



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

20th plenary meeting, 24th of June 1993

World Conference on Human Rights

Vienna, 14-25 June 1993

20th plenary meeting, 24th of June 1993

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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):

The 20th meeting of the plenary of the World Conference on Human Rights is called to order. The meeting of the plenary is resumed.

This morning the Conference heard the introduction of the proposals contained in the document L.2 by the representative of Pakistan on behalf of the States Members of the Organization of the Islamic Conference. In the course of his introduction of the draft declaration, the representative of Pakistan revised the text by the addition of the following paragraph to be inserted after the paragraph beginning with the words "The World Conference in order to restore the credibility of and the trust in the United Nations," etc.

The new paragraph reading as follows:

The World Conference categorically rejects the aggressor plan to partition the Republic of Bosnia and Herzegovina

I give the floor to the distinguished representative of Pakistan.

KAMAL, Ahmad (Pakistan, Organization of Islamic Conference):

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS

Thank you very much, Mr. President.

Mr. President,

I wish to inform you of another minor drafting amendment. This amendment is on page 3 of document A/CONF.157L.2 in subparagraph carrying the number six. The last portion of this paragraph, after the words "Serbian forces," the portion which reads "and the extremist element in Bosnian Croatian forces against the Bosnian Muslims" is being deleted because it is a repetition of a phrase that already occurs in the operative part earlier. So, the second drafting amendment, is the deletion of the words "and the extremist element in Bosnian Croatian forces against the Bosnian Muslims" occurring in subparagraph 6 on page 3 of the document. I thank you, Sir.

MOCK, Alois (President):

Thank you very much.

In view of the fact that this matter has been the subject of extensive consultations, it is the understanding of the President that comments, if any, be kept to minimum. Are there any delegations who wish to comment on the substance? This is not the case, as you know, pursuant to Rule 33 of our Rules of Procedure, the Conference should make its best endeavors to ensure that the work of the Conference is accomplished by general agreement. After having held extensive consultations, I have reached the conclusion that it is not possible to achieve general agreement of this draft declaration. It will, therefore, be necessary to take a decision on this proposal by means of a vote. According to Rule 35 paragraph 1 of our Rules of Procedure, in the event of voting decisions of the Conference on all matters of such substance shall be taken by a two-thirds majority of the representatives present and voting.

The draft special declaration on Bosnia and Herzegovina being a matter of substance, the adoption of the declaration will, thus, require a two-thirds majority of the representatives, present and voting.

A representative has requested a roll-call vote, which according to Rule 37 paragraph 1 should be taken in English alphabetical order of the names of the states participating in the Conference beginning with the delegation whose name is drawn by lot by the President.

Before I proceed to draw the lot the name of the delegation with which the voting we will begin, does any delegation wish to explain its vote?

Denmark. The floor is to the representative of Denmark.

LEHMANN, Tyge (Denmark, European Community), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - European Communities - VOTING

Thank you, Mr. President.

Yes, indeed, on behalf of the European community and its Member States, I respectfully request you to allow me to explain our vote before the vote.

The position of the European community and its Member States can be summarized as follows:

It has been agreed, Mr. President, during the preparatory process leading up to this Conference that no country-specific situations should be addressed. Unfortunately, by introducing L.2, as amended this morning and this afternoon, this gentleman's agreement has not been respected. Furthermore, it is stated in Rule 33, to which you referred yourself, Mr. President, that the Conference shall make its best endeavors to ensure that the work of the Conference is accomplished by a general agreement. The text before us does not respect that rule as it has now become obvious during consultations held that the text does not meet with the general agreement.

For these reasons alone, Mr. President, the European Community and its Member States are not able to support the text. As to the substance of the draft declaration, I wish to place on record for this Conference the position of the European Community and its Member States as it has been stated by the European Council in a declaration and Bosnia and Herzegovina adopted in Copenhagen on 22nd June this year, that is two days ago.

With your permission, Mr. President, I wish to read out this declaration.

The European Council reviewed the extremely grave situation in the former Yugoslavia and the latest negotiations between the parties to the conflict in Bosnia-Herzegovina on the basis of a report by Lord Owen to Ministers.

The European Council expresses its full confidence in the Co-chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and encourages them to pursue their efforts to promote a fair and viable settlement acceptable to all three constituent peoples of Bosnia-Herzegovina. It will not accept a territorial solution dictated by Serbs and Croats at the expense of the Bosnian Muslims.

The European Council reaffirms its conviction that a negotiated settlement has to be based on the principles of the London Conference, reflected in the Vance-Owen Peace Plan, particularly the independence, sovereignty, and territorial integrity of Bosnia-Herzegovina, the protection of human rights and the rights of minorities, the inadmissibility of acquisition of territory by force, the vital need for humanitarian aid to be provided and reach those in need, the prosecution of war crimes and breaches of international humanitarian law.

The European Council supports the call of the government of Bosnia-Herzegovina for an immediate cease-fire. It reaffirms the need for wider international support for humanitarian aid and for guaranteed safe passage of convoys.

Speedy implementation of UN Security Council resolutions on safe areas is an indispensable contribution to the implementation of the objectives mentioned above. The European Council decided to respond positively to the request of the UN Secretary General for men and money. It urged Member States to comply with that request within their abilities. At the same time, it appeals to other members of the international community to do likewise.

Sanctions will remain in place and will be tightened until conditions for their lifting set by the United Nations and the European Community have been met. The Community and its Member States will contribute further resources to their strict enforcement.

Mr. President,

As it appears from this declaration there are substantial elements in L.2, which we cannot support, in particular, those related to the competence of the Security Council, which fall outside the scope of this Conference. Consequently, the European community and its Member States will abstain on the draft declaration before us. I thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. The floor is to the representative of Argentina.

LANUS, Juan Archivaldo (Argentina), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - ARGENTINA - VOTING

Thank you, Mr. President.

I should like to explain the Argentinian vote on the draft declaration contained in document L.2. As everyone is aware, in the course of the Preparatory Committee meetings and the run-up to this Conference, an explicit agreement was reached that we would not refer to particular situations. We were in so doing attempting to respect the thematic criteria laid in the Conference agenda, but furthermore and above all, we agreed that we would meet the interests of some delegations who expressed certain amount of misgiving about the holding of a conference which might turn into a tribunal. In the days of intense work of this Conference, we have observed that important items of the agenda have not been dealt with or have been dealt with in a very superficial manner.

Some of the objectives of resolution 45/155 passed by the UN General Assembly, such as evaluating progress made on implementing the Universal Declaration of Human Rights and that of reviewing and re-evaluating the effectiveness of the mechanisms used by the United Nations, were not debated and have not been dealt with.

The work and discussion on the drafting of the final declaration have turned into a constant dispute between those who trust in the full implementation of a universal human rights system and those who do not trust in any measures, which would lead to the strengthening of that system.

Given the dissatisfaction, which I think is felt by many countries, we are now faced with a draft declaration that we have to accept or reject in total and that deals with a particular situation, however serious that situation may be.

In the final declaration of the Conference, we have accepted to scale down our expectations so as to reach consensus.

The declaration contained in document L.2 to a great extent exceeds the competence of this assembly, even though we share its aims and we are appalled by the terrible situation faced by the peoples of Bosnia and Herzegovina behind the presentation of this document.

In 14 months, over 200,000 people have been killed, women are being raped on a daily basis, 40,000 children have disappeared. The practice of mass human rights violations is institutionalized, even worse, justified by religious and cultural criteria. Ethnic cleansing or, to put it better, extermination has established a system of terror perpetrated against innocent people.

However, the declaration does contain paragraphs and provisions, which are outside the competence of this Conference such as the lifting of the arms embargo that was issued on the basis of security criteria, the Vance-Owen Peace Plan of a political nature as well as which are within the direct competence of the Security Council.

These reasons make it essential for us to express our dissatisfaction with the declaration.

This is our belief, and the Argentinian delegation has the moral authority to express itself as it is so doing because we were one of the first countries to send troops to the United Nations forces that are trying to bring peace to the territories of the former Yugoslavia. Because we have more than one thousand men under arms in the field, who are Argentinian soldiers in the UNPROFOR forces. Because various officers and soldiers have lost their lives on the lands that are a very long way from our country. Because we have offered to take in refugees from amongst the populations of the former Yugoslavia at a time when many countries are closing their doors to those who are fleeing the terror.

And because we are willing, to the best of our ability, to offer assistance to victims of war, to those who have disappeared or have been displaced and as a result have lost their homes and their families.

It is this commitment that makes it possible for us in this forum to speak as I have said with moral authority, even though we know we are on the risk of being criticized for it by certain countries.

However, I would like to reiterate the philosopher Blaise Pascal who said that the ethics of conviction are exceeded by the ethics of responsibility. Our conviction indicates that the resolution or the declaration goes beyond the competence of this assembly. Our responsibility demands our solidarity with those who suffer, with innocent people who are victims of the atrocities.

On the basis of these criteria, and as I say, beyond our convictions, our vote will be affirmative. Thank you very much.

MOCK, Alois (President):

I thank the distinguished representative of Argentina. I give the floor to the representative of Mexico.

HELLER, Claude (Mexico), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - MEXICO - VOTING

The government of Mexico has very firmly spoken out against human rights violations and violations of international humanitarian law, which have been perpetrated on the territory of the former Yugoslavia and in particular in Bosnia and Herzegovina. Today, my delegation reiterates its position. Mexico has supported the relevant resolutions adopted by both the General Assembly and by the Commission on Human Rights particularly in the two special sessions that were held with the purpose of reviewing the tragic situation in Bosnia and to condemn the practice of so-called ethnic cleansing.

In this Conference and as a consequence of our repudiation at what we consider to be mass and unacceptable human rights violations, the delegation of Mexico has actively supported the inclusion in the draft of the final document, which will emanate from the Vienna Conference, a specific condemnation of ethnic cleansing, and this is directed at a very specific recipient. An overall and lasting solution to the conflict is and must be the objective of the international community within the competent bodies of the United Nations. The text submitted for our consideration includes elements that go far beyond the scope of this Conference.

Furthermore, the World Conference on Human Rights was convened with specific purposes in mind. One should recall the commitment of participating states to the fact that there would be no discussion of individual particular situations. We are very attached to this agreement. In accordance with this and taking into account the fact that the Conference has already sent an appeal for action, the delegation of Mexico will not participate in the vote on this question, and it will follow the same procedure with respect to other particular situations, which might be considered in this forum. Thank you very much, Mr. President.

MOCK, Alois (President):

Thank you very much. I call now the representative of Croatia.

SIMONOVIC, Ivan (Croatia), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - CROATIA - VOTING

Thank you, Mr. Chairman.

As a representative of Croatia, the country that has also been victim of the Serbian aggression, I would like to express our deepest concern at the situation in Bosnia and Herzegovina. Republic of Croatia is vitally interested for the horror in Bosnia and Herzegovina to end. Croats represent one of three constituent nations of Bosnia and Herzegovina, and in Croatia, there are about 300,000 refugees from Bosnia and Herzegovina, mainly Muslims. In view of the enormity of the political catastrophe in Bosnia and Herzegovina, we fully associate ourselves with the plea to the international community, especially to the UN Security Council, to take resolute and effective steps to stop the Serbian aggression, to defend international legality and to avert consequences of the ethnic cleansing and other horrible things that were undertaken in Bosnia and Herzegovina.

However, concerning the proposed declaration, we have some problems with some paragraphs and the wording of the declaration. In order to facilitate the work of the Conference, we did not raise any amendments but also we do not find ourselves in the position to do anything else but to abstain. Thank you, Mr. President.

MOCK, Alois (President):

Thank you. I call now the representative of Hungary.

ENDREFFY, Miklos (Hungary), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - HUNGARY - VOTING

Thank you, Mr. President.

Mr. President,

Hungary also in its capacity as non-permanent member of the Security Council has consistently called for resolute international response to the aggression, to unprecedented violations of human rights and international humanitarian law. We expressed many times, as we expressed now, our solidarity with Bosnia and Herzegovina and with the many victims of aggression and human rights violations. Yet, Mr. President, we cannot support the draft resolution L.2 before us because it goes beyond the scope, mandate and competence of this Conference, and it goes against the understanding we thought we had here both about avoiding specific country situations as well as on how we take decisions here. For all these reasons, much to our regret, we are compelled to abstain when this resolution is put to a vote. Thank you.

MOCK, Alois (President):

Thank you very much. I call the distinguished representative of the Russian Federation.

ADAMISHIN, Anatolii (Russian Federation), explanation of vote, spoke in Russian:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS – RUSSIAN FEDERATION
- VOTING

Thank you.

Mr. President,

I express my solidarity with what has been said by our Danish and Argentinian colleagues with respect to the undesirable nature of a selective approach, of non-respect of the gentleman's agreement with respect of not considering country-specific situations.

Nevertheless, at the very beginning of the work of Conference our delegation did accept the compromise by supporting the appeal made to the Security Council on this question. This shows once again that Russia holds the situation in former Yugoslavia, the war in Bosnia and Herzegovina, close to its heart. We are outraged by the atrocities that are taking place there, and we consider that whoever is guilty for them should bear the punishment they deserve. Perhaps Russia, like no other country, suffers losses from the economic embargo, but we honorably comply with the decisions of the Security Council.

The Russian military contingent is part the peacekeeping forces of the UN on the territory of former Yugoslavia. Our diplomacy – and probably many of you in this hall might know the Special Representative of the President of Russia, Deputy Minister of Foreign Affairs Mr. Churkin who keeps tirelessly traversing the former Yugoslavia and other countries of the world aspiring to find the elements for understanding and concord in the positions of the parties – our diplomacy is doing everything in its power to bring an end, as soon as possible, to the bloodshed in Bosnia and Herzegovina and to provide a durable, I emphasized this word, a durable peace in this country.

With the same certainty I must say that the proposals in the draft special declaration do not meet Russia's agreement in every aspect. Moreover, we do not agree with a number of important elements that are contained in the draft, and our position on this was known in advance to the authors of this document. We consider that the general approach of the draft is not well balanced. It contains some specific measures, and I am not even bringing up the fact that they go beyond the competence of our forum, but such measures, for example, as the lifting of the arms embargo can aggravate the situation and not improve it, can lead to additional bloodshed and not to stop it.

We could, of course, try to find a compromise about this question as well. However, we are placed in a position where we can only say either “yes” or “no.” Under such concrete conditions, and to this concrete text we have to say “no.”

MOCK, Alois (President):

Thank you very much. I call now the representative of Costa Rica.

ODIO BENITO, Elisabeth (Costa Rica), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - COSTA RICA - VOTING

Thank you, Mr. President.

My delegation deplores the fact that we have had to reach a situation whereby we have to vote this afternoon. My delegation, Mr. President, deplores the fact that a compromise that was achieved with considerable difficulty in Geneva to the effect that we would not deal with particular situations in this Conference appears to have been forgotten.

My delegation also, Mr. President, very much regrets the fact that in this specific situation we have not been able to reach a consensus agreement that would have made it possible for us to express the feelings of this Conference without having to have recourse to vote. In the draft special declaration, Mr. President, there are some points, which are of concern to the government of Costa Rica. The reference to the Vance-Owen peace plan, which as all of us know, has met an unfortunate fate for example, but specially, Mr. President, the referral to the Security Council, which is a procedure that my country cannot and will not endorse.

However, Mr. President my country is of the opinion that the situation in Bosnia and Herzegovina is an affront to the collective conscience of mankind as expressed, indeed, in the special declaration in one of its paragraphs. Consequently, Mr. President, the delegation of Costa Rica has decided that in the name of the children and raped women in Bosnia we will vote in favor of the declaration.

MOCK, Alois (President):

Thank you very much. I call now the representative of Canada.

PARK, Anne (Canada), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - CANADA - VOTING

Thank you, Mr. President.

Canada's commitment to finding a peaceful and negotiated solution to the crisis in Bosnia and Herzegovina is without question. We are actively engaged in diplomatic efforts to resolve the crisis. We are taking part in all efforts to mitigate the suffering of the people of Bosnia. There are present 2400 Canadian troops in former Yugoslavia. It was Canadian peacekeepers that opened Sarajevo airport, and it was Canadian troops that came to the assistance at Srebrenica. We continue to take part in the humanitarian airlift to Sarajevo and in escorting relief convoys in central Bosnia. Our troops remain in the Srebrenica safe area. We have provided humanitarian relief in the form of food, medicine and other essential supplies to help the victims. We have also provided special assistance to the victims of sexual violence. We are strictly enforcing UN sanctions against Serbia Montenegro and the arms embargo against all of the former Yugoslav republics. Canadians are involved in CSC efforts to contain the conflict and prevent its spread to neighboring areas. Canada has provided personnel and funding to assist the UN Commission of Experts investigating alleged war crimes in the former Yugoslavia. And Canada has made provision to accept 25,000-30,000 refugees and displaced persons. We will continue to do everything possible to end the suffering of the people of Bosnia and Herzegovina and to pursue full respect for their fundamental human rights.

Mr. President,

I have spelled out this extensive Canadian involvement to cope with the tragedy of Bosnia and Herzegovina to underline the point that Canada's involvement and concern about Bosnia is second to no other government represented here. Notwithstanding this profound Canadian involvement with the Bosnian tragedy, Mr. President, the Canadian delegation regrets it must abstain on this declaration. This World Conference has already sent a strong appeal condemning the atrocities in Bosnia and Herzegovina to the Security Council. The draft declaration, as it is presently formulated, expresses sentiments about egregious human rights violations that are shared by Canada. However, the declaration, in contrast to the message already sent to the Security Council, not only impinges on the Security Council mandate, but it also does not respect the gentleman's agreement by all governments that country-specific situations would not be raised by any delegation. This is the function of the Commission on Human Rights and the United Nations General Assembly.

In our view, Mr. President, this matter would have been best resolved through the consultations, which you and the Secretary-General so hopefully undertook, consultations designed to allow us to

reach a consensus. This has been the other main operating principle of this Conference, and it is most regrettable that we have been forced into breaking it.

Mr. President,

This is a special Conference designed to strengthen UN human rights machinery. This should be our focus here. This machinery is urgently needed to help prevent and deal with tragedy not only in Bosnia but as well as other parts of the world where there are also massive human rights violations. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask now the distinguished speaker of Japan.

MARUYAMA, Shunji (Japan), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - JAPAN - VOTING

Thank you, Mr. President.

My delegation is going to abstain from the voting on the draft declaration L.2 for procedural reason. As we all know, one of the basic understandings about the procedure of the World Conference on Human Rights is that we do not take up country-specific issues. In taking action on the declaration in question, we will be deviating from this basic understanding and taking away our attention from the most important task confronting us this afternoon - the completion of the final document. For the reason I stated, I will not make any comments on the substance of the draft declaration. Thank you, Mr. President.

MOCK, Alois (President):

Thank you. I ask now the distinguished representative of Brazil.

VIEGAS, Jose (Brazil), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - BRAZIL - VOTING

Thank you, Mr. President.

I shall be very brief. Brazil will vote in favor of the draft special declaration on Bosnia and Herzegovina because it refers to the situation, which is of an exceptional nature and because we support substantive aspects of the declaration.

Nevertheless, if separate vote had been asked for paragraph 6, we would not support it. We believe it is not appropriate for the World Conference on Human Rights to make recommendations to the Security Council on such an issue of a military nature. Thank you very much.

MOCK, Alois (President):

Thank you very much. I call now the representative of Estonia.

AINSO, Heino (Estonia), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - ESTONIA - VOTING

Thank you, Mr. Chairman.

Estonia supports the draft proposal on Bosnia and Herzegovina, first and foremost, because we abhor the atrocities committed and to signal to those who under the UN Charter are obligated to the maintenance of international peace and security but have failed to live up to their commitment under the Charter obligation. It appears to us that the security issues are still resolved with the same modalities that covered the world during the decades of the cold war, and results of those peacemaking efforts have not been too effective.

Estonia, too, like Argentina, is dissatisfied with the resolution. We would have preferred to have a more general declaration condemning all acts against humanity wherever they occur. But under the present circumstances, here in Vienna, we will be adding our vote to support the resolution in order to protest the deliberate policies that block any meaningful action. Thank you, Mr. Chairman.

MOCK, Alois (President):

Thank you very much. I call now on the Distinguished Representative of Cuba.

VELAZCO SAN JOSÉ, Alberto (Cuba), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - CUBA - VOTING

Thank you, Mr. President.

My delegation did not wish for this Conference to come into any crisis situation. Its success, the consensus of the international community on human rights is crucial. These past days, following the dramatic appeal by the Foreign Minister of Bosnia and Herzegovina and in an attempt to contribute to the success of this Conference, my delegation joined the consensus that we should ask the Security Council through the Secretary-General to take measures to bring an end to the genocide in Bosnia and Herzegovina despite the fact that this might lead to violations of the mandate imposed upon the Security Council, which we do not accept. My delegation recognizes the seriousness of what is occurring in Bosnia and Herzegovina and the complexity of the situation taking into account the external and internal factors involved.

For my government it has always been a source of concern that mass and flagrant violations of human rights are perpetrated against other peoples and that some of them are continuing even now.

Let it be clear before the world and before history that the position of the Cuban government is to show solidarity with the issue of substance which is being discussed. My delegation would like to express its firmest possible conviction that in contributing to making precedence, which could be used tomorrow against any other countries of the third world as is already happening in the Horn of Africa at the moment on the basis of selective, partial and discriminatory treatment being given to certain human rights situations and to the anti-democratic practices used in the Security Council as consequence of a new order, which people are intending to impose upon us.

It is up to other organs of the United Nations system to deal with and look at problems of human rights in the world such as the General Assembly, the Economic and Social Council and the Commission on Human Rights.

Giving the Security Council such powers has a negative impact on the management of human rights situations by the bodies to which I just referred. We cannot accept that by force and practice an

institutional and legal framework be set up, which will allow the Security Council to take on attributes which have nothing to do with its primary responsibility, namely the maintaining of international peace and security. It is for this reason that we do not attribute any prerogative to the Security Council vis-à-vis human rights. What this resolution is asking today from the Security Council is not only a contravention of the United Nations Charter as it stipulates the attributes of the Security Council; at the same time, it is a very dangerous interventionist precedent in the hands of that body, the anti-democratic nature of which is beyond the control of the will of the majority of countries who make up the international community, which has not been able to find a solution to this conflict up to now and we have the appalling results of that on our hands.

What we have to condemn is this fratricidal war and its appalling consequences for the inhabitants of the territories involved. What we need to claim strongly today is that the external factors, which in one or another way encourage this the conflict should contribute in an efficient and real manner to reach a pacific and negotiated solution.

Once again, we reiterate before the world and before history our position. Our delegation is aware of the tragedy going on in Bosnia today and would support it being reviewed and looked at immediately in a special session of the UN General Assembly. It is that democratic body, free from the veto and manipulation by major powers, which would be able to adopt the necessary measures to solve the conflict. For all that I have said, my delegation will not participate in this vote, though we regret that we cannot participate in the exercise and support the countries who cosponsored this as we have always done on substantive issues in the relevant fora.

Thank you.

MOCK, Alois (President):

Thank you very much. I call now the representative of United States to take the floor.

SHATTUCK, John (United States of America), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - UNITED STATES OF AMERICA - VOTING

Mr. Chairman,

The United States has a deep concern over the gross violations of human rights and crimes against humanity that have occurred and are occurring, even as we speak, in Bosnia and Herzegovina, and we express our support for the people of that desperate country.

The United States has introduced and cosponsored resolutions on the human rights catastrophe in the former Yugoslavia in the Security Council, the General Assembly, in two special sessions and the annual meeting of the Human Rights Commission, and in the Commission on the Status of Women. Our position on the issues is clear and well-known. We have also taken the lead in working with other nations to create a UN war crimes tribunal to bring to account those who are committing gross and horrible violations of human rights in Bosnia and Herzegovina. We supported and welcomed the appeal that was taken at the beginning of this Conference. We are deeply engaged in New York, in Geneva, and in the joint UN-EC actions on the deep crisis in Bosnia. Our President, in recent days, has reaffirmed his view, and the view of our country, that the arms embargo should be lifted, and we are actively engaged in consultations on this crucial issue to persuade others to join us.

In this Conference, Mr. Chairman, the United States delegation, as many know, has been actively involved in intense consultations with many interested delegations, especially and most importantly, the delegation from the Republic of Bosnia and Herzegovina, in a search for a formula of additional

language, which would enable this Conference to express on a consensus basis the view of the entire world about the deep anguish we all share at the terrible human rights abuses taking place in Bosnia – as, indeed, other violations no less serious are taking place in other regions.

Mr. Chairman,

We sincerely regret that it has not been possible, in spite of the best efforts of the leadership of this Conference, you Mr. Chairman and Secretary-General Fall, to achieve this goal, and we are deeply concerned about the breakdown of consensus on this issue. There should be no mistake, Mr. Chairman, our concern for and commitment to the human rights of the people of Bosnia and Herzegovina - and of all the territory of the former Yugoslavia - remains as deep and as strong as ever.

Mr. Chairman,

The human rights catastrophe in Bosnia and Herzegovina is a dark and terrible cloud in our world. Our world should do all possible to remove this cloud, and we should all work to that end to end this catastrophe. But of course, so should all also work to end other human rights catastrophes which are darkening our world.

Mr. Chairman,

There are human rights crises throughout the globe, and we are deeply concerned at this moment at this Conference about the World Conference on Human Rights, which in an effort to reach a decision on a very difficult issue, would create a hierarchy of human rights catastrophes, which is in no way to say that the catastrophe in Bosnia and Herzegovina is not, perhaps, in many ways the most serious facing the world.

Mr. Chairman,

For these reasons we are opposed to consideration of specific resolutions or declarations at this World Conference, which is convened for the purpose of strengthening the effectiveness of United Nations institutions in promoting and protecting human rights in all corners of the world. For that reason, after various serious considerations, we will vote that this Conference takes no action on the draft text before us or any other similar declarations. We cannot support the resolution as it now stands, and we abstain on this vote. Thank you, Mr. Chairman.

MOCK, Alois (President):

Thank you much. I ask now the representative of Barbados.

MARVILLE, Rashid O. (Barbados), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - ANGOLA - DECLARATIONS - BARBADOS - VOTING

Thank you, Mr. President.

The delegation of Barbados believes that the question of Bosnia and Herzegovina and Angola are both exceptional and far too important to be excluded from our consideration on the grounds of any previous agreement not to treat country issues. We believe that what is happening in Bosnia and Herzegovina and Angola are not simply country issues but issues affecting human kind in general. The situations [not audible] in these two places are an affront to human dignity.

With respect to draft resolution L.2, we have nothing but sympathy. We regret, however, that we cannot vote for the resolution because of some of the language used. It makes reference, for instance, to the UN system in language we consider inappropriate in the penultimate preamble paragraph. My delegation also feels that the Vance-Owen plan was never a proposal that seemed likely to guarantee future harmony in Bosnia and Herzegovina. We, therefore, have difficulty in joining a call for it to be implemented now when one of its authors has already pronounced it dead. In spite, therefore, Barbados' sympathy with the spirit of the draft resolution and profound sympathy with the suffering children, women and men of Bosnia and Herzegovina, Barbados will have to abstain. I thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask now the distinguished representative of Bosnia and Herzegovina.

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

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - VOTING

The objective of our Conference is to defend and promote the full respect and effective promotion of human rights.

The Conference has spoken at the very beginning, it clearly said that in genocide is taking place in Bosnia and Herzegovina.

Allow me, Mr. President, to articulate a cry of the sufferers and of the dying in Bosnia and Herzegovina, the people who are deprived of the right to life, the right to existence, elementary rights. To say that it is not a political question, it is not a question of diplomacy, it is a question of a [inaudible]. It is the people who is being exterminated. It is a country that is being erased. This is why today I am calling to all our friends in the world, I ask on behalf of the government of Bosnia and Herzegovina all respective governments to support the only document that has been put forward on behalf of fifty countries.

The question of Bosnia and Herzegovina is a question that is European. We have not been fortunate today to get support of the others. That is why I would like to ask - my dear colleagues, my friends throughout the world, to support, to forget the differences, to help the people in Bosnia and Herzegovina, to nonetheless fulfill the moral role.

We decide here neither on embargo, nor any other measures. We just decide to defend, with all the possible resources, the human rights. This is why I to appeal to you, please vote for this resolution. By voting for this resolution, you vote for life. The life is something given to us by good Lord. Let us try to save it also through this Conference. Today, abstention is not a solution. Today, it is the life that has to win.

I thank you for your support, and I would like to appeal to you all, please support this resolution, the only document presented to this Conference. Thank you, Mr. President.

MOCK, Alois (President), spoke in French:

Thank you very much. I ask the representative of Thailand to take the floor.

BUNNAG, Tej (Thailand), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - THAILAND - VOTING

Thank you, Mr. President.

On instructions of the government of Thailand, the Thai delegation supports the draft special declaration placed before this Conference by Pakistan. It wishes to explain, however, that its vote is based solely on the condemnation of genocide. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Chile.

GARRETON, Roberto (Chile), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - CHILE - VOTING

Thank you very much, Mr. President.

The delegation of Chile, which participated actively in all the preliminary negotiations in the run-up to the World Conference on Human Rights, has always maintained that in the World Conference we should not analyze human rights situations in particular countries. Unfortunately, Mr. President, this principle appears to have been overcome by horror at the events taking place few kilometers away from this city, which have moved the conscience of mankind, which led to the presentation of the special declaration in front of us now.

Mr. President,

Chile's position has been very clear and has been expressed in its support to all the resolutions tabled in the two special sessions of the Human Rights Commission and at the last regular session, all of which condemned human rights violations perpetrated in Bosnia and Herzegovina we maintain that position today and we shall vote in favor of the draft.

In so doing, we express our concern about the dramatic situation facing hundreds of thousands of people in the Republic of Bosnia and Herzegovina and show solidarity with them, thus also, Mr. President we maintain what I said in my statement to this assembly at its opening: Chile will always be on the side of the suffering.

However, my delegation would like to say that it does not consider the reference contained in paragraph 6 of the declaration concerning the lifting of the arms embargo suitable because it appears to be incompatible with a World Conference on Human Rights. We should certainly, Mr. President, have preferred the declaration to see that the parties involved should all strictly comply with the embargo. Thank you, Mr. Chairman.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Bulgaria to take the floor.

SOTIROV, Vladimir (Bulgaria), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS – BULGARIA - VOTING

Thank you, Mr. President.

Bulgaria intends to abstain the vote on the draft special declaration of Bosnia and Herzegovina contained in L.2. We share the view that the World Conference on Human Rights, in accordance with the agreement reached in the preparatory process, should not consider human rights situations in different countries.

Bulgaria has on many occasions expressed its clear position on the possible ways and means for solving the conflict in Bosnia and Herzegovina. We had expressed our deep concern on the human suffering, and we have condemned the grave and mass violations of human rights and humanitarian law including the ethnic cleansing taking place in Bosnia and Herzegovina.

At the same time, Mr. President, we do not think that the mandate of our Conference is to deal with military aspects of the conflict especially with the question of lifting the arms embargo in this country. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Latvia to take the floor.

KALNIETE, Sandra (Latvia), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - LATVIA - VOTING

Thank you, Mr. President.

Mr. President,

Latvia is appalled by and condemns human rights violations wherever and whenever they occur. Latvia was among those countries that cosponsored resolutions adopted by the General Assembly calling for a lifting of the arms embargo against Bosnia and Herzegovina, and we strongly support that any measures should be taken to stop the massacre in Bosnia and Herzegovina.

Nevertheless, my delegation's position is that human rights and human rights violations are not and cannot be hierarchized. If the World Conference on Human Rights were to find it necessary to address massive human rights violations in Bosnia and Herzegovina by adoption of a special declaration on it then should we not also address human rights violations in numerous other locations where they are chronically violated. Such discussions would not only be inconsistent with the Rules of Procedure adopted by the Conference but would divert our attention and resources from the agreed mandate of the Conference. Moreover, such consideration is the function of the General Assembly and the Commission on Human Rights.

For those reasons Latvia would oppose taking any action on the issue before us, and in any case would abstain if a draft resolution 157/L.2 will come to a vote. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Norway to take the floor.

HJELDE, Haakon B. (Norway, Iceland, Finland, Sweden), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - NORWAY - ICELAND - FINLAND - SWEDEN - VOTING

Thank you.

Mr. President,

I am taking the floor on behalf of the delegations of Iceland, Finland, Sweden and my own delegation, Norway.

The government of Iceland, Finland, Sweden and Norway are deeply committed to the task of bringing an end to the untold human sufferings in Bosnia and Herzegovina. We are contributing our outmost towards alleviating the terrible plight of the innumerable innocent victims. We have condemned and continue to condemn the appalling violations of human rights and international humanitarian law in the former Yugoslavia. These are crimes against humanity. Those responsible must be brought to justice. We join in the call for an immediate ceasefire in Bosnia and Herzegovina and for increased international efforts to provide humanitarian aid and safe passage of convoys.

Mr. President,

We share the underlying objectives of the draft declaration presented, which is to stop the killings and to bring an end to the unprecedented tragedy in Bosnia and Herzegovina. However, the draft declaration contains some elements, which we cannot support. Among them proposals for action, which belong to the competence of the Security Council and which fall out the scope of this Conference. Regrettably the text as it stands could not be a basis for a consensus, which is the aim of this Conference. Furthermore, by general agreement, the Conference is not supposed to address country-specific situations.

Consequently, to our deep regret we shall have to abstain on the draft declaration before us. I thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Lithuania to take the floor.

DAMUSYTÉ, Ginte (Lithuania), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - LITHUANIA - VOTING

Mr. President,

Lithuania wishes to reiterate its unequivocal support for urgent and resolute action by the international community to the tragic events in Bosnia and Herzegovina. My delegation condemns the use of aggressive force against civilian populations and unrepentant assaults on a territorial integrity of sovereign states as well as the massive human rights violations arising there from, be in the Bosnian Republic or elsewhere in the world. We believe that a prompt and effective solution to the tragedy in Bosnia must be found as soon as possible at the highest levels but outside the limited mandate of this Conference, which has agreed to refrain from country-specific issues.

The resolution in question goes beyond the scope and confidence of this Conference, and for this reason, much to our regret, Lithuania will abstain on this declaration. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask now the distinguished representative of Poland to take the floor.

KEDZIA, M. (Poland), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - POLAND - VOTING

Thank you, Mr. Chairman.

Polish delegation would like to express its solidarity with all the victims of human rights violations all over the world. All of them expect this solidarity on the part of the international community. Poland also feels a genuine sympathy with the people in Bosnia and Herzegovina. There have been

many steps taken by the Polish government and by my countrymen to assist the victims of human rights violations in this country and to support the sovereignty of Bosnia and Herzegovina as an independent state, member of the United Nations. Polish government and the NGOs acting in Poland frequently called for the restoration of human rights and observation of humanitarian law in the former Yugoslavia.

However, in the view of my delegation, the resolution under consideration seems to remain within the scope of competence of the Commission on Human Rights. Its substance goes partially beyond the framework of this Conference. Following the agreement reached during the preparatory process to this Conference, this Conference should not deal with the country-specific situations.

Following this agreement my delegation feels obliged to abstain in the vote concerning the resolution L.2. Thank you very much, Mr. Chairman.

MOCK, Alois (President):

Thank you very much. May I ask the representative of Cape Verde to take the floor?

CUSTODIO-SANTOS, Jorge (Cape Verde), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - CAPE VERDE - VOTING

Thank you, Mr. President.

Mr. President,

The delegation of Cape Verde will vote in favor of the Declaration.

However, in its capacity as a non-permanent member of the Security Council, the delegation of Cape Verde would have preferred the declaration not to address questions risen up in page 3, in particular, the issues contained in number 3 and 5, for which we express our observation for two reasons.

First, we have a certain difficulty to accept the idea of this Conference addressing issues that we consider not necessarily related to the promotion and protection of human rights and/or with enforcing of humanitarian law. In fact, Mr. President, that is how we understand the reference to Chapter 7 of the Charter as addressing the numbers 2 of page 3, whose linkage we do not support.

Second, without denying to Bosnia and Herzegovina it's right to recur to the Article 51 of the Charter, we believe and fear that an immediate lift of the arms embargo could endanger the sovereign existence of Bosnia and Herzegovina as a member nation of the international community. We fear, Mr. President, that the lifting of the arms embargo against Bosnia and Herzegovina as well as in all the territory of the former Yugoslavia established in resolution 713 (1991) could have counterproductive efforts and could contribute to a degradation of the situation taking into consideration the actual correlation of force in the field.

We would like, therefore, to draw your attention to other experts that we consider as fundamental. We feel that the Security Council should accomplish with its responsibilities and obligations under the Charter taking all necessary measures to defend a little country like ours and should not abdicate of its responsibilities and authorize a country in danger and occupied to acquire arms for defending itself.

Having said that, Mr. Chairman, we would like to state here that our favorable vote to the project does not mean necessarily that we consider being favorable to the idea of the lifting of the arms embargo. I thank you, Sir.

MOCK, Alois (President):

Thank you very much. I ask now the distinguished representative of Uruguay to take the floor.

BENTANCOUR, Carlos (Uruguay), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - URUGUAY - VOTING

Thank you very much, Mr. President.

Uruguay has on many occasions and in many international fora reiterated its strongest condemnation of the situation in Bosnia and Herzegovina and the tragic sufferings of its people, who are victims of flagrant violations of international law and of international human rights instruments, with dramatic consequences in terms of crimes perpetrated against people, which are the most degrading form of an unacceptable level of intolerance. My country is, therefore, very aware of this source of suffering, and we take into account each and every one aspect of the circumstances in which they are occurring. My country expresses that it is far from opposing to the substance of the draft declaration in front of us because of what I have just said. Despite this however, Uruguay believes that this is not the appropriate forum for this type of initiative to be taken, as agreed in the preparatory Committee sessions. For this reason, Uruguay will not participate in the vote. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask the representative of Colombia to take the floor.

ZAFRA, Wilma T. (Colombia), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - COLOMBIA - VOTING

The delegation of Colombia has always deplored the situation in Bosnia and Herzegovina and the inability of the international community to find a solution to the conflict and to the serious human rights violations occurring in that region. We also acknowledge the serious nature of the human rights situations in other regions.

The Security Council is the entity responsible for contributing to the search for political solutions but not as far as human rights are concerned because this is work to be done by the Human Rights Commission and its subsidiary bodies. My delegation agreed with and participated in the special sessions of the Commission on Human Rights, which dealt with the situation of human rights in the former Yugoslavia. My delegation also participated in the run-up process for this World Conference and, like all other delegations, came to an agreement not to deal here with particular situations because the purpose of this Conference was to look at policies and programmes on human rights. All the participants here agreed to that.

For these reasons my delegation regrets that this forum has had to come to what should have been an unnecessary vote as all of us believe that the tragedy of the people in Bosnia and Herzegovina should be brought to an end.

My delegation has always believed that the human rights situation should be dealt with by the competent bodies to deal with human rights and, therefore, we have serious reservations about the content of the draft declaration, and we cannot accept the link between the Security Council and dealing with human rights.

Since we have not been able to keep to our agreement, the delegation of Colombia will participate in the vote because the situation in Bosnia and Herzegovina exceeds the bounds of human

consideration but would like to place on record that we do not accept that the Security Council should deal with human rights matters.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Cyprus.

SHAMBOS, Alecos (Cyprus), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - CYPRUS - VOTING

Mr. Chairman,

Cyprus feels that the draft declaration before us contains points and principles, solidly based on the international law and the Charter of the United Nations. Cyprus, which has gone not very long ago through a similar catastrophic situation, is in a position to understand fully the call included in this draft declaration. Cyprus wants to see these principles applied in all cases without any distinction, away from the double standard principle. Cyprus would betray itself if it would not vote for this draft declaration. Thank you, Mr. Chairman.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Ecuador to take the floor.

CORDOBA, Marcelo Fernandez de (Ecuador), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - ECUADOR - VOTING

Thank you, Mr. President.

The delegation of Ecuador greatly regrets that we have not been able to respect the gentlemen's agreement not to deal with specific situations. We also regret that it has not been possible to reach a consensus agreement on this subject under consideration.

My delegation would like to state that if it had to vote on a paragraph-by-paragraph basis on this text, we would have had difficulties and serious reservations about some of them because of their content and because they deal with subjects that go beyond the mandate of this Conference, such as the Vance-Owen Peace Plan, the arms embargo and other issues.

Ecuador has supported all the relevant resolutions passed by the United Nations on the tragedy of the peoples of Bosnia and Herzegovina. Furthermore, in my statement made on Tuesday to this very assembly, I stated that my country is very concerned about the appalling war that has swept over the peoples of the former Yugoslavia and that the Security Council should be recommended to take measures urgently to put an end to the war and its atrocities without prejudice to looking at serious human rights violations perpetrated and in setting up and operating an international war crimes tribunal for that purpose.

My delegation is not satisfied with the package of the declaration. However, we are of the opinion that any action taken to bring an end to the war and stop the human rights violations in the area of conflict in the former Yugoslavia should be supported. We should support life. Consequently, the delegation of Ecuador will vote in and favor. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. Are there any other delegations who wish to explain the vote before they vote? I ask the distinguished representative of Kyrgyzstan.

SULTANOV, Omar (Kyrgyzstan), explanation of vote, spoke in Russian:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - KYRGYZSTAN - VOTING

Distinguished Mr. President, distinguished ladies and gentlemen,

Allow me to explain the position of Kyrgyzstan on this question. We support this proposal, and we do not consider that we are infringing the gentleman's agreement because we did not participate in the adoption of this agreement. Also, we do not consider that this proposal is a country-specific measure, because, in the words of distinguished American writer Hemmingway: "For whom the bell tolls?" All of those present in this hall probably knows the answer to that question. So for this reason, we do not consider that this is a country-specific question.

At the same time, we regret that we saw the text of the draft special declaration on Bosnia and Herzegovina only late night yesterday. It is regrettable that the authors of this draft did not have time to consult in Kyrgyzstan. There is a number of points in the draft on which we have a different point of view. However, since now it is not the right time and place to discuss the details, we consider it possible to vote in favor. Thank you.

MOCK, Alois (President):

Thank you very much. Since there is no further...

Panama, the representative of Panama.

OBARRIO, Enrique A. de (Panama), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - PANAMA - VOTING

Thank you, Mr. President.

The delegation of Panama following the breakdown in the gentleman's agreement cannot but support the adoption of the special draft declaration submitted to us concerning the tragic situation developing minute by minute today in Bosnia and Herzegovina.

Mr. President,

Irrespective of the arguments that have been put forward, the government of Panama will vote in favor of the draft declaration as it would vote in similar circumstances in favor of any draft declaration directed at that the international community implements and takes more effective collective action to eradicate once and for all the abominable atrocious human rights violations perpetrated against peoples. A case that we have at present and can cite as a vivid example is that of the tragic situation of the people and Haiti.

My government deeply regrets, firstly, that it has been necessary to reach the point of a vote on this subject, just as it regrets that we had a gentleman's agreement only to break it later. For that fact alone, in the context of a conference of this nature, could give rise to interpretations that could distort the specific purpose pursued, on which my delegation believes we are all in agreement.

Secondly, Mr. President, my delegation expresses its reservations about paragraph 6 as other delegations have done but this will not change our vote in favor of, I repeat, the draft declaration on the situation in Bosnia Herzegovina, where human rights violations are nothing less than an affront to the collective conscience of mankind. My delegation will vote in favor and it will do so, under these circumstances, both on the basis of the ethics of our conviction and the ethics of responsibility and, above all, on the basis of the ethics of our conscience. Thank you very much.

MOCK, Alois (President):

Thank you very much. The representative of Israel, you have the floor.

PELEG, David (Israel), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - ISRAEL - VOTING

The position of Israel's delegation with respect to the situation in Bosnia and Herzegovina has been expressed by Israel in different fora on many occasions, and once again we take this opportunity to express our horror at the continuing violation of human rights in Bosnia and Herzegovina. However difficult it is to see it mere 200 kilometres from these atrocities we are, nevertheless, bound to respect the fundamental principle of this Conference to refrain from state situations, and we will abstain in this vote. Thank you, Mr. Chairman.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Sudan.

EL-SHEIKH EL-ZAKI, Hafiz (Sudan), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - SUDAN - VOTING

Thank you, Mr. Chairman.

The delegation of Sudan would like to vote in favor of the declaration. I do not need to remind anyone in this hall of the bloodletting terror, slaughter and rape that is taking place right now in Bosnia and Herzegovina. The systematic and organized abuse of human rights in that part of the world has compelled my delegation to make this support in order to save our Conference the shame of overlooking the most urgent, most abhorring and most unique of all human rights abuse cases in our time. The world has so far done very little to the alleviation of human suffering in the former Yugoslavia and almost nothing to bring the unjust aggressions to an end. Procedural prolongations have been the practice, which we are still doing, and it did not and will not save the unthreatened lives now facing death, torture and indignation.

Mr. President,

My delegation believes it is quite unbecoming for a Conference on Human Rights, held next door to human hell on earth in Bosnia and Herzegovina, to conclude its deliberations without effectively calling for firm actions to be taken for the sake of allowing the victims of ongoing mass murder to defend themselves, a right that had hitherto been denied to the Bosnian people. Nothing would make this possible other than an immediate lifting of the arms embargo and supporting of a declaration to that intent. The uniqueness of the Bosnian case is quite unequivocal. The emergency of the situation is more than evident, more than just hiding behind procedural points.

The deliberation time in this Conference is running short. I call upon the Conference to pay heed to the calls of Bosnian humans whose human rights are being abused through genocide, rape and torture right now and support the declaration. Thank you, Mr. President.

MOCK, Alois (President):

Thank you. I ask now the representative of Jordan to take the floor.

EL-KHAIRY, Isshaq (Jordan), explanation of vote, spoke in Arabic:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - JORDAN - VOTING

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

For two weeks we have been meeting every day and listening to statements concerning the human rights, protection of human dignity and of the legitimate rights as well as of the cultural achievements of the individual and of the peoples.

At this Conference, delegations have come from all parts of the world to deal with human rights issues and to implement mechanisms to prevent human rights violations for the benefit of people throughout the world, particularly those suffering from torture and aggression.

People have been looking onto this Conference in the hope that this Conference will, at least, let them achieve their minimum aspirations, stopping torture, slaughter and daily suffering. Every day, Mr. President, we and the world see on television and listen on radio to the news from Bosnia and Herzegovina. We follow with anguish and with suffering the acts of genocide being perpetrated, not to mention the acts of ethnic cleansing, demolition of houses, places of worship and the displacement of thousands of people. We have been witnesses to all of this while we have been here working in a World Conference to defend human rights, human freedoms and human dignity.

Mr. President,

We cannot accept that a few kilometers from the Human Rights Conference acts of genocide should be committed against a whole people. We have to speak about what is happening close to us. This is a hateful crime, a hateful crime, which is going on there. We have seen nothing worse than what is happening in Bosnia and Herzegovina, and the organizations are doing nothing in the face of the situation. We have to take a firm position within the United Nations at a time when we are seeing the United Nations are taking decisions in other regions and applying them in a very speedy time. They are using tremendous resources to implement their decisions even if this leads to the death of civilians. So why is there this ambiguous position on Bosnia and Herzegovina? Why are there these two standards against these peoples? Is the world waiting for the complete elimination of the people of Bosnia and Herzegovina which is not armed? That its culture should be eliminated?

In order to keep its credibility and so that in the future people should approve of its position, the Conference has to take a firm position on what is happening in Bosnia and Herzegovina. This Conference has to defend human rights and not act in a contrary manner. Thus, we need a clear declaration to be adopted to bring an end to these crimes. We have to reaffirm the territorial interest of Bosnia and Herzegovina and try to see the removal of the aggressive forces from these countries. We have to lift the embargo against Bosnia and Herzegovina so that its people may defend itself. The aggressor must not receive arms, food products and drugs. Well, the people of Bosnia and Herzegovina is being refused arms and any possibility of defending itself.

The people of Jordan are in complete agreement with the declaration as prepared by the Islamic Conference on Bosnia and Herzegovina, and we call for the adoption of this declaration as an official document of the Conference. Thank you, Mr. President.

MOCK, Alois (President):

May I very politely draw your attention to the fact that under the Rule 39 the representatives of states like members of the Organization of Islamic countries sponsoring this proposal shall not speak in the explanation of the vote of thereof. I ask now the representative of Nicaragua to take the floor.

SABORIO, Cecile (Nicaragua), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - NICARAGUA - VOTING

Thank you, Mr. President,

Nicaragua would on this opportunity, once again, express its solidarity with the people of Bosnia and Herzegovina for their sufferings. My delegation having listened to all previous statements made regrets that a resolution of this kind could not be agreed by consensus due mainly to the fact that it was submitted for this Conference consideration when we are not meant to be looking at the situation in specific countries. However, this draft has been submitted for our deliberation and given the urgent and serious nature of the situation of the people of Bosnia and Herzegovina Nicaragua will support this resolution. Nevertheless, we would like to state clearly that we agree with some other statements made with respect to certain paragraphs of the draft resolution, mainly paragraph 6 on the arms embargo. As the distinguished representative of Chile said, it would be preferable for us to refer here about an embargo on all sides. Thank you very much.

MOCK, Alois (President):

Thank you very much. I ask now the representative of the Philippines to take the floor.

ARCILLA, Reynaldo O. (Philippines), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - PHILIPPINES - VOTING

Mr. President,

The Philippine delegation was not a participant in the intensive and extensive consultations that have taken place in the last three days on the proposed declaration before us. But the mere fact that those consultations took place to my delegation means that there was an implicit agreement to set aside the so-called gentlemen's agreement, which have been invoked by some of those very same delegations who participated in those consultations. This we find a little strange.

We also find a little strange when we hear the argument that what is taking place in Bosnia and Herzegovina is now within the purview of this Conference. The fact is that there are massive and gruesome violations of human rights taking place in that unfortunate country. We see it on our television screens every day, and this is the reason why and only for this reason, Mr. President, that my delegation will vote in favor of this proposed declaration. Thank you very much.

MOCK, Alois (President):

Thank you very much. I ask now the distinguished representative of Paraguay.

PEYRAT ORTIZ, Carlos Ramon (Paraguay), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - PARAGUAY - VOTING

Thank you, Mr. President,

Paraguay, being part of the humankind, will vote in favor of the resolution.

MOCK, Alois (President):

Thank you very much. I ask now the distinguished representative of Bolivia to take the floor.

LUNA YANEZ, Alberto (Bolivia), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - BOLIVIA - VOTING

Thank you, Mr. President for giving me the floor.

The State of Bolivia has always taken a coherent policy for total and absolute respect for human rights. Considering the events taking place in Bosnia and Herzegovina, which are an affront to any humanitarian feeling and have deeply moved all the inhabitants of the world, my delegation will vote in favor of this resolution, whatever the formal limits of this Conference. However, we would like to make it clear that we have a reservation on paragraph 6 on the basis of international legal principles determining the peaceful settlement of disputes. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. The representative of Haiti, please take the floor.

ANTHONIO, Joseph P. (Haiti), explanation of vote, spoke in French:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - HAITI - VOTING

Mr. President,

Given the situation that Haitian people are currently living in, it is difficult for my delegation not to declare our support to the struggle for freedom carried out by the people of Bosnia. However, we regret the existence of paragraph 6, and we would like to express our reservation to it. Nevertheless, we consider that it is necessary to take up a firm position with respect to this question. In the spirit of solidarity in the face of the suffering of the Bosnian people, my delegation brings its support to the draft delegation. Thank you.

MOCK, Alois (President):

Thank you very much. There is no further demand? The representative of El Salvador.

CASTANEDA, Ricardo Guillermo (El Salvador), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - EL SALVADOR - VOTING

Mr. President,

El Salvador will vote in favor on the resolution contained in document 157/L.2 because the serious events that we see from day to day in Bosnia and Herzegovina and that violate the human rights of its population are of such a magnitude that they must be condemned by this Human Rights Conference. Of course, we would have preferred to support a text adopted by consensus but since this is not possible and since we have to take a decision, we choose to adopt a position in favor of the text of the resolution, which we will now vote on. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Singapore to take the floor.

KESARAPANY, K. (Singapore), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - SINGAPORE - VOTING

Singapore will vote in support of the draft special declaration on Bosnia and Herzegovina. Our vote is based on our condemnation and abhorrence against the genocidal situation in that country. Thank you.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Venezuela.

ARTEAGA, Horacio (Venezuela), explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - VENEZUELA – VOTING

Like other delegations, the delegation of Venezuela came to this Conference in the certainty that we would not deal with particular situations. However, based on the initiative of a significant number of countries represented at this Conference, which thought it was fundamental to present a draft declaration on the tragic situation in Bosnia and Herzegovina, we could hardly remain indifferent to the points made in the draft declaration.

I would in this connection like to say that our position has always been clear and unequivocal as indicated by our active participation in deliberations on this question in the Security Council, which no doubt is the right place for this matter to be dealt with.

We are greatly moved by the tragedy being undergone by the peoples of Bosnia and Herzegovina but we believe that this draft declaration contains points which without any doubt go beyond the mandate of this Conference. We should have preferred, and we think it would have been preferable, to have a decision on as fundamental an issue as this being taken on the basis of consensus. This has not been the case and we regret that. At any rate, Mr. President, we should vote in favor of the draft declaration. Thank you.

MOCK, Alois (President):

Thank you very much. No further demands?

The Conference will now proceed to a roll-call vote on the draft special declaration contained in document L.2 as orally revised. I shall now draw the name of the delegation with which the voting will commence.

The roll-call vote will commence with the vote of Saint Lucia. The voting process is now commenced, and I give the floor to the Secretariat to call the names of the delegations.

WCHR. Secretariat:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - VOTING

Thank you, Mr. Chairman.

Roll-call vote on draft L.2.

Saint Lucia? Saint Lucia – absent.
Saint Vincent and the Grenadines? Saint Vincent and the Grenadines – absent.
Samoa? Samoa – abstained.
San Marino? San Marino – absent.
Sao Tome and Principe? Sao Tome and Principe – absent.
Saudi Arabia? Saudi Arabia – yes.
Senegal? Senegal – yes.
Seychelles? Seychelles – absent.
Sierra Leone? Sierra Leone – yes.
Singapore? Singapore – yes.
Slovakia? Slovakia – abstention.
Slovenia? Slovenia – yes.
Solomon Islands? Solomon Islands – absent.
Somalia? Somalia – yes.
South Africa? South Africa – absent.
Spain? Spain – abstention.
Sri Lanka? Sri Lanka – abstention.
Sudan? Sudan – yes.
Surinam? Surinam – yes.
Swaziland? Swaziland – yes.
Sweden? Sweden – abstention.
Switzerland? Switzerland – abstention.
Syrian Arab Republic? Syrian Arab Republic – Yes.
Tajikistan? Tajikistan – absent.
Thailand? Thailand – Yes.
The former Yugoslav Republic of Macedonia? The Former Yugoslav Republic of Macedonia – yes.
Togo? – Yes.
Tonga? Tonga – absent.
Trinidad and Tobago? Trinidad and Tobago – yes
Tunisia? – Yes.
Turkey? – Yes
Turkmenistan? Turkmenistan – absent.
Tuvalu? Tuvalu – absent.
Uganda? Uganda – yes.
Ukraine? – Abstention.
United Arab Emirates? – Yes.
United Kingdom? United Kingdom – abstention.
United Republic of Tanzania? – Yes.
United States of America? – abstention.
Uruguay? Uruguay – not participating in the vote.
Uzbekistan? Uzbekistan – absent.
Vanuatu? Vanuatu – abstention.
Venezuela? Venezuela – yes.
Viet Nam? Viet Nam – not participating in the vote.
Yemen? Yemen – yes.
Zaire? Zaire – yes.
Zambia? Zambia – yes.
Zimbabwe? Zimbabwe – yes.
Afghanistan? – Yes.
Albania? Albania – absent.
Alegria? – Yes.
Angola? – Yes.
Antigua and Barbuda? Antigua and Barbuda – absent.
Argentina? Argentina – yes.
Armenia? Armenia – absent.

Australia? Australia – abstention.
Austria? Austria – yes.
Azerbaijan? Azerbaijan – yes.
Bahamas? Bahamas – absent.
Bahrain? Bahrain – yes.
Bangladesh? Bangladesh – yes.
Barbados? Barbados – abstention.
Belarus? Belarus – abstention.
Belgium? – Abstention.
Belize? Belize – absent.
Benin? Benin – yes.
Bhutan? Bhutan – absent.
Bolivia? Bolivia – yes.
Bosnia and Herzegovina? – Yes.
Botswana? – Yes.
Brazil? – Yes.
Brunei Darussalam? – Yes.
Bulgaria? Bulgaria – abstention.
Burkina Faso? – Yes.
Burundi? Burundi – yes.
Cambodia? Cambodia – absent.
Cameroon? Cameroon – yes.
Canada? – Abstention.
Cape Verde? – Yes.
Central African Republic? – Abstention.
Chad? Chad – yes.
Chile? Chile – yes.
China? China – not participating in the vote.
Colombia? Colombia – yes.
Comoros? Comoros – absent.
Congo? Congo – absent.
Cook Islands? Cook Islands – absent.
Costa Rica? – Yes
Côte d'Ivoire? Côte d'Ivoire – absent.
Croatia? – Abstention.
Cuba? Cuba – not participating in the vote
Cyprus? – Yes.
Czech Republic? Czech Republic – abstention.
Democratic People's Republic of Korea? – Not participating in the vote.
Denmark? Denmark – abstention.
Djibouti? Djibouti – yes.
Dominica? Dominica – absent.
Dominican Republic? Dominican Republic – abstention.
Ecuador? Ecuador – yes.
Egypt? Egypt – yes.
El Salvador? El Salvador – yes.
Equatorial Guinea? Equatorial Guinea – absent.
Eritrea? Eritrea – absent.
Estonia? Estonia – yes.
Ethiopia? – Yes.
Fiji? Fiji – abstention.
Finland? Finland – abstention.
France? France – abstention.
Gabon? Gabon – abstention.
Gambia? – Yes.

Georgia? Georgia – abstention.
Germany? Germany – abstention.
Ghana? Ghana – yes.
Greece? Greece – abstention.
Grenada? Grenada – absent.
Guatemala? Guatemala – not participating.
Guinea? Guinea – absent.
Guinea Bissau? Guinea Bissau – absent.
Guyana? Guyana – absent.
Haiti? – Yes.
Holy See? Holy See – absent.
Honduras? Honduras – yes.
Hungary? Hungary – abstention.
Iceland? Iceland – abstention.
India? India – abstention.
Indonesia? Yes.
Islamic Republic of Iran? – Yes.
Iraq? – Yes.
Ireland? – Abstention.
Israel? – Abstention.
Italy? – Abstention.
Jamaica? – Abstention.
Japan? – Abstention.
Jordan? – Yes.
Kazakhstan? Kazakhstan – abstention.
Kenya? – Yes.
Kiribati? Kiribati – absent.
Kuwait? – Yes.
Kyrgyzstan? Kyrgyzstan – yes.
Lao People's Democratic Republic? Lao People's Democratic Republic – not participating in the vote.
Latvia? Latvia – abstention.
Lebanon? Lebanon – yes.
Lesotho? – Yes.
Liberia? Liberia - absent.
Libyan Arab Jamahiriya? – Yes
Lichtenstein? – Abstention.
Lithuania? – Abstention.
Luxembourg? – Abstention.
Madagascar? – Yes.
Malawi? Malawi – absent.
Malaysia? – Yes.
Maldives? Maldives – yes.
Mali? – Yes.
Malta? Malta – abstention.
Marshall Islands? Marshall Islands – abstention.
Mauritania? – Yes.
Mauritius? Mauritius – yes.
Mexico? Mexico – not participating in the vote.
Federated States of Micronesia? Federated States of Micronesia – absent.
Monaco? Monaco – abstention.
Mongolia? Mongolia – abstention.
Morocco? – Yes.
Mozambique? – Yes.
Myanmar? – Abstention.

Namibia? – Yes.
Nauru? Nauru – absent.
Nepal? – Abstention.
Netherlands? Netherlands – abstention
New Zealand – abstention.
Nicaragua? Nicaragua – yes.
Niger? Niger – yes.
Nigeria? Would Nigeria repeat your vote, please? – Yes.
Norway? Norway – abstention.
Oman? – Yes.
Pakistan? Pakistan – yes.
Panama? Panama – yes.
Papua New Guinea? – Abstention.
Paraguay? –Yes.
Peru? – Yes.
Philippines? – Yes,
Poland? – Abstention.
Portugal? – Abstention.
Qatar? – Yes.
Republic of Korea? Republic of Korea – yes.
Republic of Moldova? Republic of Moldova – absent.
Romania? Romania – abstention.
Russian Federation? Russian Federation – no.
Rwanda? Rwanda – yes.
Saint Kitts and Nevis? Saint Kitts and Nevis – absent.

Thank you, Mr. President.

MOCK, Alois (President):

The voting is now completed.

May I ask your attention? The result of the vote is as follows.

In favor - 88; against - 1; abstentions - 54.

Two thirds majority required - sixty.

The draft declaration contained in document A/CONF.157/L.2 is, thus, adopted.

Thank you.

Ladies and gentlemen,

Does any delegation wish to explain their vote after the vote?

I give the floor to representative of Australia.

WENSLEY, Penelope Anne (Australia), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - AUSTRALIA - VOTING

Thank you, Mr. President.

Mr. President,

I wonder if we can have some silence in the room, please?

MOCK, Alois (President):

Ladies and gentlemen,

[Inaudible] extremely correct procedure. Let us try to continue that way, and may I ask you and draw your attention to the representative of Australia who has the floor.

WENSLEY, Penelope Anne (Australia):

Thank you, Mr. President.

Australia shares the world's anguish over the tragic events in Bosnia and Herzegovina not least because of the many people from the former Yugoslavia who have settled in Australia. Australia is contributing to the peace conference process. We are providing humanitarian assistance to the former Yugoslavia, and we have welcomed refugees from the horrors of this situation there to our country.

We regret, however, that we were not able to support the draft declaration on which the Conference has just voted. The principal reason for our decision to abstain was our regret that the understanding that country situations not be raised in the formal proceedings of the Conference has been broken.

Mr. Chairman,

I find it very difficult to proceed in these circumstances but I do wish to record my government's position on this matter. Grave as the situation in Bosnia and Herzegovina is our business here is to advance understanding, dialogue and concrete action on the global human rights agenda. Country situations have their rights in other forums where my government always plays a vigorous and constructive role. At the moment the Security Council is the appropriate forum for action on Bosnia and Herzegovina.

Some aspects of the text of the declarations also caused difficulty for my delegation. Principally, its unbalanced nature, its negative preambular assertions about the response of the international community and the United Nations to the situation in Bosnia and Herzegovina and its call for the lifting of the arms embargo.

Mr. Chairman,

We regret deeply that suggestions for alternative approaches by this Conference to the question of Bosnia and Herzegovina, which you and others including in my own delegation worked so hard to promote did not succeed and that the principle of consensus has been breached. I do hope, Mr. President, that notwithstanding what has happened here this afternoon and what continues to take place in this room, that all here will now reaffirm their commitment to work in the very few hours that remain to us at this Conference to restore consensus and to reach agreement on a final document as even now people continue to try to draft to ensure the success of this Conference. I believe that reaching agreement on a final document and restoring consensus to this Conference will strengthen our capacity to deal not only with the situation in Bosnia and Herzegovina but with all violations of all human rights wherever and whenever they may occur. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I call on the representative of Peru.

***** (Peru)**, explanation of vote, spoke in Spanish:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - PERU - VOTING

Thank you, Mr. President,

The delegation of Peru regrets, as other delegations that explained their vote before the vote took place have done, that contrary to what was agreed earlier, the Conference has dealt with a country-specific situation. My delegation would also like to express its reservation on some of the paragraphs contained in the declaration which has just been adopted. From our point of view, it would have been preferable for the text not to cover aspects that are within the competence of other bodies within the United Nations system.

Despite this, my delegation voted in favor of the declaration in awareness of the exceptional gravity of the situation existing in Bosnia and Herzegovina and in accordance with its well-known position on this matter which is an open affront to the collective conscience of the world.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Nepal.

ACHARYA, Jayaras (Nepal), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - NEPAL - VOTING

Thank you, Mr. President.

The government of Nepal is strongly opposed to ethnic cleansing, murder, rape, forced eviction of people from their homeland and many other forms of human rights violations in Bosnia and Herzegovina and elsewhere. We are in full sympathy with those who suffer from such utter violations of human rights. Nepal is gravely concerned about the current situation in Bosnia and Herzegovina. However, Nepal abstained from voting on the country-specific declarations only on the basis of the principles, which the Member States established in accordance with the general principles of the World Conference. Thank you.

MOCK, Alois (President):

Thank you very much. I ask now the representative of India.

SINGHVI, L.M. (India), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - INDIA - VOTING

Mr. President,

I do believe that the world in which we live today does have a heart, and the heart of the world is anguished and outraged by the unconscionable atrocities including ethnic cleansing, which have been perpetrated on the people of Bosnia and Herzegovina. The government and the people of India are deeply concerned about the gross brutalities and human rights violations in Bosnia and Herzegovina and deeply commiserate the people of Bosnia and Herzegovina who have been subjected to untold misery and suffering.

Mr. President,

We have a strong feeling of sympathy and support for the victims of the human rights tragedy in Bosnia and Herzegovina because we believe that the unprecedented magnitude of death and destruction in Bosnia and Herzegovina diminishes us all, [inaudible]us all, humiliates us all, frustrates us all.

Mr. President,

My delegation takes this opportunity to urge the international community and particularly the Security Council to take the most urgent, the most immediate steps to find the political solution to the unfortunate situation in Bosnia and Herzegovina.

Mr. Chairman,

It is not worthy that although almost entire world abhors and condemns the extreme human rights violations, the magnitude of it is unprecedented in the world, serious differences, abstentions, reservations and nonparticipation have been registered.

Mr. Chairman,

My delegation regrets that it was constrained to abstain from the voting even though we share the concerns expressed in the declaration. We strongly feel that the World Conference is not the appropriate forum for the declaration or country-specific resolutions. The Conference was convened to discuss, formulate and consolidate universal principles and not to pass a declaration on a specific situation without reaching a consensus. It is also significant that there was no opportunity to discuss or negotiate the text, and in this Conference was neither the time, nor any proper occasion to do so.

Mr. President,

We feel that it is unfortunate that the declaration was brought to a vote because the concern for what is happening in Bosnia and Herzegovina may not be fully served. The cause of the people of Bosnia and Herzegovina may not be fully served by the diminution of the solidarity of the world community in this respect.

Mr. President,

I also regret that your valiant efforts and those of the Secretary-General of the Conference did not bear fruit, and that they could not be brought to a successful consensual conclusion. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I give now the floor to Fiji.

TAVOLA, Katiopate (Fiji), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - FIJI - VOTING

Mr. President,

Fiji abstained from the voting. But I wish to stress here that Fiji condemns and will always condemn all violations of human rights, and I have made this point very clear in my country's statement. My country's participation in peacekeeping duties around the world is a record that speaks for itself. My country shares the plight and the agony of the people of Bosnia and Herzegovina. However, we had extremely serious reservations about certain paragraphs in the Declaration, particularly paragraphs 3 and 6. I wish, therefore, Mr. President, to share this explanation with plenary. Thank you, Sir.

MOCK, Alois (President):

Thank you very much. I ask now the distinguished representative of Viet Nam.

Ton-Nu-Thi Ninh (Viet Nam), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - VIET NAM - VOTING

I thank you, Mr. President.

The delegation of Viet Nam regrets that it was not able to participate in the vote on the draft declaration on Bosnia and Herzegovina for procedural reasons, which have been elaborated by various speakers. However, my delegation wishes to place on record its categorical condemnation of ethnic cleansing and similar abhorrent policies and practices. Viet Nam is a party to the Genocide Convention and fully supports the inclusion in the draft final document of our Conference of condemnations of such gross and systematic violations of human rights. As a people who has had more than its share of pain and sorrow, Viet Nam can only but emphasize wholeheartedly with the dreadful sufferings of the people of Bosnia and Herzegovina, of the men, women and children, victims of ethnic cleansing.

Mr. President,

My delegation wishes to underline that Viet Nam will continue to support efforts of the international community in the competent instances to take appropriate measures to end all practices and policies of ethnic cleansing and similar grave violations of human rights in Bosnia and Herzegovina. I thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask now the distinguished representative of the Republic of Korea.

KIM, Chong Hoon (Republic of Korea), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - REPUBLIC OF KOREA - VOTING

Thank you, Mr. President.

My delegation voted for the draft resolution L.2 solely on humanitarian consideration and for association with the international community condemning the heinous act of ethnic cleansing in Bosnia and Herzegovina. However, my delegation has to state clearly that the draft resolution goes beyond the mandate and the competence of this Conference. Moreover, my delegation has reservations for some paragraphs in the draft resolution, especially operative paragraph 6. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Sri Lanka.

AMARATUNGA, John A.E. (Sri Lanka), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - SRI LANKA - VOTING

Mr. President,

Sri Lanka abstained on the vote taken on the special declaration on Bosnia and Herzegovina contained in document L.2. I wish to make it very clear that our vote was not based on the substance of the draft. Sri Lanka joins the international community, which just condemned the gross and massive human rights violations perpetrated against the civilian population of Bosnia and Herzegovina. Indeed, Mr. President, words fail my delegation in expressing its deep anguish at the massive human rights violations taking place in that country. My delegation, therefore, supports the decision taken by the World Conference to send an urgent appeal to the Security Council in this regard. Our vote was based on several issues, which we consider are important and relevant in the present context:

1. During the preparatory process of the World Conference, Sri Lanka consistently opposed resolutions relating to country-specific issues being considered by the Conference due to the inherently contentious nature of such resolutions.
2. Sri Lanka has consistently taken a position against human rights fora taking up matters, which fall within the competence of the Security Council. Thank you, Mr. President.

MOCK, Alois (President):

Thank you. May I call now the representative of Myanmar.

U Tin Kyaw Hlaing (Myanmar), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - MYANMAR - VOTING

Mr. President,

We are deeply distressed by the tragic events taking place in Bosnia and Herzegovina. We would like to assure you that we are not oblivious to the fact that the human tragedy of tremendous proportions is being witnessed by the whole world. Our ardent hope is the parties involved in this unprecedented tragic situation will find it possible to work out a solution, which would be fair and acceptable to all the parties concerned. We sincerely feel that this issue should be addressed in the appropriate fora of the United Nations. As the primary purpose of this Conference is to evaluate the progress that has been achieved in the field of human rights since the Teheran Declaration twenty-five years ago and to lead on future actions in the promotion and protection of human rights, we feel that the Conference should refrain from focusing on country-specific situations as it could be counterproductive. For these reasons, Mr. Chairman, my delegation has abstained from voting on this matter. Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I call now the representative of Guatemala to take the floor.

URRUELA, Federico (Guatemala), explanation of vote, spoke in Spanish:

Keywords: Explanation of vote - BOSNIA AND HERZEGOVINA - DECLARATIONS - GUATEMALA - VOTING

Thank you very much, Mr. President,

The delegation of Guatemala is sorry that it was not able to participate in this vote. However, we would like to state that we reject fully the massive abuses of human rights, which have occurred and continue to occur in the former Yugoslavia. Although we agree with many parts of the substantive part of the resolution, we have reservations about operative paragraphs 3 and 6.

It is regrettable that we have had to arrive at a situation where a vote was necessary. However, Guatemala has voted in the appropriate fora in the direction that I have indicated previously. It is not a pleasant matter to have had to break the gentleman's agreement as mentioned in the preparatory part of this Conference. However, for my delegation it was necessary to abstain from participating because it is very difficult not to join a consensus and, above all, to see ourselves forced to deal with an individual situation in a meeting that dealt with global issues.

I reiterate, therefore, our solidarity with the people of Bosnia and Herzegovina and their suffering and that we are in a position which we never would have wanted to see ourselves in. Thank you very much.

MOCK, Alois (President):

Thank you very much. I ask now the representative of the former Yugoslav Republic of Macedonia.

CVETANOVSKA, Jelena (The Former Yugoslav Republic of Macedonia), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA - FORMER VOTING

Mr. Chairman,

The affirmative vote of the delegation of the Republic of Macedonia represents our strong support to the international community call for immediate stop of the tragedy in Bosnia and Herzegovina as well for the immediate halt of suffering for all peoples living in Bosnia and Herzegovina. Thank you, Mr. Chairman.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Bhutan.

*** (Bhutan), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - BHUTAN - VOTING

Thank you, Mr. Chairman,

Bhutan shares the views of the many other delegations who spoke before and after the vote on the tragic situation in Bosnia and Herzegovina and joins them in strongly condemning the atrocities and the human rights violations committed there. However, Bhutan regrets at not participating in the vote as it feels that this World Conference is not the proper forum to take up the situation. Thank you, Mr. Chairman.

MOCK, Alois (President):

Thank you very much. I ask now the representative of Marshall Islands.

LAAK, Lance E. (Marshall Islands), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - MARSHALL ISLANDS - VOTING

Mr. Chairman,

My delegation regrets that it was unable to support the draft resolution because of its concern for the agreement that had been arrived at the Conference to not address country-specific issues. However, my delegation wishes to take this opportunity to reiterate our condemnation in the strongest terms of the continued grave violations as addressed by this resolution. Thank you, Mr. Chairman.

MOCK, Alois (President):

Thank you very much. There are no more demands? May I give the floor to the representative of New Zealand.

FORSYTH, Caroline (New Zealand), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - NEW ZEALAND - VOTING

Mr. President,

The people and government of New Zealand are deeply concerned about the situation in Bosnia and Herzegovina, and as a member of the Security Council, New Zealand has been playing its full part in efforts to resolve the tragic conflicts there. We also support many of the sentiments expressed in the declaration. At the same time, we regret that the understanding, which has governed the work of this Conference that we would not discuss the situation in individual countries in this forum has been broken. We have, moreover, a number of difficulties with the text which has just been adopted. Overall, it goes beyond the mandate of this Conference in several areas and takes the position on issues which are currently the subject of intense negotiations in the Security Council. Moreover, the stance taken on lifting the arms embargo is not one to which my government has so far been able to subscribe. For these reasons, my delegation was not able to support the text and abstained in the vote. In concluding, Mr. President, I would like to reiterate that my government supports much of what the declaration just passed stand for. Thank you.

MOCK, Alois (President):

Thank you very much. No further demands to take the floor? I received a point of order of representative of Pakistan. Please take the floor.

KAMAL, Ahmad (Pakistan; Organization of Islamic Conference), spoke on a point of order:

Keywords: WORK ORGANIZATION - VOTING

Thank you, Mr. President.

Mr. President,

In accordance with Rule 36, which states that for the purposes of all the Rules of Procedure and not just for Room 35, representatives who have abstained from the voting shall be regarded as not

voting. It is, therefore, our understanding, Sir, that the record will show that 89 states participated in the vote and that the vote was 88 in favor and one against, without any other qualifications regarding abstentions. I thank you, Sir.

MOCK, Alois (President):

This is correct.

Ladies and gentlemen, the Conference will now take up the proposal contained in document L.3. The Conference will recall that this draft special declaration was introduced this morning by the representative of Kenya on behalf of the African Group. I give the floor to the representative of Kenya.

MANJIRA, Don. C. (Kenya; African countries):

Keywords: ANGOLA - DECLARATIONS

Thank you very much, Mr. President.

As you have said, I did introduce the draft declaration contained in L.3 this morning. But before I did so, Mr. President, very intensive consultations had taken place, and I did not hear of any problem from any delegation or group of delegations that indicated they had any problem with this draft declaration. I, therefore, Mr. President, through you hope that the entire Conference is in a position to adopt this L.3 by consensus. I take it that this will be the case, Mr. President. Thank you.

MOCK, Alois (President):

Can I assume that the Conference accepts the proposal made by Kenya is accepted by consensus? This is so decided by the Conference. Thank you very much.

Ladies and gentlemen,

The Conference has, thus, concluded its consideration of L.2 and L.3. It will now resume the general debate. I now give the floor to the representative of the International League for Human Rights. You have the floor.

STEINMAN, Adam (International League for Human Rights):

Keywords: TREATIES - CULTURE - HUMAN RIGHTS - INTERNATIONAL OBLIGATIONS

Thank you, Mr. President,

Distinguished delegates,

The International League for Human Rights urges this body to reaffirm the fundamental universality of human rights; of all human rights for all human beings. Our contemporary human rights system is heir to intense demands for human dignity throughout history and across cultures. It expresses the enduring elements of the world's great cultures, religions and philosophies. Its essence is to enable all people to participate in the shaping and sharing of the world in which they live. Optimally, the human rights system ensures the fulfilment of claims respecting the entire spectrum of human values regardless of culture, tradition, or religious heritage.

The World Conference on Human Rights is graced by participants representing many great civilizations - ancient traditions, particularly through Asia and Africa, whose values of fundamental

human dignity have received contemporary expression in numerous and important international human rights instruments. To be sure, these treaties are not the final work of the human rights system; they are but a beginning. However, they are a critical framework - the only framework.

The International League for Human Rights, therefore, urges the establishment of a fixed target date, the year 2000, for adherence to and universal ratification of the six major human rights treaties. The United Nations should assist states in achieving ratification before the end of the decade. It is hoped this will entail a minimization of reservations that might otherwise negate the affirmative obligations arising from those instruments. The core human rights treaties are: the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Rights of the Child. Commitments by states to respect human rights remain inadequate and incomplete unless they are underpinned by the acceptance of international treaty obligations and the accountability mechanisms which they establish, and by the adoption of measures for the implementation of those obligations both in law and in practice. It is essential that states accept their obligations flowing from those treaties. On this there can be no compromise because it is intensely demanded by the world's people.

Mr. President,

While we must be sensitive to the many great and ancient cultural traditions of our planet, those traditions are best explored, learned from, and clarified through the treaty framework of the United Nations human rights system. Cross-cultural expressions of human dignity must be explored. The world community must understand which such expressions are commensurate with those human rights standards that are the obligations of states under customary and codified international law. And it must be underscored that the Universal Declaration of Human Rights has now been crystallized as customary international law. Indeed, the question is not "are human rights relative?" but is rather "within the context of the "universal" standards of the world community how is human dignity demanded across cultures?" and "How can those demands be given effect?" It is the values of distinct cultures of our planet that contribute to the strengthening of the universality of the human rights system. For although institutional practices may vary across cultures all human beings demand, fundamentally, the same values. This is why we must never accept the "cultural relativism" as justification by a state for the denial of human dignity to its people.

Mr. President

We sit here, in Vienna, at the cusp of the 21st century, while for many of our fellow human beings life remains nasty, brutish and brief. There is great disparity between the rising common demands for basic human dignity and the fulfillment of those demands. In its essence, human rights are less about international laws and conventions than it is about something far more basic - the common interest of which the core international human rights instruments are but an expression. There are rights inherent in every individual by virtue of her or his humanity. To be born human, to be thrust into the human condition guarantees very little in this harsh life. Thus, it is left to the nations and peoples of the world to ensure that to be born human guarantees one thing - human dignity. If the World Conference on Human Rights achieves little else, it must achieve the universal affirmation of that guarantee.

Thank you very much, Mr. President.

MOCK, Alois (President):

Thank you very much. I now give the floor to the representative of the League togolaise pour les droits de l'homme. You have the floor.

WILSON, A. (League togolaise pour les droits de l'homme), spoke in French:

Keywords: TOGO - HUMAN RIGHTS VIOLATIONS

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

The *League togolaise pour les droits de l'homme*, the Togolaise League for Human Rights, would like to express our great thanks for this opportunity TO bring to the attention of this illustrious assembly the extreme gravity of the general situation of human rights violations that continue to plague Togo, our country.

I am taking the floor on behalf of the *League togolaise pour les droits de l'homme*, member of the International Federation for Human Rights and Inter-African Union on Human Rights.

My organization seeks peace, justice and liberty in Togo. Integral part of the civil society, thus, absolutely apolitical, the organization has fought for democracy being established in Togo well before the National Conference of August 1991, this Conference that was a historic opportunity for the people of Togo. The organization was happy to see the adoption of the constitution that was issued from this National Conference in October 1992. Presently, the organization awaits the application of this constitution that is a national instrument of the defense of human rights, that is applied entirely and completely. If this is not done, the human rights in Togo risk not being protected, the same way as they are not protected at present.

The deliberate will that has been noted today by the international community as a result of a number of events including that by Ministers Barch and Schiffer, ministers of France and Germany for cooperation, fruitful intervention of the International Federation for Human Rights and Inter-African Union of Human Rights in Togo have all demonstrated the very grave situation that is developing in this country.

Mr. President, ladies and gentlemen,

There are situations that one cannot decently bring up in an assembly such as this, but the case of Togo knows today of multiple faces that revolt the international conscience. It includes murder, assassination, bloody torture, involuntary disappearances, various forms of torture and many others.

Mr. President, ladies and gentlemen,

We can even quote other facts that are of grave concern to the Togolese people as to their security and as to the simple respect of lasting life.

The announcement of few weeks ago of the postponement of the elections and of opening of negotiations between the antagonistic parties in Togo have brought a relative calm. The failure of these negotiations and the announcement of the new election dates are very risky for the human rights in Togo.

Total absence of the authority of the state and the lack of the will of the state to apply the international instruments and above all of the national instruments protecting human rights not only authorize all of the grave facts cited earlier but also encourage them by the total impunity that the authors of such perpetrations enjoy.

In the population of barely 3.5 million, almost a million of Togolese people have paid with their lives over just last two years - the megalomaniacal madness of other Togolese who speak to them through weapons.

Thousands of families will never know the right to happy life. The life for them will never be anything but suffering.

Thousands and thousands of children are, thus, shocked, traumatized to the depths of their souls. Their lives will never be but a pale reflection of that divine beauty to which they have been destined as it is them as well, especially them, as it is them that God created in His image. Has it not been declared that our children are our hope for tomorrow?

Thousands and thousands of women would never be anymore what they were to be as was intended by God. Has it not been declared that the women are the future of men, the receptacle of life, the future of humanity?

This is why, Mr. President, we appeal to your illustrious assembly so that measures are pinpointed, are collective and are taken by each and every one of you in appropriate fora so that Togo will, at last, be a land propitious to the protection of human rights.

I thank you, Mr. President.

MOCK, Alois (President), spoke in French:

Thank you. I would like to ask speakers to respect the limit of five minutes as established by the procedure.

[Spoke in English]

The Danish representative has informed me before the vote took place on L.3 the demand for an explanatory remark did not reach the presidency. I give you now the floor.

LEHMANN, Tyge (Denmark, European Community), explanation of vote:

Keywords: ANGOLA - DECLARATIONS - DENMARK - EUROPEAN COMMUNITIES - VOTING

Thank you, Mr. President,

On behalf of the European community and its Member States, I want to state that we did not wish to break into the consensus which you announced on L.3. But this position of ours does not change the basic attitude we have adopted with regard to no country-specific situations being dealt with during this Conference. But as things have developed over the last five hours during this Conference, we did not regard it as appropriate to break the consensus announced by you, Mr. President. Thank you.

MOCK, Alois (President):

Thank you very much. I now give the floor to the representative of the Socialist International Women. You have the floor. The Representative of Socialist International Women? Not there. I now give the floor to the representative of Liberal International.

SKOLD, Par (Liberal International ; Christian Democrat International ; Socialist International):

Keywords: HUMAN RIGHTS PROTECTION - TREATIES - UN High Commissioner for Human Rights - HUMAN RIGHTS MONITORING

Mr. Chairman, Your Excellencies, ladies and gentlemen,

Usually, when you hear the political debates among Christian Democrats, Liberals and Social Democrats, they disagree with one another. But when it comes to the defense of the fundamental principles of human rights we are in full agreement and completely united. Unity among human rights is of crucial importance. That is why the Christian Democrat International, the Liberal International and the Socialist International today speak with one voice.

We, these three political internationals represented here at the World Conference are convinced that human rights are universal and indivisible; that a democratic society offers the best safeguards for human rights; and that the international community has the right to intervene in order to defend human rights.

We, therefore, have agreed on a ten-point programme to protect human rights and hope that the Conference will take this into consideration.

Christian Democrat International, the Liberal International and the Socialist International recommend:

1. That this Conference urge all states to ratify the international human rights covenants and treaties without delay. Universal ratification should be achieved no later than the year 2000. Ratifications should be secured without reservation.
2. That governments should comply with their reporting obligations to the human rights monitoring committees. They should cooperate with the procedures allowing for individual complaints and give free access to fact-finding activities by Special Rapporteurs and Working Groups.
3. The establishment of a Special Commissioner for Human Rights in order to improve the United Nations system of coordination and in order to facilitate rapid intervention in urgent human rights situations.
4. The urgent adoption of a Declaration on the protection of human rights defenders.
5. Adoption by the next General Assembly of the draft Declaration on violence against women and the appointment of a Special UN Rapporteur on this issue.
6. Enforcement of humanitarian norms and adoption of extra measures for assistance to children in war zones.
7. That the Conference recommend effective implementation procedures to enforce the UN Declaration on National, Ethnic and Religious Minorities.
8. Adoption this year of a Declaration on the rights of indigenous peoples.
9. Improving the operation and resources of the UN Human Rights Centre in order to strengthen its administration and activities. The Centre's budget should be doubled within the next two years and its staff enlarged to meet growing human rights challenges.

10. That the Secretary-General of the United Nations appoint a special committee, with the participation of governments, non-governmental organizations and relevant UN agencies, to design an action programme for the implementation of the decisions of this Conference. The three Political Internationals offer to assist in this work.

These points, we Christian Democrat International, the Liberal International and the Socialist International, believe can be agreed upon beyond political, religious and other difference.

Thank you.

MOCK, Alois (President):

Thank you very much. I now give the floor to the representative of the Socialist International Women. The representative of the Socialist International Women has not yet arrived. I now give the floor to the distinguished representative of the International Association for the Defense of Religious Liberty.

ROSSI, Gianfranco (Defense of Religious Liberty), spoke in French:

Keywords: SELF-DETERMINATION - RELIGIOUS FREEDOM - RELIGION - TREATIES

Thank you, Mr. President.

My name is Gianfranco Rossi. I represent the International Association for the Defense of Religious Liberty. My Association wants to express its most sincere gratitude to all the Member States of the UN which have enabled the organization of this World Conference on the Human Rights.

There is an immense need to work for the promotion and protection of human rights and fundamental freedoms. Hundreds of millions of men, women and children, in fact, suffer every day on our planet, and sometimes even lose their lives because their fundamental rights are trampled underfoot. Every people, it is true, has the inalienable right to self-determination, to choose and freely develop its political, social, economic and cultural systems.

But no people, no group can arrogate to itself the right to establish or maintain a political regime, which does not respect the rights and fundamental freedoms of individuals, that is to say which refuses to respect the inherent dignity of every member of the human family.

From this perspective, the right to freedom of thought, conscience, religion and belief is of fundamental importance.

Indeed, guaranteeing this right to each individual means recognizing the right to be himself and to live in harmony with his most intimate convictions and his own vision of the world, to develop fully in a perspective that can extend beyond his earthly life to achieve the certainty of an eternal destiny.

Men, in their sincere quest for the truth, in their search for answers to fundamental questions such as: Where do we come from? Where are we going? What is the meaning of life? can find a satisfactory solution in a particular religion. Some find it in that of their parents; others in a different religion.

The individual must be able to freely choose his religion. The state that truly respects religious freedom must guarantee to every individual the freedom to follow the spiritual path dictated by his conscience, in accordance with the teachings which he believes to have been given by God, the supreme authority.

It is not the state's competence to interfere in this field and even less to impose on its citizens a specific vision of the world, whether it be religious or otherwise.

The state must be the common home of all citizens. This means that in every country, the ideological pluralism should not only be accepted as a fact, but should be recognized by law. The different visions of the world - religious or not - should have the right to exist, to express themselves and to assert themselves in mutual respect. None of them should use the power of the state to suppress others or prevent them from expressing themselves and acting freely.

Religions, which have a global vision of the human family and which preach justice, peace and love among individuals, should play an important role in building a pluralist society respectful of human rights.

We have to note in our times that there are worrying manifestations of religious extremism that go against the construction of a pluralist society.

We are, indeed, witnessing the ever more threatening rise of movements marked by religious totalitarianism. In many countries, these movements aim to impose, through state law, the rules of a single religion. The whole of society is, thus, governed by the precepts of this religion. Those who do not agree to conform to this new order are considered infidels, unbelievers, and the force is used against them without hesitation.

In fact, the establishment of totalitarian theocratic regimes is already become or almost a reality in some countries where massive human rights violations are recorded, and where the penal code provides for the death penalty for those who abandon the official religion.

Mr. President,

We strongly hope that the international community will take a clear stand against manifestations of religious extremism, which are a disavowal of the principles of the Charter of the United Nations, and which threaten to destabilize the international balance.

We must fight energetically and urgently against religious extremism and do our best to ensure that in every country the right to freedom of thought, conscience, religion and belief is recognized and guaranteed by law, not only in principle, but also in its various manifestations. At present, almost all states recognize it, in principle, but a large number of them severely limit it by legal measures which constitute true forms of intolerance and discrimination, almost reducing to nothing the exercise of this right. Hence the need for an international instrument which not only specifies this right in all its essential implications, but which at the same time has binding force.

Mr. President,

I would like to conclude by saying that it would be rendering a great service to humanity to succeed in guaranteeing to each human being the effective respect for this freedom, which is of fundamental importance not only for individuals but also for society as a whole. Indeed, recognizing and respecting freedom of religion and belief means accepting ideological and political pluralism and firmly laying the foundations of the rule of law and true democracy allowing all individuals to enjoy equality in dignity and in rights while respecting diversity.

Thank you, Mr. President.

[Change of President]

NEAGU, Romulus (President):

Thank you. At this stage, I would like to make a short statement, announcement in fact. In order to permit the Drafting Committee to continue meeting to finish its work, I have decided to adjourn this meeting at 8 pm.

Now, the distinguished representative of Malawi has the floor.

MWAUNGULU, Ngelesi Mwakipunda (Malawi), explanation of vote:

Keywords: BOSNIA AND HERZEGOVINA - DECLARATIONS - MALAWI - VOTING

Thank you very much, Mr. Chairman.

I am sorry to intervene at this late stage, but I would like to express my regret that the leadership of the Malian delegation was not present when the voting was cast on the resolution concerning Bosnia and Herzegovina. I would like it recorded, Mr. Chairman, that the Malawi delegation if it were here would have voted in favor of that resolution. Thank you.

NEAGU, Romulus (President):

Thank you. We have taken note of your declaration, and now I give the floor to the distinguished representative of Australia. You have the floor, Sir.

WENSLEY, Penelope Anne (Australia), explanation of vote:

Keywords: ANGOLA - DECLARATIONS - AUSTRALIA - VOTING

Thank you very much, Mr. President.

Mr. President,

I am taking the floor very briefly at this stage. I simply wanted to record that as event moved extremely quickly after the vote on Bosnia and Herzegovina, and the issue of Angola came before the plenary, it had been the understanding of my delegation that there would have been a vote and consistent with the very strong position of principle that my government had presented relating to its abstention vote on Bosnia and Herzegovina, my government also would have abstained on the special declaration on Angola. Despite our deep concern about the continuing conflict in Angola and its humanitarian implications, my point, Mr. President, is that we have felt very strongly we should breach neither the principle of dealing with country-specific situations, nor the principle of consensus. And I simply wish to place my government's position on the record. Thank you.

NEAGU, Romulus (President):

Thank you. Now I give the floor to the distinguished representative of Japan.

MARUYAMA, Shunji (Japan), explanation of vote:

Keywords: ANGOLA - DECLARATIONS - JAPAN - VOTING

Thank you, Mr. President.

I would be very brief. We just would like to make it clear that the delegation of Japan would have abstained if draft declaration L.3 on Angola have been put to vote. It is for exactly the same reason as in the case of the declaration L.2 on Bosnia and Herzegovina, we should observe the basic understanding on the procedure of this World Conference that we do not take up country-specific situations. We would like to register this position as a matter of consistency. Thank you, Mr. President.

NEAGU, Romulus (President):

Thank you. I now give the floor to the distinguished representative of the United States.

FERRARO, Geraldine A. (United States of America), explanation of vote:

Keywords: ANGOLA - DECLARATIONS - UNITED STATES OF AMERICA - VOTING

Thank you, Mr. President.

I too would like to take this opportunity to put my country on record with reference to the situation in Angola and resolution L.3. We feel very strongly that the procedures that have been agreed upon when this Conference was being called that no specific country situations would be discussed and voted on, was an agreement that should have been adhered to throughout the Conference. However, we feel as well that since there was a vote taken on Bosnia that we should also record our position with reference to Angola. We are horrified by the situation in that country. Yet, we hold fast to the view expressed earlier that this forum is not the appropriate one for consideration of that situation. I, therefore, would like to make it part of the record that there been a vote cast our delegation would have abstained. Thank you very much, Mr. President.

NEAGU, Romulus (President):

Thank you. I now give the floor to the distinguished representative of Canada.

PARK, Anne (Canada), explanation of vote:

Keywords: ANGOLA - DECLARATIONS - CANADA - VOTING

Thank you, Mr. President.

My delegation too had expected a vote to be called on the draft declaration on Angola, and had such a vote been called my delegation would have abstained on the declaration because we did not wish to break with either the principle of no country situations, nor the consensus principle at this Conference. At the same time, let me say that Canada has a great concern about the tragic situation in Angola, the massive loss of innocent lives and the great suffering of the Angolan people resulting from egregious breaches of international humanitarian law and large-scale human rights violations. We are also concerned that this tragedy has not received the attention of the international community that it warrants. And we have been much moved and impressed by the statements of our African colleagues in this regard at the Conference. Thank you, Mr. Chairman.

NEAGU, Romulus (President):

Thank you. I now give the floor to the distinguished representative of Asamblea Permanente des Derechos Humanos en Bolivia. You have the floor. Standing assembly for human rights and Bolivia.

ALBARRACIN SANCHEZ, Waldo (Asamblea Permanente Derechos Humanos en Bolivia), spoke in Spanish:

Keywords: HUMAN RIGHTS VIOLATIONS - INTERNATIONAL FINANCIAL INSTITUTIONS - DEMOCRACY - IMPUNITY - HUMAN RIGHTS PROTECTION

Mr. President,

Thanking you for giving me the opportunity to speak at this Conference, the Standing Assembly for Human Rights in Bolivia would like to make over the next few minutes the following points:

I would like to express my hope that this Conference in elaborating the final document and in establishing measures to be adopted should concentrate its attention on the causes that generate the violation of human rights as the only way to avoid the effects of such violations. This is why, for the organization that I represent, among the main causes is the application in various countries of economic policies that definitely prejudice the collective rights of the societies, in addition to individual and civil political rights.

I come from a country that is among the poorest in the world. The last few decades, child malnutrition and mortality rates have increased tremendously, out of every thousand children born, one hundred die before the age of five, a worker's salary ranges between twenty five the thirty dollars per month, and extreme poverty is very high. This cruel reality can be seen throughout Latin America and all of the third world.

This is why it is not possible discuss the subject of human rights ignoring the causes that underlie the violation of human rights. The unequal and disadvantageous relationship of the countries of the South with the North makes it impossible for a real development of the third world countries allowing, furthermore, that the international financial institutions are the ones, which set parameters of the economic policies that are implemented in our countries. This is extremely obvious, and it cannot be left out of the final conclusions of this Conference.

Another basic cause of human rights violations is the systematic distortion of democracy, especially by many governments, to the extreme that under the protection of the state law in force in our countries, they promote actions that denaturalize the system. As a result, people are beginning to establish differences between constitutional regimes and democratic regimes, the first ones understood as those which are in power through mechanisms enshrined in law but which through their actions are actually governing against the people.

It is precisely because of the last few years that we have seen a process of "elitization" in democracies, which are becoming less and less representative and less participative that we democrats by conviction would like these systems to be perfected and not to be distorted precisely by violations of human rights which are occurring.

The prevailing impunity for crimes against humanity is another reason that encourages violation of human rights. We consider that the United Nations should adopt severe measures to ensure that sanctions against the perpetrators of these acts are finally guaranteed and enforced.

Mr. President,

The importance of this event lies not only on the fact that it is occurring after 25 years but rather on the topics selected for discussion. For this reason, the Conference cannot turn into a mere formal act where governments come to fulfill their duties. It is a matter of each state becoming fully aware of how essential it is to adopt urgent measures in order to avoid having human rights trampled the way.

In view of the above, while ratifying the proposal launched by Latin American non-governmental organizations, approved through a document in Quito, I would like to ask that the decisions to be adopted include aspects such as the condemnation of any economic policy whose results have led to the violation of collective human rights.

We also would like to propose:

- the democratic generation of all powers of the state and the absolute respect for the sovereignty of the people;
- the increase of the individual and social participation of the population in the decisions and the future of the state through the establishment of direct democracy and democratic processes;
- The strengthening of the participating democracies and the recommendation to governments to guarantee the independence of powers especially the judicial power that in many countries has turned into a mere instrument for political repression against the opposition and leaders in the popular sectors.

Mr. President,

I would also like to request urgently that we should not avoid debate on issues that in the international context are obvious proof of human rights violations, that states should no longer abstain under the argument of lack of competence or jurisdiction when it comes to settling conflicts which are an affront to the international community as whole and to the dignity of human being.

To sum up, I would like to request that this Conference be as effective as possible and as little formal and bureaucratic as possible, that real and objectives measures should be adopted to avoid continued violation of human rights.

I would like to request that the problems of the dispossessed, of those without a voice, of the national majorities, of the indigenous peoples, of all the marginalized sectors, of those who are direct victims of the violations of human rights can be solved or at least mechanisms for their resolution can be generated.

Mr. President,

It is my hope that the results of this Conference should not mean a step backwards in history, quite in the country, that they should represent a step forward for the welfare of mankind.

Thank you.

NEAGU, Romulus (President):

Thank you. I now give the floor to the distinguished representative of Women's International Zionist Organization. Excuse me, may I before that give the floor to the distinguished representative of Sri Lanka. You have the floor, Madame

DEWARAJA, Aruni Y. (Sri Lanka), explanation of vote:

Keywords: ANGOLA - DECLARATIONS - SRI LANKA - VOTING

Thank you, Mr. President.

My delegation did not oppose the consensus on the draft contained in document L.3 on the special declaration on Angola. However, my delegation wishes to place on record that in conformity with

our previous position against country-specific issues being considered in the World Conference, we would have abstained had a vote being called. Thank you.

NEAGU, Romulus (President):

Thank you. I now give the floor to the distinguished representative of Women's International Zionist Organization. Is the representative of Women's International Zionist Organization in the room? She is not. Then I give the floor to the distinguished representative of Agencia Ecuménica de Noticias. It seems the speaker is not in the room. Now I will try to give the floor to the distinguished representative of the International Organization for the Elimination of All Forms of Racial Discrimination. You have the floor. Seems the representative is not in the room. Is the representative of Lawasia here? Yes. Then I give the floor to the distinguished representative of Lawasia.

TARDU, Maxime (Law Association for Asia and the Pacific):

Keywords: HUMAN RIGHTS MONITORING - UN System - HUMAN RIGHTS
EDUCATION - RULE OF LAW - JUDICIAL INDEPENDENCE

Mr. President,

LAWASIA most strongly supports in all its provisions Declaration adopted by Asia-Pacific NGOs in Bangkok on 28th March 1993. In particular, we reaffirm strongly the universality, interdependence and indivisibility of all human rights. These are economic, social, cultural or civil and political rights.

Mr. President,

Item 9 of the agenda invites us to consider the progress achieved and the obstacles encountered in the observance of universal human rights.

Well, on the institutional level, the progress achieved within the UN system since the adoption of the Charter appears to be striking. In 1945, we had a toothless United Nations Organization, empowered only to study and recommend in the most general terms and severely crippled by Article 2, paragraph 7.

Now we see truly a metamorphosis – another international organization with a growing international human rights code and a vast array of UN monitoring procedures. Even more striking is the fact that those procedures were established not only by treaties but also frequently by simple resolutions.

And we are convinced that this UN human rights system has a sizeable degree of effectiveness. We can say that without falling into unjustified self-satisfaction. But this system has not yet overcome certain major defects, which I want to review very briefly.

The first defect is the lack of coherence, lack of coordination, it stems from very pragmatical, step-by-step style of the UN system building. Rationalization and coordination are needed. But you know, they should avoid the pitfall of total and rigid unification. Especially, there should always be a room for regional mechanism. A plurality of international remedies, including regional mechanism, is essential for the victims.

The UN system is too heavy and too slow. The UN must give high priority to tackling the problem of urgency and, in our view, that could be done only by giving more intersessional powers to the chairmen of bureaus of various organs.

Most important is the system is "ex post facto" and not preventive. The UN should now direct its priority attention to preventing gross violations, and for this we need major improvements in the system. We need a more efficient running, with full computerization, of the periodic report mechanisms. We need also a permanent UN presence on human rights of an advisory nature in the field, at the sub-regional and even sometimes at national level, in close coordination with UNDP and specialized agencies local offices.

Mostly, the UN system is still perceived, Mr. President, as far too remote, abstract and elitist by the peoples of the world. This is very true of many areas of our region of Asia-Pacific. The system may appear too state-oriented, hence, too tolerant of gross violations committed by oppressive regimes in our region and in other regions.

Indeed, at the grassroot level in various areas of Asia and the Pacific, attitudes of rejection exist not only towards the UN system but towards national institutions as well. State structures are still viewed by the peoples, not unfrequently, as unresponsive to their needs and unwilling to recognize their basic dignity.

So, millions of people in our region tend to face a tragic dilemma: either marginalization and apathetic despair or violent revolt against all "top to bottom" institutions.

It is LAWASIA's basic purpose, Mr. Chairman, and our earnest fight to help peoples overcome this dilemma. We use several strategies. A basic one is to pursue our efforts in the field of grassroots legal education and legal awareness. We want to demystify the law for vulnerable groups, especially in remote rural areas, among indigenous peoples and for the urban poor.

Closely related to this strategy are our legal aid activities for the poor. But the main aspect of our strategy equally fundamental is to stress the concept of the rule of law in a democratic society, to promote effective recourse procedures at all levels – from local to national levels, and to safeguard and strengthen a competent, independent and impartial judiciary grounded on a human rights-conscious legal profession.

Without such structures without just and democratic structures, and especially without independent judiciary, Mr. Chairman, without the rule of law, we find not liberty but the enslaving of the weak and regression into barbarity.

Thank you, Mr. Chairman.

NEAGU, Romulus (President):

Thank you.

The distinguished representative of Lawasia was the last speaker on the list today. We shall have our next meeting tomorrow morning at 10 o'clock.

The meeting is adjourned.