia and the guaranteeing of its sovereignty would certainly curb the absurd claims originating from the old imperial atavism in the region. The stability of FYROM is a necessary condition for the regional peace and stability. In this context, we see it as an important step the deployment of the US ground troops in Macedonia. Naturally, the attainment of the stability requires from this republic a constitution that would proclaim it as a state of free citizens, where the Albanians, making up one third of the population, would enjoy all the national and human rights and freedoms as prescribed by the UN Charter and Helsinki documents.

Mr. Chairman,

The Albanian nation is one of the oldest in the region. Though not living in a unified state, it still does not demand a forceful change of borders but seeks and strives for the prevention of the conflict and for the creation of a democratic space where it can develop its national and human rights and freedoms.

The Albanians in Kosovo are subject to ruthless oppression, discrimination, silent ethnic cleansing, provocations and real apartheid. It is also deplorable that even in the other surrounding states they do not enjoy full human rights.

Yet, they are not only striving for a democratic space, but are also demonstrating a commendable civilized self-restraint. Some have attributed this to their poverty, others to the lack of modern armaments; but I assure you that such self-restraint shown by the Albanians stems from their powers of fortitude and wisdom, from their sense of responsibility for the peace and stability in the region, from their unflinching confidence in the international community. Hence, once again from this rostrum I do appeal to the Security Council, the EC, the United States and NATO to take all the necessary measures for the prevention of the spill over of the conflict and massacre in Kosovo. Otherwise, the Albanian nation as a whole is resolved to resist and this would entail a Balkan war. Therefore, I do ask the international community to responsibly consider the question of the Albanians in the Balkans, to

appreciate their attitude and be seriously committed to the just solutions that would fully respect the national and human rights and freedoms, which they deserve and which, I assure you, they will use to promote peace and democracy.

Thank you very much.

MOCK, Alois (President):

I thank His Excellency for his statement. The Chief of the Protocol will now escort His Excellency to his seat. I now give the floor to His Excellency Mr. Peter Kooijmans, Minister of Foreign Affairs of the Netherlands. Excellency, you have the floor.

KOOIJMANS, Peter (Netherlands):

Keywords: HUMAN RIGHTS ADVANCEMENT - DEVELOPMENT - IMPUNITY - UN. High Commissioner for Human Rights - WOMEN - INDIGENOUS PEOPLES - DISCRIMINATION

Mr. President, Mr. Secretary-General of the Conference, Excellencies, ladies and gentlemen.

Mr. President,

Allow me, first of all, to congratulate you on your election to the presidency of this Conference. I feel confident that under your able leadership this Conference will be guided to a successful end.

It is an honor for me to address the Second World Conference on Human Rights, and I would like to express my gratitude to the government of Austria for hosting this important meeting. It is my sincere hope that the outcome of this Conference will contribute considerably to the strengthening of human rights promotion and protection all over the world.

Although the promotion and protection of human rights is one of the priorities of the United Nations system, neither the Organization, nor we as UN members have always given it the positive attention it merits. Even stronger, the United Nations in its booming period is developing so many new activities that the issue of human rights seems to slip to a lower level of attention. This Conference should bring the promotion and protection of human rights back into focus and should strengthen the United Nations' capacity in the field of human rights. In his statement, my Danish colleague, Mr. Niels Helveg Pedersen, will refer to the expectations of the European Community and its Member States with regard to the outcome of the Conference. I, for my part, would like to focus on a few crucial themes that do not cover the whole agenda we have on human rights but that are basic to the United Nations effort. I will first address the concept of universality. Related to this concept is the legitimate concern of the international community for human rights. A second theme is that of human rights, democracy and development. A third issue is the importance of combating impunity. Fourthly, I want to stress the importance of boosting the United Nations effort in the field of human rights.

Finally, I will address a few specific issues.

Mr. President,

Universality of norms is inherent to the concept of human rights as it pertains to the innate human dignity. Since the Second World War, this concept has been accepted time and again by the world community. Thus, all civil, political, economic, social and cultural rights, which are indivisible and interrelated, are universal. It strikes me that in the Bangkok Declaration governments have accepted a formula that seems to depart from this idea of inalienable rights. There can be no doubt, Mr. President,

that it is the duty of all states to promote and protect unconditionally all human rights and fundamental freedoms regardless of their political, economic, cultural or religious systems.

Mr. President,

Only governments sometimes call into question the universality of human rights, not the people and not the victims of human rights violations. Universality should not be questioned since it has been confirmed again and again by the international community, and since human rights belong to the individual and certainly not to governments. That is how I felt when I was outside government and that is how I feel now I am inside. Furthermore, since the adoption of the Universal Declaration and the subsequent establishment of the human rights covenants, human rights have become an integral part of international customary law.

A related theme I feel is necessary to address is the legitimacy of international concern for human rights. Though this should be self-evident from the concept of universality, from the provisions of human rights treaties and from the decisions and activities of the United Nations Commission on Human Rights as well as from the provisions of the Charter of the United Nations, it seems the legitimacy of this international concern is sometimes questioned. But one cannot simply construe international attention and international concern for human rights as politically motivated. All cultures and ideologies condemn atrocities and aim at justice. Universal human rights are simply an expression of a common standard for a mankind as a whole regardless of these ideologies and cultures. Accountability of states for human rights violations irrespective of the region where they are or the culture to which they belong is an acquis of the international community achieved during the last forty-five years.

Mr. President,

I would now like to address one of the central themes of this Conference, which is the essential link between human rights, democracy and development. It should be recognized that the human being, as an individual, should be at the centre of development since he is his ultimate beneficiary. Respect for human rights, the rule of law and the existence of political institutions that are effective, accountable and enjoy democratic legitimacy are the basis for equitable and sustainable development. In other words, while sovereign states have the right to institute their own administrative structures and establish their own constitutional arrangements, equitable development can only effectively and sustainably be achieved if a number of general principles of good governance are adhered to. Development and protection and promotion of human rights belong together and both require stronger commitments from governments.

Mr. President,

A third issue I would like to focus on is that of impunity; a problem that remains abundantly present in our world. The United Nations can strengthen the hand of the individual vis-a-vis the state in cases where the violations have already taken place; it can point to many decisions by its bodies intended to fight impunity. While the international community can point to instances of impunity and stress the risks of lawlessness when violations of human rights go un-researched, unresolved and unpunished, it is up to national governments to act and to prosecute human rights violators. Prosecution and punishment would, indeed, have a preventive effect in the future.

Specific points that should follow from this are, for instance, the fact that the Commission on Human Rights should follow-up on recommendations made by experts, rapporteurs and working groups and consider whether these recommendations have been implemented. This can help stimulate the rule of law.

Furthermore, the United Nations should focus on impunity and prevention of recurrence of violations by making human rights a primary concern in all its operations. How, for instance, can countries torn by internal strife and rescued by UN peacemaking or peacekeeping ever recover if the rule of law does not flourish as well? The enjoyment of human rights, authentic political participation, legitimate representation in a credible government and accountability for human rights violations in the recent past must be of central concern. Let us take seriously the warning of the writer Solzhenitsyn in his book the *Gulag Archipelago*: "When we neither punish nor reproach evildoers, we are not simply protecting their trivial old age, we are thereby ripping the foundations of justice from beneath new generations." The international community has recognized this simple truth by establishing a tribunal to try and punish the perpetrators of the atrocities committed and still being committed in the former Yugoslavia.

Mr. President,

The fourth topic I would like to discuss is the need to strengthen the UN effort in the field of human rights. As I underlined already in the earlier part of my intervention, the promotion and protection of human rights and fundamental freedoms must be brought back to the centre of our attention. It should be given again its rightful place in the United Nations system. This must ensure due attention for human rights aspects in all UN activities. Although not exclusively, this is also a matter of resources.

It is of the utmost importance that resources available for human rights promotion and protection increase considerably and that the Centre for Human Rights, including its liaison office in New York, be strengthened. From my own experience, I can tell you that the officials of the Centre do their utmost to service all mandates we assign to them. But their task has become an impossible one.

Furthermore, it is my strong opinion that the element of human rights should be integrated in all UN activities, specifically in the fields of peacekeeping, peacemaking, emergency aid and electoral assistance. This rightful place of human rights has to lead to a re-evaluation of the priorities reflected in the United Nations regular budget.

Mr. President,

In order to ensure the realization of the goals of strengthening the UN efforts in the field of human rights and also strengthening the system-wide attention for and system-wide coordination on human rights, the establishment of a High Commissioner for Human Rights as the head of the UN's activities in this field and as the head of the Centre for Human Rights should be considered. Although not an aim in itself, the establishment of a High Commissioner could be the expression of the increased importance of human rights within the UN system and reflect coordination in the field and enhanced prominence of the Centre for Human Rights. The commissioner should have direct access to the Secretary-General and could also in the end add to the United Nations' capacity to respond effectively to emergencies in the field of human rights without infringement on the mandates of existing mechanisms in the field of human rights. This would adequately reflect and further enhance a more profiled place for human rights within the UN system.

Mr. President,

A fifth topic I would like to address is that of the rights of women. While human rights are of course also applicable to women, it is necessary to concentrate on their rights because of certain specific violations such as sexual violence and gender-based discrimination. The terrible crisis in the former Yugoslavia, where rape was practiced as a systematic violation of human rights, has once again made us aware of the atrocities committed against women. I am, therefore, very pleased with the many suggestions made for the final document on the rights of women. I would like to point the attention of

the delegates to the recent seminar "Calling for change: international strategies to end violence against women" held in the Hague and sponsored by the government of the Netherlands and UNIFEM. The seminar called upon this Conference to apply universal human rights standards equally for the protection of women. In my view, this should include ratification of the Convention on All Forms of Discrimination against Women and withdrawal of reservations to it. Furthermore, more systematic attention should be paid by human rights mechanisms to the rights of women. I, therefore, welcome the fact that the UN Commission on Human Rights was able to decide earlier this year to ask for more attention for the rights of women and to consider the appointment of a rapporteur on violence against women next year. Efforts should also be made to coordinate the work of the United Nations on human rights in general and the rights of women in particular more closely. A call should also be made for the adoption by the United Nations General Assembly of the draft declaration on violence against women adopted earlier this year by the Commission on the Status of Women.

Mr. President,

As human dignity is to be respected in all human beings, non-discrimination deserves a central place at this Conference. Discrimination is one of the central evils to be fought in our time. It is spread-out over all countries of the world. No single country is free of forms of discrimination or immune to it. It takes so many shapes that it is impossible to enumerate them. Some examples of the many forms mentioned, are the system of ethnic cleansing, anti-Semitism, racism, unequal treatment in courts, gender-based violence against women, discrimination on the basis of sexual orientation, xenophobia and I could go on for a very long time. It is extremely important that this Conference once more expresses its disgust over discrimination in all its forms and to call on all to step up their endeavors to eradicate it. To give you one example, Mr. President, in a time when virulent nationalism, excessive ethnic tragedies and violent xenophobia are rampant, this country whether situated in the West or in the East, in the North or in the South, should seriously consider to invite a Special Rapporteur on xenophobia and racism.

Mr. President,

Another important topic under the discussion in this Conference is the plight of the indigenous peoples. We are of course celebrating the International Year of Indigenous Peoples, the year of which Rigoberta Menchu, with whom I had a lengthy discussion the day before yesterday, has become the international symbol. The Peace Nobel Prize winner stressed, and rightly so, that the Year should not only have symbolic value but also practical outcomes. These outcomes should, in my view, include effective representation and participation of the indigenous in decision-making processes, the strengthening of legal protection of their rights and recognition of the importance of their cultural identity. It is my sincere hope that governments and the indigenous can work together towards these aims.

Mr. President,

While the end-result of this Conference may still be unclear to us, one thing has already been achieved. This whole event once again draws the attention to the ideals of the United Nations and the international community in the field of human rights. Participants should be aware that they have been entrusted with the important task of reaffirming the United Nations acquis and of making progress in an important field of UN work and policy. I am heartened by the wealth of ideas being brought to the fore by governments, intergovernmental organizations, experts and, not least, non-governmental organizations. These non-governmental organizations are most often involved with working with human rights at the grass roots level and, therefore, their voices should be heard and taken into account in formulating a final document.

Mr. President,

To conclude I would say: we have come a long way but not far enough. Violations continue during the very two weeks that this Conference takes place and they occur at the unprecedented scale not far from here. The international community must also continue. It must continue to carry out its mandate on human rights. This means focusing on ways to implement all the valuable, universal standards we formulated during the past decades. This means working towards the prevention of violations. This means assisting the victims of violations. This means overcoming obstacles to the universal realization of human rights, among other things, by providing advisory services in the field of human rights. I, therefore, want to appeal to all those involved in this Conference to work constructively and with a sense of urgency towards these goals and, thus, make this Conference a milestone in making human rights ever more a reality for men and women all over the world. We owe it to the victims of human rights violations to persevere. In short, speaking out on human rights is not only permitted; it is necessary, and it is our solemn obligation.

Thank you Mr. President.

[Change of President]

LAVINA, Nelson (President):

I thank His Excellency for his statement. I now give the floor to His Excellency Mr. Johan Jorgen Holst, Minister of Foreign Affairs of Norway.

HOLST, Johan Jorgen (Norway):

Keywords: ETHNIC CONFLICTS - RACE RELATIONS - DEMOCRACY -
DISCRIMINATION - MINORITIES - INDIGENOUS PEOPLES - UN. Centre for Human
Rights - UN. High Commissioner for Human Rights

Mr. President,

I want to express my sincere gratitude to the people and government of Austria for hosting this World Conference on Human Rights. Its deliberations and outcome are of concern to all present but, first and foremost, to the many human beings with little access to proper justice and whose daily lives are haunted by fears of brutal oppression. It is of particular concern to the countless victims of torture and maltreatment, to the people suffering from extreme poverty throughout the world and to the millions of refugees and displaced persons who have been forced to leave their homes due to the ravages of war.

Not far from here, in the former Yugoslavia, we are witnessing appalling violations of human rights and the basic norms of humanitarian law. Forced displacement and detention of civilians, arbitrary executions, rape and torture, attacks on civilian settlements and the destruction of religious sites have become part of a deliberate and systematic policy of ethnic cleansing.

Mr. President,

Those who commit such atrocious crimes have left the confines of European civilization, made themselves outcasts. For them we have but contempt and anger. Their crimes are appalling by any standards, they are crimes against humanity. It is part of the fight for human rights to bring to justice those who yield to the temptation to use indiscriminate force.

Mr. President,

My government and the people of Norway are deeply committed to the task of building a just world order that includes respect for universal human rights. As we are talking about inalienable, universal rights we refuse to concede to the apologists of oppression who claim special circumstances and historical justice. No cause remains just, which depends on unjust means.

Almost forty-five years have passed since the adoption of the Universal Declaration on Human Rights and the basic principle that human rights are inherent in every individual human being of whatever race, sex, culture, language, religion or belief. Unfortunately, the tenets of the Declaration remain unrealized for millions of human beings. Many societies of the international community have been unable to guarantee the four freedoms of the Declaration: freedom of speech, freedom of belief, freedom from fear and freedom from want. Grave violations of the rights of women, gender-based discrimination and rape as well as abuse and exploitation of children form part of the depressing and pressing problems that we cannot ignore.

This Conference should provide a resounding reaffirmation of the principle of the universality of human rights. We need to fathom its consequences. Traditionally international law revolved around the principle of the sovereignty of states and the inviolability of their borders. At the end of the 20th century, we are concerned about the sovereignty of man, about the inviolability of the individual human being. The principle of state sovereignty may no longer be invoked for purposes of suppressing and violating the rights of the citizens of the state. State sovereignty is circumscribed. It does not include the right to violate the individual.

Mr. President,

By focusing on the inherent and inalienable rights of all human beings we contradict those who claim exclusive rights for only some human beings chosen on the basis of ethnicity and religious belief. The emerging threats of ethnic nationalism constitutes a threat against human civilization and certainly against the concept of universal human rights. Instead, we must build inclusive human communities based on the rights of man rather than succumbing to notions of exclusive human associations based on myths of ethnicity. The pursuit of exclusive communities and pure race breed separation, estrangement, hostility, aggressiveness and callousness. It constitutes a denial of the values inherent in every human being. The battle of the oppressed for attention and justice is everyone's battle.

This Conference should map out new goals and strategies. It should help governments overcome obstacles to achieve progress in the fight for genuine protection of human rights. Let me mention five important aspects of a strategy for the protection of human rights:

First, ratification and implementation of the international covenants and other relevant instruments without reservations that contradict their purpose and spirit.

Second, enactment of national legislation in conformity with the international law of human rights.

Third, establishment of national institutions for the protection and promotion of human rights, including a strong and independent judiciary.

Fourth, the constitution of a network of freely functioning non- governmental organizations. They are, indeed, indispensable to the protection of human rights, to keeping governments honest and to fostering an ethos of respect for human beings.

Fifth, introduction of specific programmes of education and human rights training.

Democracy, Mr. President, constitutes a necessary condition for the protection of human rights. Hence, the principal task is building democracy, promoting the values of the open society and organizational structures designed to preserve pluralism, coherence and efficiency in the face of diversity. The international community must stand ready to support such efforts. The World

Conference should invite donor countries to increase their support for democratic development. Human rights conditionalities do not amount to unwarranted interference but to necessary insurance that funds are not wasted and that the power they provide not usurped.

We share, Mr. President, a deep concern for people living in extreme poverty. We should rededicate ourselves to the task of alleviating the plight of the poor in a spirit of true solidarity. Development and the eradication of poverty constitute necessary conditions for human rights to flourish.

Regardless of economic obstacles, governments must comply with their obligation to respect the integrity of every human being. The World Conference should launch an all-out effort to eradicate torture, disappearances, rape and other violations of basic human rights. It should give firm expression to the need for a more active role of the United Nations in the observance and enforcement of minimum non-derogable standards for the protection of human rights in all situations; particularly in situations of internal disturbance, civil and ethnic strife and political emergency.

Racism in all its manifestations and forms, including the ugly practice of anti-Semitism, is among the most despicable and flagrant violations of the rights of human beings. Regrettably and unacceptably, racism is once again raising its ugly head in many places including Europe. Racial discrimination and ethnic hatred are incompatible with any viable notion of human rights. This World Conference should urge all governments and the world community at large to combat all forms of racism, anti-Semitism and ethnic cleansing.

Conflicts entail not only destruction and violence but also fractured human relations and the separation of families. Hence, we must strive to alleviate the consequences of prolonged and entrenched conflict by reuniting families. We urge the release of Aung San Suu Kyi whose valiant and dignified fight for democracy and human rights commands broad international support and admiration. She has reminded us that guns cannot forever silence the will to be free.

Minorities are often subject to discrimination. Myths of a pure race, the constitution of exclusive communities dedicated to uniformity rather than diversity will become oppressive to everyone. The human spirit can thrive only in freedom. Ethnic cleansing is a threat also to the ethnic cleansers. It points in the direction of a totalitarian society, of atomized individuals prevented from association with their fellow citizens except for purposes of enhancing the power of the rulers. Protecting the rights of minorities is protecting the rights of all members of a society. In international society we are all minorities. If minorities are not protected anarchy will prevail.

The cultural and religious identity of all peoples requires our respect and an opportunity to flourish. Diversity rather than uniformity enriches human life and enhances freedom. Therefore, we hail the noble and dignified effort by Dalai Lama to protect the religious and cultural integrity of his people.

My government genuinely welcomes 1993 as the International Year of the World's Indigenous Peoples. "A New Partnership" should meet the legitimate aspirations of the world's more than 300 million indigenous peoples. Let me take this opportunity to pay warm tribute to the Nobel Peace Prize laureates, present among them Rigoberta Menchu, spokeswoman for the indigenous peoples. We join in her plea for compassion and reason and for the elimination of racism, oppression, discrimination and exploitation of all those who have been caught in a spiral of poverty and hopelessness.

Mr. President,

We need to adopt an integrated, holistic approach to human rights. It embraces a wide range of activities spanning from development to peace-making, confidence building and peacekeeping. My government supports, therefore, the establishment of a coordinating mechanism for a United Nations human rights programme, under the auspices of the Centre for Human Rights.

Greater resources are needed. The World Conference should make a strong appeal to the General Assembly and governments to increase their financial allocations to the human rights programmes of the United Nations, particularly to the Centre for Human Rights.

It should call on the General Assembly also to establish the office of a High Commissioner for Human Rights not to replace existing mechanisms, which should be strengthened further but rather to optimize the use of existing resources and give the protection of human rights in the United Nations a new identity and a face. A High Commissioner for Human Rights would signal a new beginning and a renewed commitment to the spirit that gave birth to the Universal Declaration on Human Rights.

Mr. President,

This Conference should become a beacon of light and hope also for those human rights activists who have been deprived of their right to defend the integrity of other human beings. Nobel Peace Prize winners Dalai Lama, Aung San Suu Kyi and Rigoberta Menchu symbolize all those brave individuals who deserve our full support and encouragement.

Mr. President,

I trust that this Conference will produce a major step forward on the road to freedom, equality and justice for all.

I thank you.

LAVINA, Nelson (President):

I thank His Excellency for his statement. I now give the floor to His Excellency, Mr. Andrei Kozyrev, Foreign Minister of the Russian Federation, Excellency you have the floor.

KOZYREV, Andrei (Russian Federation), spoke in Russian:

Keywords: RUSSIAN FEDERATION - DEMOCRACY - MINORITIES - ARMED INCIDENTS OR CONFLICTS - NATIONALISM - INTERNATIONAL COOPERATION - UN. High Commissioner for Human Rights

Mr. Chairman, distinguished colleagues,

Any government that violates the rights of its own citizens also constitutes a danger for the world around it.

Just a short while ago a mere mention in public of this truth in our country, the former Soviet Union, would have constituted an act of civil courage, which only people like Andrei Dmitrievich Sakharov dared to take on and for which they were persecuted - up to exile or imprisonment

Presently, having defended their rights on the barricades of August 1991, the peoples of Russia reaffirmed the support for the democratic course in the countrywide referendum held in April of 1993. The next step is the adoption of a new constitution that will complete the establishment of a genuine democratic republic in Russia.

This is in no way a yearning to adopt some alien values but rather an expression of the conviction that democracy will reveal the traditions of Russia, its identity.

Potentially rich country with such a great spiritual potential, Russia has paid with social backwardness for the isolated "Soviet democracy" and "socialist" human rights. We, therefore, have a moral right

with all certainty to warn against specific concepts of human rights, whether for Asia or the South, against opposing certain categories of human rights to others.

Of course, it is easier to establish a true democracy in a rich country rather than in a poor. However, we have come to the conviction from our own experience that where the bread is given up for the sake of liberty, in the end both are taken away.

We understand the difficulties of many countries when it comes to creating material guarantees for human rights. There are unresolved problems in this regard in our country as well. However, the Russian government is open to cooperating in solving these problems with national and international organizations.

Moreover, we cannot accept references to the principle of noninterference when human rights and liberties of a person are violated. For the victims of repressions, the international solidarity often is the only means of preventing the authorities from physical violence. This was the case of the former USSR. This is the case now in countries where dissent continues to be considered a crime.

We believe that the main achievement of this Conference would be the unanimous recognition that the human rights are indivisible. The international obligations to protect them must be respected on a universal basis.

I would like to make clear that we would not agree with any document that would diminish and dilute rather than reinforce these universal and uniform principles.

If in the past it was necessary to defend people from the infringements in the part of totalitarian regimes, now it is necessary, first of all, to defend the victims of aggressive nationalism. The civilian population is mercilessly drawn into armed conflicts. The most modern weapons are used against it – tanks, airplanes, artillery. Torture, mass executions, looting, deportations, rape, hostage taking are used widely.

All of these is not merely the result of criminal acts of separate individuals. We are talking about, in many cases, the consequences of a deliberate implementation of doctrines that aim at the creation, by all means and regardless of any sacrifices, of a “mono-ethnic” state.

Ethnic cleansings are also being undertaken, so to speak, in “white gloves.” We cannot recognize of full-fledged democracy that is created only for the “indigenous” population, whereas the representatives of national minorities are either ousted from the country or put in a position of outcasts.

We are already paying for underestimating this threat in the territory of the former Yugoslavia. Today, inattention to the rights of national minorities threatens the Baltic region, indeed, to turn Europe into an area of special, not heightened, but rather diminished and dual standards.

We cannot go along with this, if only because we do not wish to make such a gift to communist-fascist, red-brown opposition in Russia itself.

One cannot but sound the alarm if literally the day after joining the Council of Europe one of its new members adopts a discriminatory law on local government. And the authorities of the capital of this state immediately takes decision about forcing thousands of people from their homes.

The most important task is to ensure in the territory of the former USSR the establishment of highest standards of human rights. Active work towards this goal is being done in the framework of the Commonwealth of Independent States.

Our president, Boris Eltsin, in his message to this Conference expressed his hope that the Conference will contribute to the strategy of international humanitarian cooperation on the eve of the 21st century.

We believe that priorities of this strategy could be the following, in particular:

Firstly, the unification of efforts in the struggle against aggressive nationalism as a global threat to international stability and human rights.

Secondly, the complex measures to protect the rights of national minorities. An important step in this direction could be the implementation of the declaration adopted by the UN in this regard.

Thirdly, establishment of an emergency UN mechanism to deal with extreme situations arising from flagrant and gross violations of human rights, the establishment of the post of the UN High Commissioner for Human Rights.

Fourthly, the protection of the victims of armed conflicts. In our opinion, the time has come to set up a global and regional systems of control to ensure the rights of victims of armed conflicts, including procedures for considering the individual complaints from the victims. In addition, it is important to ensure that punishment of perpetrators is indeed be carried out.

Distinguished colleagues,

In the time of confrontation, the human rights were in the centre of the struggle of two systems. Today, the commitment to these rights can become what unites the civilized humanity. This would correspond to the main duty of the United Nations Organization, the Charter of which all governments present here have taken upon themselves in signing. This task is: "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person."

I thank you.

LAVINA, Nelson (President):

I thank His Excellency for his statement. I now give the floor to His Excellency Mr. Federico Mayor, Director-General of the United Nations Educational, Scientific and Cultural Organization. Excellency, you have the floor.

MAYOR ZARAGOZA, Federico (UNESCO), spoke in English, Spanish and French:

Keywords: UNESCO - EDUCATION - HUMAN RIGHTS EDUCATION - DEMOCRACY

Mr. Chairman, the Secretary-General, Your Excellencies, ladies and gentlemen,

Human Rights have established themselves as the ethical foundation of an emerging wealth civilization. At the outset, I should like to underline the role played in this process by the United Nations system from its foundations to the present enhancement of preventive measures of all kinds. May I also pay a special tribute to all those individuals and groups within the civil society, many of whom I am glad to see represented here or at the NGO-Forum and notably artists, religious leaders, scientists, journalists, Nobel prize winners as well as the many unknown whose concerned clairvoyance and courage, often at the risk of their lives, have made them the active conscience of a human rights movement worldwide.

Yet, so much more remains for them and for all of us to be done. The recent relaxation of ideological tensions within the world community has aroused great expectations for the wider observance of human rights. However, the hatred and brutal conflicts have erupted in many parts of the world, particularly in the aftermath of the cold war, have underscored how deep the routes of intolerance are. The recrudescence of racism and xenophobia and massive violations of human rights based on ethnic

and cultural difference give a particular urgency to the continuing task of combatting intolerance and promoting respect for fundamental human rights.

Here in Vienna, at the Conference of cultures and ideologies, we must seize the opportunity to forge a new commitment in the course of human rights.

Firstly, I should like to say how much I welcome the attempt of this Conference to place the question of human rights in its wider context. To do so is in accord with the provision of the Universal Declaration of Human Rights, Article 28, which stipulates that “everyone is entitled to a social and international order in which the rights and freedoms set forth in this declaration can be fully realized.” For while we do not know the answer to the question “What weight of poverty can the wings of freedom bear?”, we know the question to be most pertinent. Human rights and freedoms are indivisible and individual freedom flourishes more readily, where the servitude of poverty and ignorance have been abolished. By the same token, respect for human rights and dignity is an essential leaven of authentic development.

Insofar as context is an important determinant of personal freedom, most of UNESCO's diverse activities in education, science, culture and communication contribute to creating a climate conducive to the observance of human rights. The organization has also a specific mechanism to address human rights violations within its sphere of competence and has adopted a number of standard-setting instruments in this field.

[Spoke in Spanish]

Mr. President,

I would like to deal with two aspects of crucial importance for human rights: education and universality.

Education is one of the most powerful tools available to us for the promotion of human rights. It provides the solid foundation on which to raise a culture of human rights rooted in attitudes and values as well as in specific knowledge. UNESCO has carried out a wide range of activities in this field: the preparation of study programmes, textbooks, and supplementary teaching material, including a teachers' guide to the Universal Declaration of Human Rights; training of teachers, journalists and professional groups with an interest in human rights; disseminating relevant information through the Associated Schools Plan; implementing the recommendation on education for international peace, cooperation and understanding and education on human rights and fundamental freedoms; awarding the UNESCO prize for the teaching of human rights every two years; and more recently creation of UNESCO Chairs for Human Rights Education. The ultimate goal is to develop a broad education system, a new way of teaching human rights, from earliest schooling through to university, not forgetting extra-curricular education and coverage of the population as a whole particularly the more vulnerable members of society such as women, children, minorities and the persons with disabilities whose rights are all too often ignored and require greater protection.

The end of the cold war provides us with fresh opportunities for extending the scope of the human rights education by adding the vital dimension of democracy. Democracy is the only context in which human rights can be exercised and respected. Education for democracy is based on the premise that though there can be no single model for democracy there is a number of universally recognized values and principles without which no true democracy is possible.

UNESCO recently organized a series of meetings in Montevideo in 1990, in Prague in 1991, in Tunis in 1992 to study the interrelationships between education, development, culture and democracy.

Conclusions from these meetings provided input for the International Congress on Education for Human Rights and Democracy, which UNESCO and the UN Centre for Human Rights organized in Montreal in March of this year. This congress, which was convened as a preparatory phase for the present World Conference on Human Rights, assessed the situation of human rights education and democracy in various parts of the world and analyzed the problems that need to be solved in order to develop formal and nonformal education in the area. In closing, the congress adopted the World Plan of Action for Education on Human Rights and Democracy, which I will present, Mr. President, at the end of my statement at the explicit request of this Conference.

[Spoke in French]

Mr. President,

In order to protect and implement human rights we have a specific task to accomplish: improve and extend the participation by the world community in international human rights instruments adopted in this field by the United Nations, the International Labor Organization, UNESCO and other institutions.

This practical and effective universality for which we strive will be but a reflection and corollary of the other that underlies it: universality. The axiological universality, in other words, the one of the values set out in the trail blazing text the forty-fifth anniversary of which we celebrate this year. The universality of human rights: this says it all, and, yet, it says nothing. Are we really aware of the ethical truth summarized therein? That each and every human being has equal rights? Do we really understand that each individual is both unique and the bearer of the essence of the species? Do we in our lifestyle, in our behavior realize what human rights mean in terms of the common heritage of human kind?

Common, for they belong to each and every one of us. No group, no country may claim to be the sole possessor of a universal heritage, nor impose conditions on solidarity. Universal because they transcend cultural differences. Certainly, some can dispute their uniform application to all cultures. This resistance is understandable, even legitimate, insofar as it is part of a fight against the standardization of the world in refusal to put an end to differences. But it cannot be denied that the values on behalf of which these rights are invoked correspond to the aspirations inherent to human nature and, therefore, are, indeed, universal. Universal, too, because there is but one human species characterized by uniqueness of each person.

On the threshold of the third millennium, the idea that human rights are interactive, inseparable and indivisible has found its place that encompasses the economic, social and cultural rights, civil and political rights, the right to a healthy environment or to human and sustainable development and even the rights of future generations. Let us rejoice in this constant expansion so necessary to the full enjoyment of these rights. Fundamental as they are, no one human right may be subordinated to any other.

Human rights have a collective dimension in that they may be invoked by an individual as a member of a group or if their effective enjoyment requires a social framework. In this regard, today more than ever – as we celebrate the International Year for the Indigenous Peoples – their voice must be heard, must be listened to and must take its place in the democratic polyphony, where each component respects the other, as was the case in the meetings held under the auspices of UNESCO in Ottawa, Oaxaca, Campeché, etc. Without the reciprocal respect of the fundamental rules of the democratic game, the culture of peace will not be able to take root in our world.

Consequently, UNESCO has pioneered, as it is its mission, the promotion of democratic values: Yamoussoukro, Paris, Windhoek, Alma-Ata, El Salvador were the milestones in this commitment.

Mr. President,

In concluding, allow me to make a concrete proposal. I am referring to the World Plan of Action for Education in Human Rights and Democracy adopted in Montreal, which I mentioned earlier. This Plan has addressed to all social actors, private and public, national and international. Using different means – educational systems, networks, publications, meetings, UN mechanisms and funds, etc. – we intend to provide the greatest possible amount of information on all matters connected with human rights in order to create awareness among the greatest possible number of decision-makers and executives of the needs, means and implications of our actions in the area of education in human rights and democracy in order to maximize our chances of developing, at long last, societies where all individuals as well as groups may settle their differences without violence. I trust the relevance of the Plan of Action will be recognized here, and that it may become a part of the programme of the United Nations decade for human rights education whose proclamation we support. UNESCO will strive to ensure its implementation just as we are prepared to ensure the follow-up of decisions taken here in matters relating to education. The education that is based on a continual analysis and defense of all dimensions of human rights: its essential links with democracy – day-to-day democracy – and development; freedom of expression, academic freedom, freedom to research, cultural rights, etc.

Mr. President,

Future generations have their eyes upon us. We must raise our voices firmly to ensure the preservation of their cultural inheritance both spiritual and physical and their natural heritage. We will remain alert. We will persevere. It may be said that we did not always succeed, that we were not always listened to. But not that we were silent.

I thank you for your attention.

LAVINA, Nelson (President):

I thank His Excellency for his statement.

Distinguished delegates,

At this juncture, I wish to echo the appeal by our Chairman to give some courtesy and politeness to the speaker. He also requests that we conduct our bilateral conversations outside the plenary. Thank you.

I now give the floor to His Excellency Mr. Mate Granic, Deputy Prime Minister of Croatia. Excellency, you have the floor.

GRANIC, Mate (Croatia):

Keywords: CROATIA - ARMED INCIDENTS AND CONFLICTS - SERBIA - BOSNIA AND HERZEGOVINA - WOMEN - INTERNATIONAL COURTS AND TRIBUNALS - REFUGEES - UN. High Commissioner for Human Rights

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

It is my special honor and pleasure to address, on behalf of the Republic of Croatia, the participants of this important and historic event honoring the common value we share and the fundamental rights to which every individual is entitled.

First, allow me to express my most sincere thanks to the government and the people of Austria for their kind hospitality and their efforts to make the work of this Conference a success. Special thanks are also due to this beautiful city that has extended to us again, as always before, such a warm welcome.

Your Excellencies,

We meet here at a turbulent and highly dramatic time - a time burdened with new conflicts, uncertainties and anxieties. Wars, poverty and famine, injustice and massive abuses of basic human rights are causing unbearable human suffering. We are all faced with grave and daunting challenges - the challenges of preserving peace, safeguarding human rights and freedoms, building and strengthening democracy and securing regional and world stability.

As we meet here, we commemorate as well the forty-fifth anniversary of the Universal Declaration on Human Rights, a momentous document proclaiming for the first time in history the equality of all people, and the twenty-fifth anniversary of the first global Conference on Human Rights. These two anniversaries symbolically mark the end of a period during which mankind has made significant progress in advancing human rights and freedoms but has also witnessed an intolerable rift between the lofty principles and commitments we celebrate and the tragic reality of unprecedented human rights violations in many parts of the world including our immediate neighborhood.

The passage of time and the numerous documents adopted in the course of almost a quarter of century have in no way diminished the significance of the Universal Declaration, which continues to exert a vital influence and impact on the legislation of states as well as on our entire civilization.

We hope that this Conference will lead to speedier and more comprehensive ratification of human rights treaties and, thus, contribute to the promotion of human rights on a universal basis.

I wish to point out that the Republic of Croatia, although one of the youngest states in Europe, has already become party to all human rights treaties concluded within the United Nations framework. The international agreements into which we have entered represent an integral part of our legal system and take precedence in implementation over any domestic laws. As a young democracy, developing under the most difficult conditions of transition and faced with the ravages of war, we have yet to achieve the level of protection of human rights and freedoms towards which we strive. However, our commitment to democracy and our continuous efforts to this end guarantee that we are on the right course.

The plight of my country over the past two years compels me to emphasize the imperative of peace, of life without war, as a precondition for the realization of the first and foremost of human rights - the right of every individual to live in peace, security and dignity. The people of my country have been deprived of this right. So have the people of our neighboring Republic of Bosnia and Herzegovina

We have been victims of a brutal Serbian aggression, occupation of a part of our territory, genocide, destruction of property and devastation of our cultural heritage. In this war of conquest, the aggressor has unscrupulously trampled on all standards of international and humanitarian law, thus, violating all standards of civilized behavior and openly defying the entire international community.

These atrocities have befallen not only the Croatian people but also many minorities living in harmony with us for centuries. The legal system in Croatia guarantees full protection to all minorities, the right to develop their cultural identity and their languages and local autonomy in compliance with the highest international standards. A part of the Serbian minority influenced by expansionist ambitions of Serbia still rejects these rights and participates in the armed rebellion committing gross violations of human rights in the areas under the occupation. Something that even the United Nations Protection

Force has not been able to prevent. Stopping the incitements to war and secession from outside is a prerequisite for developing a constructive dialogue that would open the way to peaceful coexistence, reintegration and the common progress of all our citizens.

Mr. Chairman,

There is a terrible memento before this Conference that constantly reminds us of our great responsibility to act vigorously to safeguard human rights. It is the terrible collapse of the system of protection of human rights and freedoms, a collapse of the international and humanitarian law, a collapse of the whole concept of European civilization in the face of the aggression waged by Serbia against Slovenia, Croatia and now Bosnia and Herzegovina.

We must not allow further ineffectiveness in confronting this open aggression to undermine the very credo of this Conference: the belief that the world can summon the political will and courage needed to act decisively in defense of international order and human freedoms. At the same time, the cruel and continuing drama makes it imperative to define efficient mechanisms to prevent violations of human rights and to integrate human rights more forcefully into the peacekeeping and peacemaking operations of the United Nations.

The aggression against Croatia and Bosnia and Herzegovina has dramatically brought to the foreground the pressing need for better protection of the most vulnerable population groups. Atrocities of the most gruesome kind have been committed against women. Women, children and the elderly have not been objects of special protection but primary the targets of the most extreme victimization. This is telling proof, now more so than ever, that the rights of women and children must be more firmly integrated into the United Nations human rights protection mechanisms. Also, the atrocities of ethnic cleansing, which are in fact a form of genocide, must not be tolerated but prevented and duly punished. In this connection, we welcome the decision on the establishment of an international tribunal to prosecute and bring to justice the perpetrators of these unprecedented crimes against humanity.

The enormity of suffering of millions of refugees and displaced persons around the world has caused us the greatest concern and frustration. Flooded by hundreds of thousands of these unfortunate souls, with our economy destroyed in the war we, in my country, have been made painfully aware of all the limitations of the existing international framework and mechanisms for the protection of refugees. The international community must find proper ways and means – with full support of this Conference – of caring for the refugees and displaced persons and, especially, of properly sharing this obligation with the first recipient country.

Awareness of the interrelationship of individual development, of democracy and human rights is essential for the full implementation of all human rights and fundamental freedoms. We expect this Conference not only to reaffirm the universality of but also to reconfirm the interrelatedness of human rights in all areas.

We believe that the introduction of the High Commissioner for Human Rights within the UN mechanism may give a fresh and vigorous impetus to the implementation of human rights. Similarly, a more active role of the Centre for Human Rights would contribute to the promotion of fundamental rights and freedoms as well as the efficiency of the United Nations in this vital aspect of international relations.

We believe that this Conference should help the United Nations to make a new and determined step forward in the protection of human rights. The fate of the individual must be brought to the focus of

attention of each individual state and made a central topic of interstate cooperation and a fundamental aim of international organizations. Nothing can justify the abuse of human dignity and rights.

The Holy Father, Pope John Paul II, recently said that at the core, at the heart of international life are not states but human beings. In relation to human suffering all over the world no one has "the right to be disinterested." The "organization of society is pointless unless the human dimension is its primary concern, in a world being built by people for people."

Ladies and gentlemen,

Let us focus on this human dimension and let us try to do our very best.

Thank you for your attention.

LAVINA, Nelson (President):

I thank His Excellency for his statement. I now give the floor to His Excellency Mr. Han Sung-Joo, Minister of Foreign Affairs of the Republic of Korea. Excellency, you have the floor.

HAN, Sung-Joo (Republic of Korea):

Keywords: REPUBLIC OF KOREA - DEVELOPMENT - DEMOCRACY - NON-GOVERNMENTAL ORGANIZATIONS - INTERNATIONAL INSTRUMENTS - UN. High Commissioner for Human Rights - HUMAN RIGHTS MONITORING

Mr. President, distinguished guests, ladies and gentlemen,

Forty-five years ago, the United Nations adopted the Universal Declaration of Human Rights. That same year, the United Nations helped establish the government of the Republic of Korea. Since then, for almost half a century, the Declaration has served as a guiding light for Korean people in their struggle for freedom and democracy.

In striving for the ideal, we have experienced numerous trials and tribulations. There were times when we despaired because the possibility of success seemed so remote. There were times when we rejoiced prematurely because of false hopes. As a divided nation, we had overriding security concerns. As a country ridden by century-old poverty, we had pressing economic concerns.

But against all odds, we continued our march towards full respect for human rights building on the courage and sacrifice of those who stood up for fundamental rights and freedom.

As we gather here at the World Conference on Human Rights, I am happy to report to you that human rights have finally come of age in Korea. I stand before you representing a nation and a people who can proudly say that truth, freedom and democracy have at last triumphed in their country.

Mr. President,

The world capitalized on the opportunities created by the end of World War Two by establishing the United Nations and subsequently adopting the Universal Declaration of Human Rights. It was our first significant action for the protection and promotion of human rights. Now as we gather in this forum, we realize that a new opportunity is unfolding before us in the wake of the cold war. Ideologically speaking, World War II was fought against fascism and the cold war against communism.

The demise of the cold war means that liberal democracy has survived and triumphed. In retrospect, oppressive ideologies perversely justified the systematic and wholesale violation of human rights in the 20th century. Now we can put to rest frightening Orwellian phrases such as "freedom is slavery" or "two and two make five." States that ignored such basic rights as the freedom to choose where to live not to mention the freedom to travel are ceasing to exist.

Now, in the post-cold war era, the trends of reconciliation and cooperation have become an integral part of the emergence of the new world order. These trends offer a new opportunity for the promotion of human rights, a rare opportunity comparable to the one we had forty-five years ago.

Together with this new opportunity of achieving universal human rights, we also face difficult challenges of the post-cold war era: eruption of regional conflicts with massive violation of human rights and the persistence of poverty and underdevelopment. The essence of these challenges is reflected in the agenda items of this forum such as the universality of human rights, and the relationship among development, democracy and the human rights.

During our struggle, we found out that the fight for human rights is inherent to human nature. Human rights are something mankind is eventually bound to cherish and aspire to regardless of political or economic circumstances. Human rights are universal, indivisible and interdependent. They cannot be altered according to circumstances. It is neither justifiable nor appropriate to deny some human rights in order to guarantee others.

At the same time, we have to bear in mind that the journey towards human rights cannot be completed overnight. It will be a long and arduous one to be achieved concurrently with other tasks. Without security and economic development, human rights cannot be genuine. Democracy and human rights cannot flourish without a certain degree of economic prosperity. There is no denying that development and human rights are closely related.

It is also true that regional and national circumstances need to be taken into account in the promotion and protection of human rights. Yet, history shows us that special circumstances do not justify abuses of human rights. Lack of development, for example, can never be used as an excuse or justification for any abuse of human rights.

Clearly, we have a dilemma here. In dealing with this problem, we should bear in mind that a simplistic and self-righteous approach to the issue of human rights could be counter-productive by provoking another powerful human sentiment, namely, nationalism. Compassion and pragmatism rather than subjective moralism should be our guiding principle.

Mr. President,

As we discuss ways to promote human rights, we have to pay particular attention to the importance of two interrelated elements: free flow of information and integration of the state in the international order. The days when governments controlled the flow of information among their people are over. Free information always works for the promotion and protection of human rights. In the same vein, the more a state becomes integrated into the regional and world order, the less likely it is that gross violation of human rights will occur.

Twentieth-century history bears witness to the fact that only democracy and human rights ensure the full blossoming of individual potential, which in turn forms the basis for political, social and economic development.

In this process, we have learned that individual courage and sacrifice is a fundamental driving force behind the promotion and protection of human rights. In this respect, the important role of individuals and non-governmental organizations cannot be overemphasized.

More often than not, the NGOs as well as the individuals can be more responsive to the implementation of human rights than governments. For that reason, the increasing number of NGOs indicates a promising trend for the universal realization of human rights.

Individuals and NGOs function within the realm of a state. It is the state that has the primary responsibility to protect and promote human rights. Thus, it is imperative that all nations become party to the international human rights instruments including the two International Covenants on Human Rights. The states that have not yet done so should be urged to ratify or accede to these instruments as soon as possible.

As we turn our attention from the individual and the state to the world scene, we see the vital contributions made by the United Nations Human Rights Commission. The Universal Declaration, the International Covenants and other major human rights instruments were prepared and drafted by the Commission. In the actual promotion of human rights also, the role of various special rapporteurs and working groups established by the Commission has been crucial.

Now that we have a rare opportunity to promote human rights at a global level and that the United Nations is established as the most effective organization to do this, it is high time to strengthen the UN mechanism on human rights.

The United Nations should be provided with a more effective organizational mechanism for dealing with human rights activities. In this respect, Korea supports the proposal to establish the office of High Commissioner for Human Rights.

A High Commissioner will facilitate the coordination of activities conducted by various human rights organs of the United Nations. This institution will also be able to respond more effectively to emergency situations involving massive human rights violations.

We fully support the strengthening of UN activities to ensure the rights of women so that human rights violations against women can be dealt with in a more effective and comprehensive manner.

Likewise, concrete programmes of action should be adopted to facilitate the promotion and protection of the rights of vulnerable groups such as children, minorities, indigenous peoples and the disabled. Such programmes of action should be prepared with the recognition that the people in these groups should not only be the objects of protection but become full participants in the development process of the society to which they belong.

Mr. President,

The Republic of Korea is a party to most of the major human rights instruments, including the Optional Protocol to the International Covenant on Civil and Political Rights. We are now preparing to accede to the Convention against Torture within this year and will faithfully carry out all the obligations under these conventions.

Korea is irrevocably committed to the cause of human rights. President Kim Young-sam of the Republic of Korea, an ardent champion of democracy himself, announced new foreign policy guidelines last month, which have particular bearing on human rights. Korea's new diplomacy, he said, will place emphasis on such universal values as democracy, liberty, welfare and human rights.

His announcement reflects the belief in democracy shared by all people in my country. The Republic of Korea, with the firm faith that democracy is an ultimate guarantor of human rights, individual liberties, peace and development, will continue to do its part in the international endeavor to expand democratic ideals.

Mr. President,

In 1998, we will commemorate the 50th anniversary of the epoch-making Universal Declaration of Human Rights. These intervening five years will be critical for the cause of human rights as the new world order takes clearer shape.

With our common efforts to achieve the goals set in the Declaration, we must be able to say to future generations that this Conference here and now opened a new and bright chapter of human rights for the 21st century.

Thank you very much.

LAVINA, Nelson (President):

I thank His Excellency for his statement. I now give the floor to His Excellency Senator Gareth Evans, Minister of Foreign Affairs of Australia. Excellency, you have the floor.

EVANS, Gareth J. (Australia):

Keywords: DEVELOPMENT - INDIGENOUS PEOPLES - HUMAN RIGHTS MONITORING - UN. High Commissioner for Human Rights - INTERNATIONAL COURTS AND TRIBUNALS

Mr. President,

The victory for personal freedom that was won with the end of the cold war has had a darker side. We have been forced to recognize that democracy does not automatically lead to economic growth, that institutions can be fragile and that forces of disintegration can be strong. The international community is confronting, both in old and new forms, the problems posed by regional conflicts: continuing humanitarian crises and massive violation of human rights. In this environment, the expectations of the United Nations human rights system are immense but there is a substantial question mark about the capacity of this system to deliver.

In human rights, no less than engineering, effective machinery is often the key to success. Since 1945, the international community has created an extraordinarily impressive array of human rights machinery, both treaty-based and charter-based. But it is severely underfunded, understaffed and poorly coordinated and is not meeting the steadily increasing demands placed upon it. A major task before this World Conference - the first for twenty-five years – will, therefore, be to end the disparity between the proclaimed priorities of the United Nations and its allocation of resources for the protection of human rights.

At the outset, however, there are, as many speakers have said, some basic principles that need to be strongly restated. The Conference does needs to reassert that human rights are universal and indivisible; that the promotion and protection of those rights is a responsibility for all states, irrespective of their particular political and economic systems; and that it follows from this that individual states cannot any longer credibly erect barriers to scrutiny.

It would, Mr. President, be a deeply unhappy development if we allowed the unproductive East-West ideological confrontation of the past to be replaced by a similarly sterile North-South divide. We should not exaggerate the differences between us for there is much common ground to be found. One constantly hears the argument that the West or the North is seeking to impose its values or national interests on societies, which have their own values based on very different religious and cultural systems. But the reality is that there is no significant value or cultural system anywhere in the world which does not aspire - at least publicly - to increase human dignity and freedom from fear. The Universal Declaration of 1948 would not have been acceptable to the international community if it did not reflect human rights traditions and themes evident in the whole range of countries and ideologies represented in the United Nations' membership.

Recognition of such essential needs as freedom and dignity is implicit in some of the earliest written codes that have come down to us from ancient Babylon, which talk of the need to help the poor and dispossessed; in Hindu and Buddhist texts, which focus on the human condition; in notions of human virtue and compassion, which characterize early Confucianism; and in the natural law tradition of Western philosophy. Throughout all of this, there is a recognition that in human relations some things are always right, and it is from this common ground that we can agree on minimum standards of behavior. No state can or is ever likely publicly to try to justify such things as torture, slavery or arbitrary killings, disappearances or detentions.

Mr. President,

Another argument one constantly hears is that some categories of rights are more equal than others - in particular that the International Covenant on Economic, Social and Cultural Rights has to be the real touchstone for developing countries, and that economic development must, in fact, have priority since it reduces or removes the conditions that give rise to human rights abuse.

Such arguments are simply not persuasive. The drafters of the Universal Declaration and the two Covenants not only refused to accept that human rights and political rights are mutually exclusive, they refused to accept any ranking of human rights. A much more persuasive argument is that a society, which respects and promotes individual freedoms - with the mobility, expressiveness and inventiveness that go with them - is more likely to enjoy economic growth than one in which claims of collective or state rights are used to suppress civil or political freedom. It would be helpful if the force of that proposition was much more widely understood and accepted.

On the other hand, the developed world must for its part do more than simply talk about the indivisibility of human rights. If we are to reconstruct a unity of purpose, we, in the developed world, have to give full recognition and emphasis to economic and social rights - rights that have in fact been sadly neglected in the past twenty-five years. This World Conference should, as one of its primary objectives, put forward specific measures to promote the implementation of economic, social and cultural rights. Such measures might include action aimed at raising the profile of these rights, in part through education and through states making a clear statement of commitment to them at the national level. Such commitment may be reflected, for example, in individual states' overseas development assistance programmes being in fact committed to the extent of at least 0.5% of such assistance by the year 2000 for human rights-related projects. It is also important in this context that we understand the significance attached by developing states to the right to development and poverty alleviation. Without the developed world recognizing such a right, we run the risk of driving a greater wedge between the governments of the North and South.

Mr. President,

The break-up of some states in recent years, notably in Eastern Europe, has highlighted the particular human rights problems posed by ethnic nationalism and the associated question of the rights of minorities. This is not a problem unique to the former Soviet Union or Yugoslavia: the seeds are also present in the Asia Pacific region and Africa. There is no easy answer to the aspirations of ethnic minorities for their own political entities, particularly when self-determination would in such cases be synonymous with fragmentation and itself be a source of threat to international peace and security: war itself, particularly civil war, engenders many of the greatest abuses of human rights.

Most such aspirations to self-determination are ultimately best met by stricter observance of human rights - in particular through establishing guarantees of individual and minority rights and building democratic institutions and processes through which minority groups can pursue their interests in a peaceful way.

Many similar concerns confront indigenous peoples. These are of fundamental interest to Australia because there is no doubt that the interaction of Aboriginal and Torres Strait Islander Australians with the rest of the community continues to pose human rights challenges in our society. In this International Year for the World's Indigenous Peoples, it is imperative that this World Conference send a clear message encouraging states to ensure that indigenous peoples can participate in all aspects of society and that United Nations agencies give due attention in their programmes to the needs and aspirations of indigenous peoples. It is also important for the Working Group on Indigenous Populations to complete as soon as possible its work on the draft declaration on the rights of indigenous peoples and to continue thereafter to be an effective forum for indigenous peoples.

If these various problems to which I have referred are to be resolved, I believe a very important component of the process will be repeated practical exchanges between countries on particular human rights problems and on the concrete steps needed to guard against abuse. This will involve a dialogue not just between governments but to some extent between and within cultures.

There is much that the United Nations can do in a forward-looking way in this regard, particularly in the allocation of more effort and resources to developing well targeted measures to strengthen legal infrastructures and national machinery which contribute to respect for human rights. It can do this through measures such as:

- providing expert advice and practical assistance in the holding of free and fair elections;
- giving technical and legal advice on the drawing up of constitutions or the establishment of institutions at the national level to protect the human rights of citizens;
- providing advice in the functioning of the judiciary and the police, and on legislative and other measures to strengthen the rule of law; and
- giving sufficient resources, and political support, to the human rights components of United Nations peacekeeping operations, for example, in Cambodia where such a component has been a key element of UNTAC.

Mr. President,

What can realistically be achieved right here, now in Vienna, at this second World Conference on Human Rights? I have touched, in a broad-brush way, on the general impetus that we believe the World Conference should give to the handling of human rights in the years ahead. But there are also a number of very specific outcomes that Australia would like to see in the final Vienna Declaration.

We certainly need to agree, for a start, that the United Nations system must deliver the resources necessary for strengthening human rights activities. At the present time, less than one percent of the total United Nations budget is allocated to this field. This is reflected in the state of the machinery and the current difficulties confronting the Centre for Human Rights. The fact is that the budget for the Centre has remained largely static for twenty years and is now smaller than the budget for Amnesty International, just one non-governmental organization in London.

Machinery - whether old or new - will only continue to work if it has regular infusions of oil: the immediate source of lubrication here, of course, is money. In Australia's view we need to include in the Vienna Declaration a very precise funding target of a doubling by 1998 of the proportion of the UN budget devoted to human rights.

Specific areas in need of immediate assistance are the advisory services and technical assistance programmes of the Centre. These must be strengthened and supported in a practical way, and the international community should use the occasion of this Conference to commit itself to substantially increasing the Center's Voluntary Fund. To demonstrate Australia's own commitment, I am happy to announce today that Australia will provide \$A300,000 to the Center's Voluntary Fund for the purpose of strengthening the domestic infrastructures, which support human rights and, in particular, national human rights machinery.

We have earmarked this money because Australia would also like to see the World Conference also endorse measures to develop independent, national human rights machinery. The "Paris Principles," which were endorsed by the Commission on Human Rights at its forty-eighth session provide important guidance on the fundamental features of such machinery. We welcome recent developments in a number of countries towards establishing such national institutions - including the announcement last week by our friend and neighbor Indonesia that it will set up a National Commission on Human Rights headed by a former Chief Justice. We have already provided, on a bilateral basis to a number of countries, a substantial degree of cooperation and assistance on these matters through the Australian Human Rights and Equal Opportunity Commission and will be happy to continue to do so.

As another specific outcome, which would promote in a practical way improved observance of human rights standards, Australia has put forward a proposal regarding National Action Plans. Under our proposal, the Conference would invite each state to draw up a written plan of action identifying steps it could take to improve its observance of human rights in accordance with international obligations. Each state would choose whether or not to commit itself to an action plan with those choosing to do so having sole responsibility for their own action plans, and taking their own individual circumstances as the starting point. Such plans could, among other things, form the basis for proposals under UN programmes of technical assistance in human rights field.

Another priority area for the World Conference, in our view, is the development of a practical programme designed to achieve universal acceptance of the core human rights instruments and to improve the effectiveness of existing treaty bodies and human rights political organs. In this context, I commend the report prepared by my friend and compatriot, Professor Philip Alston, Chair of the Committee on Economic, Social and Cultural Rights, on the Effective Implementation of International Instruments on Human Rights. The conclusions and recommendations of that report provide many excellent ideas, which I hope will be taken up in the final outcome.

A further major issue the Vienna Declaration needs to address is the equal status and human rights of women. To date there has been little overlap between the work of mainstream human rights bodies and the Commission on the Status of Women, which, since its inception in 1946, has taken the lead in elaborating the UN approach to women's human rights. To some extent, CSW's separation from mainstream human rights bodies has had its advantages, for it has allowed that Commission to take

action quickly to resolve problems of particular concern to women and to develop international norms safeguarding the rights of women, most recently in the important area of violence against women. This process has meant, however, that the mainstream bodies have not given detailed consideration to women's rights issues. Specific action is now needed to ensure that these issues are fully integrated into the mainstream human rights forums.

Children and the disabled are two vulnerable groups whose rights must not be marginalized. The human rights system must develop effective programmes to combat such abuses as child slavery and child prostitution and to protect the rights of the mentally ill and those with physical disabilities.

Mr. President,

There are just two remaining machinery matters, which do need comment because they will be subject of considerable discussion at this Conference. One is the Amnesty International proposal to establish a Special or High Commissioner on Human Rights. Australia sees very considerable merit in this proposal, particularly as it would raise the profile of human rights within the UN political processes. There are other, parallel, proposals before us for streamlining and making more effective existing mechanisms, particularly that of the Centre for Human Rights. Such proposals should not be seen as mutually exclusive, and I would hope at the end of the day that the best elements of all proposals can be blended to produce the most effective machinery possible.

The other matter, the remaining matter, with which we do need to deal concerns proposals for an international human rights court. A feature of the post-cold war period has been a growing call for such a mechanism. We have taken some steps of an ad hoc kind in relation to the former Yugoslavia. The renewed vigor of the International Law Commission's work towards drafting a statute for an international criminal court is also gratifying in advancing this general issue. The proposal by the International Commission of Jurists in favor of the establishment of a permanent international penal court to prosecute those responsible for gross violations of human rights and humanitarian law does, in our judgement, need very close attention and favorable support.

Mr. President,

In conclusion it is clear that there is much work to be done over the next few days to ensure that the final outcome of this Conference does justice to the issues confronting the international community.

We must maintain our resolve not to retreat from what has been achieved and at the same time build on those accomplishments. We need to work in a way, which puts effectiveness above rhetoric and emphasizes a constructive approach to dialogue and institution building.

The imperatives that guide my country's approach to human rights are, I believe, the same that drive all of us here. The first is a moral imperative: recognition of the worth and dignity of individual human being. The second is grounded in pragmatism: recognition that the evolution of just and tolerant societies brings its own returns in higher standards of international behavior and in the contribution that internal stability makes to regional and, ultimately, global, peace and security.

I thank you.

LAVINA, Nelson (President):

I thank His Excellency for his statement. Now I give the floor to His Excellency Mr. Niels Helveg Petersen, Minister of Foreign Affairs of Denmark, speaking on behalf of the Member States of the European Community. Excellency, you have the floor.

PETERSEN, Niels Helveg (Denmark on behalf of the European Community):

Keywords: HUMAN RIGHTS VIOLATIONS - UN. High Commissioner for Human Rights - NON-GOVERNMENTAL ORGANIZATIONS - European Communities - INTERNATIONAL OBLIGATIONS

Mr. President, dear colleagues, distinguished delegates, ladies and gentlemen,

I have the honor to address this second United Nations World Conference on Human Rights on behalf of the European Community and its Member States.

First of all, I wish to convey to the Austrian government our appreciation for the warm welcome and the kind hospitality of Austria and, in particular, of beautiful Vienna.

Mr. President,

The European Community and its Member States have come to Vienna with a firm commitment for a successful conclusion of the World Conference.

The world public looks to the participants at this Conference to reach constructive and forward-looking agreements. An outcome that can raise hope for the future - for a world where respect for each individual human being is a matter of course.

Despite the remarkable efforts undertaken since 1945 to promote greater respect for human rights, despite the increasing spread of democratic values throughout all continents of the world since the end of the cold war, man's inhumanity to his fellow human being remains an unacceptable and revolting feature of life.

As we see the world today, serious and massive violations of human rights continue to take place in several parts of the world. These violations must be addressed as a legitimate concern of the international community of states. The victims of these human rights abuses need our help. Furthermore, the victims of violations being committed during armed conflicts or under other circumstances need to be provided with humanitarian assistance regardless of frontiers.

The use of torture and sexual abuse of women and children in former Yugoslavia shock and appall us. Terrible crimes committed in the cause of what is called ethnic cleansing bring to mind the horrible memories of the fate of civilians during the Second World War. Sadly, this is far from being the only instance of widespread atrocities committed against innocent and helpless people. All those responsible for committing these crimes must be held individually responsible and be brought to justice. In this connection, we welcome the Security Council Resolutions 808 and 827 establishing an ad hoc Tribunal for war crimes in the territory of the former Yugoslavia.

In the truest sense, respect for human rights and fundamental freedoms goes to the core of what democratic, civilized society stands for. To ensure respect for human rights is to place the individual at the centre of social and governmental endeavors.

The World Conference on Human Rights represents a solemn opportunity to address the existing weaknesses in the implementation of human rights and fundamental freedoms, deficiencies, which allow such evils as torture, summary executions including executions of political opponents, forced disappearances, violence against women and racism to continue without redress. A post as a United Nations High Commissioner for Human Rights would provide a break-through in the endeavors to reach and assist the individual victim of human rights violations. The Community and its Member

States, therefore, support the idea that this World Conference pronounces itself in favor of the strengthening of the Centre for Human Rights and placing at its head a High Commissioner. The High Commissioner would serve as the focal point in our common efforts to secure respect for human rights and fundamental freedoms all over the world.

The monumental task of ensuring the full enjoyment of human rights for all is not only a task for the governments of all states but also for each individual and group of individuals. In this connection, we highly appreciate the presence here in Vienna of the many non-governmental organizations active in the field of human rights. The NGO-Forum organized in connection with this Conference has been an important event and source of inspiration for us all. Without the skills, experience, dedication and commitment of the thousands of men and women working in these organizations where would the promotion and protection of human rights be today? In a real sense, they are the voice of those who are unable to be heard.

I would also commend the contributions made by the news media to the promotion and protection of human rights. The right to freedom of expression, as enshrined in the Universal Declaration of Human Rights, is a cornerstone of democratic society.

Mr. President,

I want to reaffirm here the commitment of the Community and its Member States to the cause of human rights. We have, indeed, made this goal an integrated part of our national policies as well as of our policy vis-à-vis other states. Not through ultimatums or sanctions but through a constructive and open dialogue with other states. This is our position as it has been set out in an official document submitted to the Conference. I would also like to recall the substantial work done by the European Parliament in this field.

Let me highlight some points:

We attach particular importance to universal respect for human rights as stated in the United Nations Charter, developed in the Universal Declaration of Human Rights and further elaborated in the many UN instruments in this field, particularly, the two International Covenants. Attempts to fragment the universal human rights concept by introducing national and regional concepts of divergent values would, in our view, be a serious step backwards. The aim must be to strengthen the universality of human rights and we believe the diversity of cultures on our planet can contribute towards that goal.

Much has been achieved since the adoption of the Universal Declaration of Human Rights in particular as regards standard setting. Attention should now be directed towards a more effective implementation of these standards, primarily at the national level.

The state is the principal custodian of human rights; its role is to respect and enforce those rights. But the state has in too many cases been transformed into an instrument of direct oppression of its own people. The protection and promotion of human rights is the primary responsibility of states. They have undertaken international obligations under the Charter of the United Nations and international law and are, therefore, accountable towards the international community. Thus, human rights violations are a legitimate concern of the international community. States can no longer shelter behind the cozy screen of noninterference.

We believe that the time is ripe for improving coordination of the many tasks entrusted to the United Nations within the field of human rights. The United Nations Centre for Human Rights should be the focal point for these activities, which means that a substantially increased proportion of existing UN resources must be allocated to the Centre so that it can perform the task the international community

entrusts to it. Given the fact that the promotion of human rights is a main priority of the United Nations it is, indeed, absurd that less than one percent of the regular UN budget is allocated to the Centre for Human Rights and that less than one percent of the United Nations staff deals with human rights. These sad figures speak for themselves and should be redressed.

We believe that democracy and the rule of law are necessary to secure full respect for human rights. We further believe that these attributes of a healthy society create the best foundations for sound and sustainable economic and social development. The interrelationship between human rights, democracy and development will be dealt with by the Community in a special address on Wednesday afternoon.

The plan of action, which we would like to see adopted as a part of the concluding document of this Conference, should address the issue of the human rights of women and, in particular, that of violence against women. The role of women must be given high priority and integrated fully into the human rights debate, not least to ensure a real gender balance.

Torture is a human rights violation, which can never be accepted or excused. Under human rights law and humanitarian law, freedom from torture is a right, which must be protected under all circumstances. Over the years, major conventions have been adopted with the aim of preventing and eliminating torture. But the practice of torture is still prevalent in many countries. The Conference should, therefore, call on all states for an immediate end to this scourge through full implementation of the relevant Conventions and strengthening of existing mechanisms. States should, furthermore, be called upon to provide rehabilitation services for victims of torture.

The Community and its Member States have always been and continue to be opposed to all forms of racism and racial discrimination. We lose no opportunity to condemn these odious practices, and we are appalled by the crimes now being committed in the name of so-called racial or ethnic purity. The Conference should in its final document include a strong condemnation of all forms of racism; it should reaffirm the commitment of all states to do their utmost to prevent and suppress all manifestations of racism and xenophobia.

Among the many other areas of particular concern we believe that action should be taken to further the implementation of the rights of persons with disabilities, the rights of the elderly and the rights of indigenous peoples. We are also particularly concerned with the rights of children with regard to whom the Community and its Member States have already taken several initiatives at the international level.

Mr. President,

The Community and its Member States are determined to play a constructive and consensus-building role in the process towards reaching agreement on a substantive and forward-looking final document.

Today, more than ever before, it is clear that respect for human rights is crucial to the future wellbeing of humanity. The convening of this Conference as well as the Rio Conference last year is a reflection of the fact that the protection of human rights and the protection of the environment has today become central challenges to civilization. Let us work together and make the World Conference the beginning of a new future for human rights, a future where every single citizen of the world will be the beneficiary of these rights and freedoms in the sense that he or she "Knows Them - Demands Them - Defends Them."

Thank you, Mr. President.

LAVINA, Nelson (President):

I thank His Excellency for his statement. I now give the floor to His Excellency Mr. Hans van den Broek, Commissioner for External Political Affairs of the Commission of the European Community. Excellency, you have the floor.

BROEK, Hans van den (Commission of the European Community):

Keywords: European Communities - RULE OF LAW - NON-DISCRIMINATION - REGIONAL COOPERATION - NON-GOVERNMENTAL ORGANIZATIONS - TECHNICAL COOPERATION

Thank you Mr. Chairman,

The President of the European Community Council of Ministers has explained the Community's position on major international human rights problems. Allow me to say a few words on behalf of the European Commission on the way in which Community policies and programmes are helping to overcome some of these problems. The Community's founding Treaty is based on the principles of economic and political freedom. Its first rule is non-discrimination on the grounds of nationality, a rule that is backed up by the force of law. Indeed, the Community is a clear example of the rule of law enforced through the courts at the international level. The Community's commitment to fundamental freedoms was reiterated and further strengthened in the Treaty on the European Union, the so-called Maastricht Treaty.

Mr. Chairman,

The Community's resolve to protect human rights is expressed internally through its commitment to the free movement of workers, better living and working conditions, social protection, equal rights for men and women and non-discrimination in all walks of political, economic and social life. It is also reflected in condemnation of racism, xenophobia and other forms of intolerance.

Indeed, the basic criterion for Community membership is firm commitment to the rule of law, the principles of democracy and human rights. This does not mean, however, that we can afford to be complacent. Any society, any democracy can be judged by the way it treats its minorities and this is an area where the Community and its Member States mean to remain constantly vigilant.

Externally, the Community and its Member States strive to further the respect of human rights and fundamental freedoms in regional and international fora and in bilateral relations with partners around the world. The Community contributes to the human dimension of the activities of the Conference on Security and Cooperation in Europe. The work of the CSCE's High Commissioner for National Minorities is particularly valuable in this context. We are working also closely together with African, Caribbean and Pacific countries through the Lomé Convention to strengthen human rights and democratic values. For economic and political development are, in our view, two sides of the same coin and remain inseparable.

In its bilateral relations the Community is guided by the universality and indivisibility of human rights and fundamental freedoms. By making respect for these principles an essential element in all new framework agreements with its partners, the Community is helping to bring these principles to reality.

Our partners can be assured that this policy is non-discriminatory as it is intended to apply equally to all countries whatever their situation or stage of development. Such principles are as much a part of the declarations signed by the Community with the United States, Canada and Japan as they are part of the Europe agreements with countries in Central and Eastern Europe.

Far from viewing the inclusion of these principles as a form of interference in internal affairs, the governments of reforming countries welcome them as incentives to their citizens not to stray from the path of political and economic freedom.

The political conditionality attached to the Europe agreements and to the Community's economic assistance programmes for reforming countries is not intended to lead to reprimands or to expressions of disapproval. Rather it is intended as a shared aspiration, which can lead to progress through joint efforts. The same is true of undertakings made by participants in the Helsinki process.

European Community programmes in reforming countries encourage the development of independent press, free trade unions, professional associations and voluntary organizations; and they favor the development of multiparty democracy, good parliamentary practice, social dialogue and a modern public administration.

Most of these programmes, which involve training and the transfer of know-how, are implemented in partnership with non-governmental organizations, whose vitality is one of the guarantees of a stable, open society. Indeed, I welcome the participation of NGOs in preparations for this Conference, and we are extremely pleased to see many represented in Vienna today.

The Community provides technical assistance in drafting new democratic constitutions and in the preparation of elections. The European Parliament has been particularly active in monitoring elections in new democracies to ensure that they are free and that they are fair. In cooperation with the Council of Europe, the Commission assists partner countries to build up an independent judiciary and to improve the administration of justice and of the penal system.

The entry into force of the Treaty on European Union will open a new stage in the Community's pursuit of a more just society. Internally, the Maastricht Treaty will encourage the reduction of regional and social disparities that can themselves exacerbate various forms of intolerance.

Externally, the Treaty will establish a mechanism for common foreign and security policies. One of the prime objectives of these policies is the strengthening of democracy, the rule of law and the respect for human rights and individual freedoms. For injustice and intolerance are not only unacceptable in themselves but also lead to international conflict and disorder. The first step in any effective system of preventive diplomacy is to tackle the sources of conflict before they spillover into violence and war. This is as relevant in Africa and Asia as it is in the former Soviet Union and the former Yugoslavia.

Mr. Chairman,

I welcome this Conference as a much-needed opportunity to bring together the international community to reaffirm its responsibility to protect and promote human rights. The fact that we are here to take stock of this for the first time in twenty-five years should give encouragement to all who cherish freedom. The dialogue that will take place during this Conference should enable us to meet this challenge and strengthen cooperation between us in the field of human rights. The principles, finally, which flow from the common denominator of human dignity transcend the differences in religion, culture and tradition and include values common to all. The preservation and promotion of these values require tolerance mutual understanding and solidarity. This Conference as well as the work of all those institutions including NGOs dealing with human rights should make a major contribution to this effect.

Thank you, Mr. Chairman.

LAVINA, Nelson (President):

I thank His Excellency for his statement.

Distinguished delegates,

We do not want deny you your right to nutrition. So that would be the last of our speakers for this morning. Some announcement, as you will see in your journal, the Drafting Committee would be in Room F; the Main Committee would be in Room E. Both will start at three o'clock this afternoon.

The meeting is adjourned.