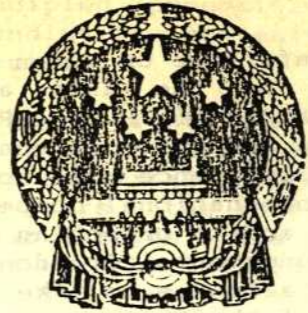


Mr. President,

In concluding, I wish to pay tribute to the work of the United Nations Centre for Human Rights and to commend many non-governmental organizations for their dedicated efforts for the promotion and protection of human rights. While the effort to promote and respect human rights may sometimes seem undramatic, it is a sound and steady way to ensure both the well-being of all human beings and lasting peace for the world. I appeal to all here to work together for enhanced respect for human rights.

Thank you.



中华人民共和国常驻维也纳联合国和其他国际组织代表团
PERMANENT MISSION OF THE PEOPLE'S REPUBLIC OF CHINA TO THE UNITED NATIONS
AND OTHER INTERNATIONAL ORGANIZATIONS IN VIENNA
POTZLEINSDORFER STRASSE 42, 1180 VIENNA, AUSTRIA, TEL: 471364

Please check against delivery.

(Translation)

SPEECH BY H. E. MR. LIU HUAQIU

HEAD OF THE CHINESE DELEGATION AT THE
WORLD CONFERENCE ON HUMAN RIGHTS

Vienna, June 15, 1993

Mr. President,

The World Conference on Human Rights is convened on the occasion of the 45th anniversary of the Universal Declaration of Human Rights. This is a noteworthy event in the international community today. We hope that this Conference will contribute positively to strengthening international cooperation in the field of human rights and to promoting full enjoyment of human rights and fundamental freedoms of people of all countries. Please allow me to take this opportunity to offer, on behalf of the Chinese Government and people, our warm congratulations to the Conference, and wish the Conference a success.

Mr. President,

In the wake of World War II and victory over the brutal fascist forces, the United Nations worked out the Charter of the United Nations and the Universal Declaration of Human Rights which give expression to the longing desire of people across the world for the respect and protection of human rights and fundamental freedoms. It has, through relentless efforts, scored many achievements in safeguarding and promoting human rights. During this period, nearly a hundred countries broke down the shackles of colonialism and won independence successively, which culminated in the total collapse of the centuries-old evil colonial system. All this has created prerequisites and opened up broad vistas for the realization of basic human rights for people of all countries in the world. The United Nations and the international community have done a great deal of work in terms of eliminating colonialism, racism, apartheid, massive and gross violations of human rights as a result of foreign invasion and occupation, safeguarding the right of small and weak countries to self-determination and the right of developing countries to development, and helping people of all countries to obtain the basic human rights. All these represent a major development of the Universal Declaration of Human Rights. Moreover, the series of programmatic documents such as the Proclamation of Tehran and the Declaration on the Right to Development adopted successively by the United Nations have further enriched the contents of and defined the objectives and guiding principles for international activities in the field of human rights. In preparation for this Conference, Africa, Latin America and Asia convened regional preparatory meetings which passed respectively the Tunis Declaration, the San Jose Declaration and the Bangkok Declaration. These important instruments on human rights have identified some pressing issues of concern to the developing countries, which make up the overwhelming majority of the world population and put forward their practical

and feasible principled propositions, thus further enriching and expanding the contents of human rights protection and promotion.

The issue of human rights has attracted universal attention in the international community as it bears on the basic rights and vital interests of the world's people. In recent years, the international situation has undergone drastic changes. The world has entered a historical juncture whereby the old pattern is giving way to a new one. The international community has before it difficulties and challenges on the one hand, and hopes and opportunities on the other. In the international human rights field, the pressing task facing the people of all countries is to sum up experience and set the correct direction and principles for the future course in light of the changing situation, with a view to effectively protecting and promoting basic human rights. This World Conference on Human Rights is an important conference linking the past and future. Its success will undoubtedly be of great significance to the realization of this objective.

We should also be soberly aware that the serious consequences of colonialism, racism, apartheid, foreign invasion and occupation are yet to be fully removed. People in countries still under foreign occupation or apartheid have not yet enjoyed basic human rights and freedom. Though the Cold War characterized by confrontation between the two military blocs has come to an end, the world today is far from tranquil as is evidenced by increasing factors of destabilization and emergence of new hot spots. People in some regions are still struggling for survival. Many developing countries find themselves in greater economic difficulties and impoverishment. Over one billion people in the world are still living below the poverty line, suffering from starvation, diseases and shortages. These, no doubt, are the stumbling blocks in the way to the realization of universal human rights. Therefore, to remove these obstacles and carry out international cooperation in this connection should be given top priority by the international community in its efforts to promote the cause of human rights.

Mr. President,

The concept of human rights is a product of historical development. It is closely associated with specific social, political and economic conditions and the specific history, culture and values of a particular country. Different historical development stages have different human rights requirements. Countries at different development stages or with different historical traditions and cultural

backgrounds also have different understanding and practice of human rights. Thus, one should not and cannot think the human rights standard and model of certain countries as the only proper ones and demand all other countries to comply with them. It is neither realistic nor workable to make international economic assistance or even international economic cooperation conditional on them.

The concept of human rights is an integral one, including both individual and collective rights. Individual rights cover not only civil and political rights but also economic, social and cultural rights. The various aspects of human rights are interdependent, equally important, indivisible and indispensable. For the vast number of developing countries, to respect and protect human rights is first and foremost to ensure the full realization of the rights to subsistence and development. The argument that human rights is the precondition for development is unfounded. When poverty and lack of adequate food and clothing are commonplace and people's basic needs are not guaranteed, priority should be given to economic development. Otherwise, human rights are completely out of the question. We believe that the major criteria for judging the human rights situation in a developing country should be whether its policies and measures help promote economic and social progress, help people meet their basic needs for food and clothing and improve the quality of their life. The international community should take actions to help developing countries alleviate economic difficulties, promote their development and free them from poverty and want.

The rights and obligations of a citizen are indivisible. While enjoying his legitimate rights and freedom, a citizen must fulfill his social responsibilities and obligations. There are no absolute individual rights and freedom, except those prescribed by and within the framework of law. Nobody shall place his own rights and interests above those of the state and society, nor should he be allowed to impair those of others and the general public. This is a universal principle of all civilized societies. Moreover, to maintain social stability and ensure the basic human rights to citizens do not contradict each other. The practice of the international community has proved once and again only when there is justice, order and stability in a country or society, can its development and the well-being as well as basic human rights of all its citizens be guaranteed.

According to the U.N. Charter and the norms of international law, all countries, large or small, strong or weak, rich or poor, have the right to choose

their own political system, road to development and values. Other countries have no right to interfere. To wantonly accuse another country of abuse of human rights and impose the human rights criteria of one's own country or region on other countries or regions are tantamount to an infringement upon the sovereignty of other countries and interference in the latter's internal affairs, which could result in political instability and social unrest in other countries. As a people that used to suffer tremendously from aggression by big powers but now enjoys independence, the Chinese have come to realize fully that state sovereignty is the basis for the realization of citizens' human rights. If the sovereignty of a state is not safeguarded, the human rights of its citizens are out of the question, like a castle in the air. The views that the human rights question goes beyond boundary and that the principle of non-interference in other's internal affairs is not applicable to it and actions on these premises are, in essence, a form of power politics. They run counter to the purposes and principles of the U.N. Charter and to the lofty cause of the protection of human rights.

China believes that the protection of human rights, like the promotion of development, requires international cooperation and a peaceful and stable international environment. For the purpose of strengthening international cooperation in the field of human rights and promoting activities in the protection of human rights in the whole international community, the Chinese delegation hereby puts forth the following principled proposals and wishes to discuss them with you.

1. The international community should give its primary attention to the massive gross violations of human rights resulting from foreign aggression and occupation and continue to support those people still under foreign invasion, colonial rule or apartheid system in their just struggle for national self-determination. It should also commit itself to the elimination of the massive gross violations of human rights ensued from regional conflicts.

2. World peace and stability should be enhanced and a favorable international environment created for the attainment of the goals in human rights protection. To this end, countries should establish a new type of international relationship of mutual respect, equality, amicable coexistence and mutually beneficial cooperation in accordance with the U.N. Charter and the norms of international law. All international disputes should be solved peacefully in a fair and reasonable manner and in the spirit of mutual accommodation and

mutual understanding, and consultation on equal footing, instead of resorting to force or threat of force. No country should pursue hegemonism and power politics or engage in aggression, expansion and interference. This is the way to ensure regional and global peace and stability and to prevent armed conflicts which may incur massive violations of human rights.

3. The right of developing countries to development should be respected and guaranteed. To create a good international economic environment for the initial economic development of developing countries, the international community should commit itself to the establishment of a fair and rational new international economic order. Developed countries, in particular, have the responsibility to help developing countries through practical measures in such areas as debt, capital, trade, assistance and technology transfer, to overcome their economic difficulties and develop their economy. This is the way to gradually narrow the gap between the North and the South which may otherwise be widened and finally to bring about common development and prosperity.

4. The right of each country to formulate its own policies on human rights protection in light of its own conditions should also be respected and guaranteed. Nobody should be allowed to use the human rights issue to exert political and economic pressures on other countries. The human rights issue can be discussed among countries. However, the discussions should be conducted in the spirit of mutual respect and on an equal footing.

Mr. President,

It is the sole objective of the Chinese Government to serve the Chinese people and work for their interests. Therefore, China has always attached importance and been committed to the guarantee and promotion of the basic human rights of its people. It is known to all that the old China was an extremely poor and backward semi-feudal and semi-colonial society where the Chinese people did not have any human rights to speak of as they were enslaved and oppressed by the imperialists and Chinese reactionary forces. This bitter past was not put an end to until the founding of the People's Republic. Since then, the Chinese people have, for the first time in history, taken their own destiny into their own hands, become masters of their own country and enjoyed basic human rights. According to China's Constitution, all power in the People's Republic of China belongs to the people. The law guarantees that each and every Chinese citizen,

regardless of gender, family background, ethnic status, occupation, property status and religious belief, enjoys genuine democracy and freedom, civil and political rights as well as extensive economic, social and cultural rights. China is a unitary multi-national state. To strengthen national unity and safeguard the unification of the motherland accord with the common interests and aspiration of the Chinese people of all nationalities. To handle properly the ethnic question and the relations among different nationalities has all along been of vital importance to the stability, development and equality among all nationalities of the country. The Chinese Government, therefore, attaches great importance to the work in this regard. Equality and unity among all nationalities and regional national autonomy are China's basic principles and policies for handling matters concerning nationalities. As a result, people of all nationalities living in the same big family are now marching towards common prosperity. Since China began to implement the policy of reform and opening to the outside world, its economy has been developing vigorously and its democratic and legal system improving steadily. The nearly 1.2 billion Chinese populace of all nationalities, who are united as one, have seen their material and cultural well-being improved considerably. As their basic needs have been more or less met, they are briskly heading toward a fairly comfortable and affluent life. China has made steady progress in promoting and protecting human rights, which has been acknowledged and commended by all fair-minded people in the international community.

China respects and abides by the basic principles of the U.N. Charter and the Universal Declaration of Human Rights. It attaches importance to and has actively participated in the international exchanges and cooperation in the field of human rights as well as U.N. activities in this field. China has acceded, one after another, to eight international conventions on human rights and is earnestly honouring the obligation it has thereby undertaken. It is ready to further strengthen exchanges and cooperation with other countries on human rights in the international arena and to contribute its part to the effective promotion and protection of human rights in the international community and to the achievement of the lofty ideal that people throughout the world will be able to fully enjoy the basic human rights.

Thank you, Mr. President.

JUNE 13, 1982

Mr. President,
CHECK AGAINST DELIVERY



PERMANENT MISSION OF
INDIA

TO THE UNITED NATIONS OFFICES
IN VIENNA

**STATEMENT BY H.E. DR. MANMOHAN SINGH LEADER
OF THE INDIAN DELEGATION TO THE WORLD CONFERENCE
ON HUMAN RIGHTS, VIENNA - JUNE 14 TO 25, 1993**

JUNE 15, 1993

Mr. President,

I congratulate you on your election as President of the World Conference on Human Rights on behalf of the Government and people of India. We are confident that the Conference will be fruitful under your wise guidance.

We are happy that the Conference is being held in Austria - a country which is known for its commitment to the values of democracy and social justice.

India's commitment to the promotion and protection of human rights - political and civil as well as economic, social and cultural is unreserved and total. This commitment has evolved logically from the age-old ideals which have been the basis of our composite culture over the centuries. India's freedom struggle was inspired by the vision of a society committed to the ideal of human rights and human obligations. Decolonisation was a critical element in the assertion of human rights. Having attained independence we have been firm in our conviction that a representative democracy based on universal adult suffrage, a multi-party system and free and fair regular elections can be the only basis for the well-being of our people and for the enforcement of their basic human rights. This is precisely why the founders of Indian Republic endowed the country with all the relevant institutions to safeguard democracy, namely an independent judiciary, a parliamentary form of Government, a free Press and over and above all a commitment to the rule of law. These are the essential guarantors of human rights in our society. We have always recognized that effective implementation of fundamental human rights requires sustained and dedicated efforts to remove poverty and socio-economic

disparities. Thus we firmly believe that both democracy and development are essential for the sustenance and nurturing of human rights of our people. We are willing to share our experience and learn from the experience of other countries in this regard so that progress towards the full and effective implementation of human rights worldwide can be accelerated. It is in this spirit that we approach our tasks at this Conference.

We are meeting here in a Human Rights Conference 25 years after the first such conference was held in Tehran and 45 years after the adoption of the Universal Declaration. We meet in a transformed world having passed through the hostilities of the Second World War, demise of colonialism and rigidities of the Cold War. We meet at a juncture when democracy and universal norms of human rights are no longer a matter of debate in terms of juxtaposed political ideology. We meet when the ideals of democracy and human rights are universally accepted aspirations and imperatives.

What then do we seek in our forthcoming deliberations? What are the hurdles that we should remove, the pitfalls that we should avoid in our common quest for ensuring human dignity and human wellbeing?

What we seek is the creation of universally acceptable non-discriminatory norms of human rights.

What we seek is to arrive at an acceptable definition and description of civil, political, economic, social and cultural rights which should constitute the terms of reference

for the political emancipation and social development of the international community.

What we seek is an international consensus on the manner in which all of us could create a global environment in which these rights cannot only be asserted but in which they are sustained and nurtured.

We seek the creation of an equilibrium between the requirements of political and civil liberties and rights on the one hand and the fulfilment of socio-economic aspirations of the global community, a majority of whom belong to the developing world on the other. We believe that political and civil rights and the emphasis on economic and social rights should not be perceived in a juxtaposed perspective. We believe that respect for the first category of these rights creates the conditions for the fulfilment of the second category. There is a logical interdependence and inevitable symbiosis between the two. Any approach towards issues of human rights advocating competitive priorities between the political and economic, social and cultural rights is both illogical and impractical.

It is these perceptions, and this approach which have animated India's policies regarding human rights issues. The institutions which we fashioned to sustain ourselves as a plural, multi-ethnic, multi-religious, multi-linguistic and secular polity had the over-arching objective of consolidating ourselves as a modern democracy. Apart from the political institutions which I mentioned earlier in my speech, we took measured steps in creating institutions to safeguard the well-being of and

to ensure justice to our minorities and all the diverse weaker sections of our society. The special commissions and institutions that we have established to protect the rights of minorities, women, scheduled castes and scheduled tribes with sub-ethnic distinct identities and the legislation that we have brought into being over the years to ensure political and socio-economic justice to a society as diverse as ours are indicative of this process. We believe that our approach to the development of a cohesive polity, emphasising unity in diversity and seeking to promote social and economic development in the framework of an open society has important lessons for the evolution of all pluralistic societies.

While we take pride in being the largest practicing democracy amongst the developing countries, we are deeply conscious that our endeavours have faced hurdles.

Social and economic changes in a pluralistic society can at times be disruptive. Demographic and economic pressures can and have created pockets of alienation. Corrective action has been taken to tackle the causes of this alienation. Yet some divisive elements project this alienation in ethnic, religious and secessionist terms. We have and we are facing the situation of our commitment to democracy and our territorial integrity being challenged by extremist violence. Where we as a people face the prospect of elements within our society who wish to impose their views by force instead of by democratic means, our response of necessity has to be and will remain firm.

More so, when those who abandon the path of democratic reasoning are aided by intrusive and motivated external forces. The predicament against which we struggle is the predicament of a negation of democracy and violation of human rights. The struggle has complexities. In fighting these disruptive forces we accept that at times aberrations from democratic norms can take place. We have no intention of brushing these aspects of our existence under the carpet. We are conscious of these aberrations. Despite the grave threat posed by certain disruptive forces to our national unity and cohesion, we are alert about avoiding the brutalization of our society. India's constitutional set-up contains built in safeguards in this regard. We are engaged in structuring additional institutional safeguards to meet the situation. It is in this context that the Government of India recently introduced legislation for the creation of a National Human Rights Commission with independent status and autonomous monitoring jurisdiction. It is again in this context that we have provided and are providing greater access to human rights agencies to observe the situation in our country. It is to reaffirm the atmosphere of freedom and our commitment to political transparency that we have provided access to political leaders and legislators from different parts of the world to visit us and to judge for themselves the enormity and the complexity of the democratic experiment that India has undertaken. We are assiduously vigilant about our commitment to human rights. But we are, at the same time, equally firm that the slogans of human rights do not

become an instrument in the hands of interested parties to challenge our political cohesion or our territorial integrity. While this is so we expect the international comity to help us deal with externally inspired terrorism. We expect support and understanding when we try to deal with domestic discontent being encouraged to take the path of violence and secessionism. A predicament which I dare say is not particular to India alone but to many countries across the globe.

This is what we seek. Our hope is that the decisions and measures which would be adopted at this Conference would serve these objectives.

To turn to what we should avoid for nurturing and upholding human rights, this does not need lengthy elaborations. Simply stated, our common endeavour should be to remove and resist the threats to human rights. These are entrenched in terrorism, religious extremism, extraneously encouraged and sustained movements of separatism and secessionism, disrupting State structures, non-democratic governments, and over and above all poverty and socio-economic injustice.

Whatever we do as individual countries or collectively as the members of the UN, the human rights movement must not be politicised, nor must it become an instrument for creating new barriers against the orderly functioning of plural democratic societies. We must respect diversities in the elements which constitute human rights in different societies while adhering to universally accepted norms. The effort should be to promote cooperation in implementing universal norms of human rights in the increasingly interdependent world we live in.

It is with this perception that we approach and evaluate the proposals which are to come up during this Conference for strengthening the UN's role in nurturing and sustaining human rights. We believe that the agencies and mechanisms of UN dealing with human rights should be strengthened. We believe that the terms of reference for this more effective role of the UN should be responsive to the aspirations and sensitivities of the member countries. We believe that if any new instruments and mechanisms are to be put in place, their role and their jurisdiction should be structured in a manner which should avoid duplication of responsibilities already entrusted to existing institutions. The role and jurisdiction of new entities, new arrangements should be non-intrusive and essentially aimed at the preservation and application of human rights devoid of extraneous political factors. Attaching conditions to development assistance related to human rights record of a nation can be counter productive. Above all, their jurisdiction and role should conform to the basic principles of the UN Charter.

I would like to conclude, Mr. President, by summing up the Indian viewpoint.

We unreservedly reaffirm, in accordance with the UN Charter, our faith in fundamental human rights; in the promotion and encouragement of respect for human rights; and the universal respect for and observance of human rights, and fundamental freedoms for all without distinctions of race, sex, language and religion.

We stress that Democracy and Development, including protection of the environment, are essential to the effective enjoyment of human rights.

We believe that these objectives can be achieved within the framework of the principles and purposes of the Charter of the United Nations, of the Universal Declaration on Human Rights, of the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights.

We feel that the need of the hour is a commonality of approach and unity of purpose aimed at developing a consensus to which this Conference should contribute in a very significant measure.

We are determined to continuously seek to further upgrade the quality of human rights implementation at the national level.

We are ready to join hands with all the nations represented at this Conference to do all that is necessary to create the appropriate international environment for the effective enforcement of human rights.

This conference has an historic opportunity to shape a new consensus for the promotion of human rights. We shall fully cooperate with other nations in ensuring a successful outcome of our deliberations.

Thank you, Mr. President.

WORLD CONFERENCE ON HUMAN RIGHTS VIENNA
16 JUNE 1993



THE REAL WORLD OF HUMAN RIGHTS

STATEMENT BY
FOREIGN MINISTER
WONG KAN SENG
OF SINGAPORE

WORLD CONFERENCE ON HUMAN RIGHTS, VIENNA

16 JUNE 1993

STATEMENT BY MR WONG KAN SENG,
MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF SINGAPORE
WORLD CONFERENCE ON HUMAN RIGHTS, VIENNA, 16 JUNE 1993

THE REAL WORLD OF HUMAN RIGHTS

How a state treats its citizens is no longer a matter for its exclusive determination. Other countries now claim a concern. No country has rejected the Universal Declaration of Human Rights. A body of international law on human rights is evolving. These developments will eventually make for a more civilised world. We should work towards it.

But the international consensus on human rights is still fragile. Although everyone professes support for the ideal of human rights, conflicts still abound. The preparatory process for the World Conference on Human Rights has been mired in fundamental disagreements. Even now, we cannot assume that a consensus will be reached. This is not simply due to bad faith or hypocrisy.

Human rights do not exist in an abstract and morally pristine universe. The ideal of human rights is compelling because this is an imperfect world and we must strive to make it better. There is no need for human rights in heaven. But precisely because this is an imperfect world, making progress on human rights will be marked by ambiguity, compromise and contradiction.

Differences of opinion over human rights are inevitable in the real world of competing states and contending interests. The promotion of human rights by all countries has always been selective. Concern for human rights has always been balanced against other national interests. Those who deny this protest too much.

Universal recognition of the ideal of human rights can be harmful if universalism is used to deny or mask the reality of diversity. The gap between different points of view will not be bridged if this is ignored. We deceive only ourselves if we pretend this is not so.

Forty-five years after the Universal Declaration was adopted as a "common standard of achievement", debates over the meaning of many of its thirty articles continue. The debate is not just between the West and the Third World. Not every country in the West will agree on the specific meaning of every one of the Universal Declaration's thirty articles. Not everyone in the West will even agree that all of them are really rights.

Let us take the United States of America as an example. Not every state of the USA interprets such matters as, for example, capital punishment or the right to education in the same way. Despite USA Supreme Court rulings, abortion is still a hotly contested issue. But this multiplicity of state and local laws is not decried as a retreat from universalism. On the contrary, the clash and clamour of contending interests is held up as a shining model of democratic freedom in the USA.

For that matter, the right to trial by jury so precious in Britain and the United States, has never prevailed in France. Are we therefore to conclude that human rights are repressed by the French? This would be absurd. Sweden, to give another example, has more comprehensive and communal social arrangements than some other Western countries may find comfortable. Is Sweden therefore a tyranny? Naturally not. Order and justice are obtained in diverse ways in different countries at different times.

Therefore, are the common interests of humanity really advanced by seeking to impose an artificial and stifling unanimity? The extent and exercise of rights, in particular civil rights, varies greatly from one culture or political community to another. This is because they are the products of the historical experiences of particular peoples.

When the Universal Declaration was being formulated in 1947, no less an authority than the American Anthropological Association cautioned that "what is held to be a human right in one society may be regarded as anti-social by another people" and that "respect for differences between cultures is validated by the scientific fact that no technique of qualitatively evaluating cultures has been discovered".¹

Time has not refuted, but unfortunately has dimmed the memory of this sensible advice. The point is now subject to fierce disputes with a pronounced theological flavour. Moralising in the abstract is seldom productive. I believe that a more pragmatic approach is in order, if we want to be effective rather than just feel virtuous.

The momentum of international cooperation on human rights will not be sustained by mere zealotry. Only if we all recognise the rich diversity of the human community and accept the free interaction of all ideas can the international consensus be deepened and expanded. No one has a monopoly of truth. Claiming an unwarranted authenticity for any single point of view may prove futile and unproductive. We must all humbly acknowledge this fact before we can help each other grope towards a practical

¹"Statement on Human Rights", American Anthropologist 49(1947):pp 539-543.

application of the ideals we all share.

Of course, there is a risk that tolerance for diversity will be used as a shield for dictators. This is unacceptable. But pragmatism and realism do not mean abdication. We need not, indeed we should not, cease to speak out against wanton cruelty or injustice. We can strike a realistic balance between the ideal of universality and the reality of diversity if we adopt a clinical approach.

Our aim should be to promote humane standards of behaviour without at the same time claiming special truths or seeking to impose any particular political pattern or societal arrangement.

Diversity cannot justify gross violations of human rights. Murder is murder whether perpetrated in America, Asia or Africa. No one claims torture as part of their cultural heritage. Everyone has a right to be recognized as a person before the law. There are other such rights that must be enjoyed by all human beings everywhere in a civilized world. All cultures aspire to promote human dignity in their own ways. But the hard core of rights that are truly universal is perhaps smaller than we sometimes like to pretend.

Most rights are still essentially contested concepts. There may be a general consensus. But this is coupled with continuing and, at least for the present, no less important conflicts of interpretation. Singaporeans, and people in many other parts of the world do not agree, for instance, that pornography is an acceptable manifestation of free expression or that homosexual relationships is just a matter of lifestyle choice. Most of us will also maintain that the right to marry is confined to

those of the opposite gender.

Naturally, we do not expect everyone to agree with us. We should be surprised if everything were really settled once and for all. This is impossible. The very idea of human rights is historically specific. We cannot ignore the differences in history, culture and background of different societies. They have developed separately for thousands of years, in different ways and with different experiences. Their ideals and norms differ. Even for the same society, such norms and ideals also differ over time. For example, how rights were defined in Europe or America a hundred years ago is certainly not how they are defined today. And they will be defined differently a hundred years hence.

Take Britain for illustration. Its Parliament was established in 1215 with the signing of the Magna Carta. But women only had the right to vote in 1928. Up till 1948, Oxbridge university graduates and businessmen had extra votes.

The United States of America gained independence in 1776. Only those who paid poll tax or property tax had the right to vote from 1788. There were barriers of age, colour, sex and income. In 1860, income and property qualifications were abolished but other barriers like literacy tests and poll tax still discriminated against African-American and other disadvantaged groups. Women only had the vote in 1920. It was not until 1965 that the African-Americans can vote freely after the Voting Rights Act suspended literacy tests and other voter qualification devices which kept them out.

So full democracy was only established in Britain in 1948, 733 years after Magna Carta, and in the US in 1965,

189 years after Independence. In France, equalite, fraternite and egalite in 1788 did not succeed as a democracy until this century.

The USA, Britain and France took 200 years or more to evolve into full democracies. Can we therefore expect the citizens of the many newly independent countries of this century to acquire the same rights as those enjoyed by the developed nations when they lack the economic, educational and social pre-conditions to exercise such rights fully? If all the countries in the world are merged into one, and everyone has the same right, will this be acceptable to all?

We should therefore approach this conference with humility. We are not the prophets of a secular god whose verities are valid for all time. We should act more pragmatically, and I hope modestly, as diplomats dealing with a difficult international issue. Our work, while important, will in due course be displaced by the shifting tides of history.

How, for example, we interpret and apply Article Fourteen of the Universal Declaration on the right to asylum today is different from when it was first drafted at the beginning of the Cold War. With the dismantling of communist regimes and with modern communications, massive population shifts are now underway. Desperate peoples, or just those newly free to travel, are on the move, searching for better security or a better life. This has forced contiguous countries to adopt more restrictive standards for admission. No country has been consistent in its application of the rights of refugees. The very manner in which we conceive of refugees has changed.

All international norms reflect a specific historical configuration of interests and power. History

moves on continually. Every international norm must therefore evolve. If this dynamic is not to be driven by the clash of steel and blood, then it must entail a process of debate, interpretation and re-interpretation, in which most agreements are contingent. This is how an international consensus is built and sustained.

A pragmatic approach to human rights is one that tries to consolidate what common ground we can agree on, while agreeing to disagree if we must. More effort should be devoted to clinically identifying the specific rights that we can all agree on now, and which others must await further discussion before we reach consensus. This will be a more productive approach than one grounded in self-righteousness.

But identifying the core rights which are truly universal will not always be easy. Many will argue that the "non-derogable" rights in the International Covenant on Civil and Political Rights must be among them. I agree. But some fervent advocates of these civil and political liberties will dispute that development is also, as I and many others hold, an inalienable right. This has a direct impact on the important and contentious question of human rights conditionality for development assistance.

Clearly, the purpose of aid is to enable the peoples to which it is given to live with dignity. It should not be misused. No one has a 'right' to squander aid. The question is how to ensure that aid will be used effectively. Here the human rights debate merges into broader questions of political theory and public administration. "Human rights", "democracy" and "good government" are sometimes used as if they were synonyms. There is certainly a degree of overlap. But they are not the same thing.

Repression is wrong. It is unhealthy and will stifle development. Growth both promotes and is promoted by the ability of the individual to live with dignity.

But poverty makes a mockery of all civil liberties. Poverty is an obscene violation of the most basic of individual rights. Only those who have forgotten the pangs of hunger will think of consoling the hungry by telling them that they should be free before they can eat. Our experience is that economic growth is the necessary foundation of any system that claims to advance human dignity, and that order and stability are essential for development.

Good government is necessary for the realisation of all rights. No one can enjoy any rights in anarchy. And the first duty of all governments is to ensure that it has the power to govern effectively. And they must govern fairly.

If political institutions fail to deliver a better life to their peoples, they will not endure over the long term. Human rights will not be accepted if they are perceived as an obstacle to progress. This is a fact that some zealots would do well to ponder. There is already evidence that at some stage an excessive emphasis on individual rights becomes counterproductive.

Life in any society necessarily entails constraints. The exercise of rights must be balanced with the shouldering of responsibility. To claim absolute freedom for the individual is to become less a human being with rights than an animal, subject only to the law of the jungle.

Development and good government require a balance between the rights of the individual and those of the

community to which every individual must belong, and through which individuals must realise their rights. Where this balance will be struck will vary for different countries at different points of their history. Every country must find its own way. Human rights questions do not lend themselves to neat general formulas.

In the early phase of a country's development, too much stress on individual rights over the rights of the community will retard progress. But as it develops, new interests emerge and a way to accommodate them must be found. The result may well be a looser, more complex and more differentiated political system. But the assumption that it will necessarily lead to a 'democracy', as some define the term, is not warranted by the facts.

Singapore's political and social arrangements have irked some foreign critics because they are not in accordance with their theories of how societies should properly organize themselves. We have intervened to change individual social behaviour in ways other countries consider intrusive. We maintain and have deployed laws that others may find harsh. For example, the police, narcotics or immigration officers are empowered by the Misuse of Drugs Act to test the urine for drugs of any person who behaves in a suspicious manner. If the result is positive, rehabilitation treatment is compulsory. Such a law will be considered unconstitutional in some countries and such urine tests will lead to suits for damages for battery and assault and an invasion of privacy. As a result, the community's interests are sacrificed because of the human rights of drug consumers and traffickers. So drug-related crimes flourish.

The Singapore Government is accountable to its people through periodic secret and free elections. But we do not feel guilty because the opposition parties have

consistently failed to win more than a handful of seats. We have made alternative arrangements to ensure a wide spectrum of views is represented in our Parliament through non-elected Members of Parliament and put in place other channels for good communication between the government and the people.

We make no apology for doing what we believe is correct rather than what our critics advise. Singaporeans are responsible for Singapore's future. We justify ourselves to our people, not by abstract theories or the approbation of foreigners, but by the more rigorous test of practical success.

Our citizens live with freedom and dignity in an environment that is safe, healthy, clean and incorrupt. They have easy access to cultural, recreational and social amenities, good standards of education for our children and prospects for a better life for future generations. I can say without false modesty that many of our well meaning critics cannot claim as much. We do not think that our arrangements will suit everybody. But they suit ourselves. This is the ultimate test of any political system.

We need to remind ourselves that the purpose of this conference is not to score debating points or just to produce a Declaration. We ought to try and expand consensus on very difficult issues. Without a genuine political commitment any Declaration is just another piece of paper. We can force states to pay lip service to a Declaration. But we cannot force states to genuinely respect human rights. In the real world of sovereign states, respect and

political commitment can only be forged through the accommodation of different interests.

Unless we all remember this, I fear that we will only fracture the international consensus on human rights. If this happens, the responsibility must lie with those who are so blinded by their own arrogance and certainties as to lose the capacity for imagination and empathy. I venture to suggest that a more modest approach not only behooves our common humanity, but is more likely to lead to a successful outcome for this conference. There is too much at stake for us to fail.



In the name of Allah the compassionate the merciful

ISLAMIC REPUBLIC OF IRAN

PRESS RELEASE
No.

PERMANENT MISSION TO THE UNITED NATIONS
AND OTHER INTERNATIONAL ORGANIZATIONS
JAURÉSGASSE 3, 1030 VIENNA

Statement by
H.E. Dr. Mohammad-Javad Zarif
Deputy Foreign Minister and
Head of Delegation
of the Islamic Republic of Iran

Before the
World Conference on Human Rights

Vienna, 18 June 1993

In the name of God, the Compassionate, the Merciful

Mr. President, Mr. Secretary-General, Ladies and Gentlemen,

Twenty-five years after Tehran, in a much more representative international community and one spared from the ills of the Cold War, the second World Conference on Human Rights provides a singular and unique opportunity to take stock of the achievements and failures of the past quarter century in this pivotal area of most vital importance to entire mankind. Let me take this opportunity to thank the Government and people of Austria for hosting the Conference and their gracious hospitality.

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

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

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

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

And when thy Lord said to the angels, 'I am setting in the earth a viceroy.' They said, 'What, wilt Thou set therein one who will do corruption there, and shed blood, while we proclaim Thy praise and call Thee Holy?' He said, 'Assuredly I know that you know not.' (II:27)

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

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

Therefore We prescribed for the Children of Israel that whose slays a soul not to retaliate for a soul slain, nor for corruption done in the land, shall be as if he had slain mankind altogether; and whose gives life to a soul, shall be as if he had given life to mankind altogether. (V:35)

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

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

This Divine world-view has left its indelible imprint even on the thinking and writings of pioneers of contemporary notions of human rights, clearly illustrating that human rights have their origins in religious teaching.

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

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

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

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

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

If this is the culture built upon and around human rights values, then by the reason of logic, something has to be wrong with the manner that these few politically and economically powerful states have conceived and interpreted the human being and his rights. It should be emphasized that a genuine discourse on these fundamental and basic concepts is by no means a license for violations of fundamental rights and freedoms. Rather, it is our conviction that a multi-dimensional approach to human rights, which emanates from a sound appreciation of the nature of human beings, coupled with the need to preserve the identity, health and safety of the social environment within which such rights are to be exercised, can provide a better background for the full realization of human rights.

Mr. President,

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

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

The gross, systematic and massive violations of the inalienable right to self-determination as well as other fundamental human rights of the Palestinian people receives reactions ranging from indifference to complicity by those who maintain a high profile in international human rights fora vis-a-vis others.

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

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

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

Another related point which is very much diluted in human rights debates is the relationship between international protection of human rights and the principles of sovereignty and non-interference in internal affairs of others. Notwithstanding the prevalent propaganda, the real issue is not whether a serious, balanced, objective and non-selective international concern for human rights is legitimate. The point is when human rights and the international machinery

for their protection become vehicles for the advancement of political considerations of a few, it becomes a totally different scenario; the one we are facing today. Such political acts of intervention are certainly against the well-founded and universally recognized principles of non-intervention and the imperative of respect for sovereignty. The argument that "human rights are legitimate international concern" cannot be applied to a process whose object is not in fact protection of human rights but rather furtherance of political goals.

Mr. President,

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

Thank You Mr. President.

U.S. Department of State
Office of the Spokesman

Vienna, Austria

"Democracy and Human Rights:
Where America Stands"

Remarks by
U.S. Secretary of State
Warren Christopher

World Conference on Human Rights

June 14, 1993

Vienna, Austria

Thank you, Mr. Chairman. And thanks to Secretary General Fall and the Preparatory Conference Chair Warzazi:

Ladies and Gentlemen, I speak to you as the representative of a nation "conceived in liberty." America's identity as a nation derives from our dedication to the proposition "that all Men are created equal and endowed by their Creator with certain inalienable rights." Over the course of two centuries, Americans have found that advancing democratic values and human rights serves our deepest values as well as our practical interests.

That is why the United States stands with the men and women everywhere who are standing up for these principles. And that is why President Clinton has made reinforcing democracy and protecting human rights a pillar of our foreign policy -- and a major focus of our foreign assistance programs.

Democracy is the moral and strategic imperative for the 1990s. Democracy will build safeguards for human rights in every nation. Democracy is the best way to advance lasting peace and prosperity in the world.

The cause of freedom is a fundamental commitment for my country. It is also a matter of deep personal conviction for me. I am proud to have headed the U.S. Government's first

interagency group on human rights under President Carter, who is with us today. President Carter will be remembered as the first American President to put human rights on the international agenda. He has helped to lift the lives of people in every part of the world. Today, we build upon his achievements -- and those of the human rights movement since its inception.

In this post-Cold War era, we are at a new moment. Our agenda for freedom must embrace every prisoner of conscience, every victim of torture, every individual denied basic human rights. It must also encompass the democratic movements that have changed the political map of our globe.

The great new focus of our agenda for freedom is this: expanding, consolidating and defending democratic progress around the world. It is democracy that establishes the civil institutions that replace the power of oppressive regimes. Democracy is the best means not just to gain -- but to guarantee -- human rights.

In the battle for democracy and human rights, words matter, but what we do matters much more. What all of our citizens and governments do in the days ahead will count far more than any discussions held or documents produced here.

I cannot predict the outcome of this Conference. But I can tell you this: The worldwide movement for democracy and human rights will prevail. My delegation will support the forces of freedom -- of tolerance, of respect for the rights of the individual -- not only in the next few weeks in Vienna, but every day in the conduct of our foreign policy throughout the world. The United States will never join those who would undermine the Universal Declaration and the movement for democracy and human rights.

Securing Freedom After the Cold War

The Universal Declaration enshrines a timeless truth for all people and all nations: "Respect for human rights and fundamental freedoms is the foundation of freedom, justice and peace" on this earth. The Declaration's drafters met the challenge of respecting the world's diversity, while reflecting values that are universal.

Even before the Declaration was adopted, the Cold War had begun to cast a chilling shadow. But the framers of the Declaration hoped that each successive generation would strengthen the Declaration through its struggles. It is for each generation to redeem the promise of the framers' work.

Time and again since the adoption of the Universal Declaration, human rights activism has unlocked prison cells and carved out pockets of freedom for individuals living under repression. Today, the global movement from despotism to democracy is transforming entire political systems and opening freedom's door to whole societies.

Nowhere is this great drama playing out on a more central stage than in the former Soviet Union. Ensuring the success of democracy in Russia, Ukraine and the other Newly Independent States is the strategic challenge of our time. President Clinton is determined to meet that challenge of leadership -- to tip the world balance in favor of freedom. That is why he has led America into an alliance with Russian reform spearheaded by President Yeltsin.

The promotion of democracy is the first line of global security. A world of democracies would be a safer world. It would dedicate more to human development and less to human destruction. It would promote what all people have in common rather than what tears them apart. It would be a world of hope, not despair.

Democracy and Diversity

In 1993 alone, in addition to a massive turnout for democracy in Russia, we have seen unprecedented free elections in Cambodia, Yemen, Burundi, and Paraguay. The Truth Commission in El Salvador has completed its healing work. And the people of South Africa have made dramatic progress toward non-racial democracy.

Around the world, people are doing the hard, sometimes painful work of building democratic societies from the bottom up. They are making democracy work not just on election day, but every day. They are promoting civil societies that respect the rule of law and make governments accountable.

Citizens' groups are pressing for social justice and establishing non-governmental human rights organizations. Women's groups are advocating equal treatment and fighting the widespread practice of gender-based violence. Workers are forming free trade unions. Independent media are giving pluralism its voice. All are creating counterweights to repression by affirming and asserting fundamental freedoms of expression, association, and movement.

American support for democracy is an enduring commitment. We know that establishing and sustaining democracy

is not a linear proposition. The world democratic movement will encounter setbacks along the way. But with constant vigilance and hard work, democracy will succeed.

Look at the people of Guatemala. Two weeks ago, they overcame a coup that had dissolved their democratic institutions. They showed that democracy has a new resilience in the Americas, with roots extending deep into civil society. The resolve of the Guatemalan public, backed by the United States and the OAS-led international community, has resulted in the election of a respected human rights defender as President.

And to those who say democracy is a Western contrivance, I say, you forgot to tell the people of Cambodia. Ninety percent of them summoned the courage, in the face of real threats, to re-claim their country by voting in last month's UN-monitored elections. In what was once a killing field, democracy is taking root.

Democratic aspirations are rising from Central Asia to Central America. No circumstances of birth, culture, or geography can limit the yearning of the human spirit and the right to live in freedom and dignity. Martin Luther King and Gandhi, Fang Lizhi and Natan Sharansky -- all came from different cultures and countries. Yet each shaped the destiny of his own nation and the world by insisting on the observance of the same universal rights.

That each of us comes from different cultures absolves none of us from our obligation to comply with the Universal Declaration. Torture, rape, racism, anti-Semitism, arbitrary detention, ethnic cleansing, and politically motivated disappearances -- none of these is tolerated by any faith, creed, or culture that respects humanity. Nor can they be justified by the demands of economic development or political expediency.

We respect the religious, social, and cultural characteristics that make each country unique. But we cannot let cultural relativism become the last refuge of repression.

The universal principles of the UN Declaration put all people first. We reject any attempt by any state to relegate its citizens to a lesser standard of human dignity. There is no contradiction between the universal principles of the UN Declaration and the cultures that enrich our international community. The real chasm lies between the cynical excuses of oppressive regimes and the sincere aspirations of their people.

No nation can claim perfection. In 1968, when the U.S. Delegation arrived at the first World Conference, my country was reeling from the assassination of Martin Luther King, Jr. The murder of Robert Kennedy soon followed. King and Kennedy were deeply committed to building a more just society for all Americans. Their valiant work and violent deaths left deep imprints on an entire generation of young Americans -- among them, a university student named Bill Clinton.

Democracy Can Deliver

Many young democracies contend with the vast problems of grinding poverty, illiteracy, rapid population growth, and malnutrition. The survival of these democracies may ultimately depend on their ability to show their citizens that democracy can deliver -- that the difficult political and economic choices will pay off soon and not just in some radiant future.

But nations that free human potential -- that invest in human capital and defend human rights -- have a better chance to develop and grow. Nations that enforce the right to seek and obtain employment without discrimination become more just societies -- and more productive economies. And nations that are committed to democratic values create conditions in which the private sector is free to thrive, and provide work.

States that respect human rights and operate on democratic principles tend to be the world's most peaceful and stable. On the other hand, the worst violators of human rights tend to be the world's aggressors and proliferators. These states export threats to global security, whether in the shape of terrorism, massive refugee flows or environmental pollution. Denying human rights not only lays waste to human lives; it creates instability that travels quickly across borders.

The Future Lies with Free People

The worldwide prospects for human rights, democracy, and economic advancement have never been better. But sadly, the end of the Cold War has not brought an end to aggression, repression and inhumanity.

Fresh horrors abound. We have only to think of the enormous human costs of regional conflict, ethnic hatred, and despotic rule. We have only to think of Bosnia -- just a few hundred miles from this meeting hall, but worlds away from the peaceful and tolerant international community envisioned in the Universal Declaration.

A lasting peace in the Balkans depends on ensuring that all are prepared to respect fundamental human rights, especially those of minorities. Those who desecrate these rights must know that they will be ostracized. They will face sanctions. They will be brought before tribunals of international justice. They will not gain access to assistance or investment. And they will not gain acceptance by the community of civilized nations.

The future lies in another direction: not with repressive governments but with free people. It belongs to the men and women who find inspiration in the words of the Universal Declaration; who act upon their principles even at great personal risk; who dodge bullets and defy threats to cast their ballots; who work selflessly for justice, tolerance, democracy and peace. These people can be found everywhere -- ordinary men and men doing extraordinary things -- even in places where hate, fear, war, and chaos rule the hour.

We must keep the spotlight of world opinion trained on the darkest corners of abuse. We must confront the abusers. We must sharpen the tools of human rights diplomacy to address problems before they escalate into violence and create new pariah states.

Today, on behalf of the United States, I officially present to the world community an ambitious action plan that represents our commitment to pursue human rights regardless of the outcome of this conference. This plan will help build the UN's capacity to practice preventive diplomacy, safeguard human rights, and assist fledgling democracies. We seek to strengthen the UN Human Rights Center and its advisory and rapporteurial functions. We support the establishment of a UN High Commissioner on Human Rights.

Advancing Women's Rights

The United States will also act to integrate our concerns over the inhumane treatment of women into the global human rights agenda. We will press for the appointment of a UN Special Rapporteur on Violence Against Women. We will also urge the UN to sharpen the focus and strengthen the coordination of its women's rights activities.

Eleanor Roosevelt and the other drafters of the Declaration wanted to write a document that would live and last. They were determined to write a document that would protect and empower women as well as men. But that remains an unfulfilled vision in too many parts of the world, where women are subjected to discrimination and bias solely based on their gender.

Violence and discrimination against women don't just victimize individuals; they hold back whole societies by confining the human potential of half the population. Guaranteeing women their human rights is a moral imperative. It is also an investment in making whole nations stronger, fairer and better.

Women's rights must be advanced on a global basis. The crucial work is at the national level. It is in the self interest of every nation to terminate unequal treatment of women.

Next Steps of Our Own

Beyond our support for multilateral efforts, the United States recognizes that we have a solemn duty to take steps of our own.

In that spirit, I am pleased to announce that the United States will move promptly to obtain the consent of our Senate to ratify The International Convention on the Elimination of All Forms of Racial Discrimination.

We strongly support the general goals of the other treaties that we have signed but not yet ratified. The Convention on the Elimination of all Forms of Discrimination Against Women; The American Convention on Human Rights; and The International Covenant on Economic, Social and Cultural Rights: each of these will constitute important advances. Our Administration will turn to them as soon as the Senate has acted on the racism Convention. And we expect soon to pass implementing legislation for the Convention Against Torture in furtherance of the worldwide goal of eliminating torture by the year 2000. To us, these far-reaching documents are not parchment promises to be made for propaganda effect, but solemn commitments to be enforced.

My country will pursue human rights in our bilateral relations with all governments -- large and small, developed and developing. America's commitment to human rights is global, just as the UN Declaration is universal.

As we advance these goals, American foreign policy will both reflect our fundamental values and promote our national interests. It must take account of our national security and economic needs at the same time we pursue democracy and human rights. We will maintain our ties with our allies and friends. We will act to deter aggressors. And we will cooperate with like-minded nations to ensure the survival of freedom when it is threatened.



The United States will promote democracy and protect our security. We must do both -- and we will.

We will insist that our diplomats continue to report accurately and fully on human rights conditions around the world. Respect for human rights and the commitment to democracy-building will be major considerations as we determine how to spend our resources on foreign assistance. And we will weigh human rights considerations in trade policy, as President Clinton demonstrated last month.

We will help new democracies make a smooth transition to civilian control of the military. And we will assist militaries in finding constructive new roles in pursuit of peace and security -- roles that respect human rights and contribute to international peace.

Working with the UN and other international organizations, we will help develop the public and private institutions essential to a working democracy and the rule of law. And we will continue to support America's own National Endowment for Democracy in its mission to help nourish democracy where it is struggling to grow.

Place to Stand Upon

The international debate now turns less on whether human rights are appropriate for discussion -- and more on how to address them most effectively. The debate turns less on whether democracy best serves the needs of people everywhere -- and more on how soon their democratic aspirations will be met.

Two hundred years ago, in his famous Rights of Man, the political philosopher Thomas Paine wrote this concerning Archimedes' image of the incomparable force of leverage: "Had we a place to stand upon, we will raise the world."

Ladies and Gentlemen, the nations of the world do have a place to stand upon: If we stand upon the bedrock principles of the Universal Declaration of Human Rights, and support the worldwide democratic movement, we shall speed the day when all the world's peoples are raised up into lives of freedom, dignity, prosperity, and peace.

That is where this Conference should stand.

This is where America stands.

Thank you very much.

AN ADDRESS

BY

DOROTHY DOBBIE, M.P.

REPRESENTING THE HONOURABLE BARBARA McDOUGALL
SECRETARY OF STATE FOR EXTERNAL AFFAIRS OF CANADA

TO THE
UNITED NATIONS WORLD CONFERENCE ON HUMAN RIGHTS

CHECK AGAINST DELIVERY

Vienna, Austria
June 16, 1993

Canada

Mr. President, Mr. Secretary General, Ministers, Delegates,

I am here today representing Canada's Secretary of State for External Affairs, the Honourable Barbara McDougall.

The eyes of the world are upon this Conference.

The world is at a critical historic juncture. The Cold War has ended. More open and democratic societies have emerged in many parts of the world. The prospects have improved for a major leap forward in observance of human rights.

At the same time, violations of human rights - torture, disappearances, summary executions, racism, denial of freedom of expression, rape and discrimination against women - all continue unabated.

The tragedy raging out of control less than 500 kilometres from this Conference Hall serves as a powerful reminder of the horrors that can be unleashed when human rights are abandoned.

Yet the battle for universal human rights has ignited a spark in virtually every corner of the globe. We must fan that spark into a flame.

Our decisions can challenge parliaments and reach into small villages. We must seize this chance to build a "worldwide culture of human rights" that can be a stronger bulwark against abuses, more effective than any law or any sanction.

Decisions alone, however, are not enough. Concrete and practical measures resulting in early improvements in human rights are what we need to see emerging from this Conference.

Mr. President,

The United Nations Charter calling for "universal respect for ... human rights for all" set in train one of the most noble enterprises in the history of humankind.

The subsequent adoption of the International Bill of Rights and other human rights instruments over the past 45 years is one of the greatest achievements of the United Nations.

It has inspired real progress in respect for human rights in many countries.

The right of all governments and of the international community to address human rights violations, wherever they may occur, is today beyond challenge. The days when governments could claim sovereignty to justify abuses of human rights have drawn to a close.

Reinforcing Commitment to Universality

Here in Vienna we must reaffirm the principle that has guided the United Nations throughout its history - the commitment to the universal character of basic human rights and freedoms.

We understand that democracy can take different forms, just as economic and social programmes are shaped by different national circumstances. And we recognize that no society is perfect: the quest for rights and freedoms presents a never-ending challenge for all governments.

But human rights principles are universal - they reflect the natural aspirations of all human beings. They do not, as some suggest, represent uniquely western values. Freedom of opinion or speech, due process of law, or equality of all persons regardless of distinction, are principles no less applicable to individuals in one part of the world than in any other. Torture is torture in anyone's language.

Human Rights: A Key to Peace and Development

The promotion and protection of human rights internationally is more than a matter of values - it is a matter of basic mutual interest: as Article 55 of the UN Charter makes clear, respect for human rights is a key to a more peaceful and prosperous world for all.

As Secretary General Boutros-Ghali has emphasized, "there has never been a more evident need for an integrated approach to the objectives of peace, democracy and human rights and the requirements of development".

All human rights, civil and political, economic, social and cultural are integral to sustainable development. This is no time for sterile debate about the relative importance of different human rights. There is no "either/or" proposition.

The United Nations Declaration on the Right to Development, which Canada supported on adoption in 1986, underlines the responsibility of all countries and of the international community as a whole to strive for the realization of all universally recognized rights. There are encouraging signs. The latest United Nations Development Programme Report on Human Development notes that "close to two-thirds of humankind now live in countries that are moving towards, or are already enjoying, democratic forms of government".

That report stands as testament to a simple reality: that a country's potential for social and economic development is inextricably linked to the freedom of its citizens to participate fully in all aspects of society.

Governments genuinely committed to protecting human rights should receive the encouragement and assistance of the international community.

Since 1984, Canada has contributed over 100 million dollars to development assistance activities aimed at promoting civil and political rights, fostering democracy and building vibrant civil societies.

The United Nations must do much more to assist developing countries and countries in Eastern and Central Europe to improve their institutions for administration of justice, and free and fair elections.

And we need to encourage international financial institutions to review the implications of their policies and programmes for human rights.

Among the initiatives Canada is actively promoting at this Conference is the development of cooperation between independent national institutions, such as the Canadian Human Rights Commission, and the growing number of such institutions emerging in other parts of the world.

Enhancing the U.N. Human Rights System

The strengthening of the overall United Nations human rights system is the critical issue for this Conference.

The situation of the former Yugoslavia might be different if preventive diplomacy, as outlined in the Secretary General's "Agenda for Peace", had been put into practice. The Secretary General has proposed mechanisms to identify human rights problems that can trigger mass migrations and other forms of instability. This Conference must endorse these proposals.

We must enhance the effectiveness of the mechanisms we already have - treaty bodies and rapporteurs, as well as the Commission on Human Rights itself.

And, we must stop talking about an International Criminal Court and start taking the practical steps necessary to set it up.

There is also a need for much greater coordination and cooperation among various agencies involved with human rights. For example, the work of the International Labour Organization, which plays a crucial role in protecting the fundamental rights of workers world-wide, must be better integrated with that of other UN agencies.

The Human Rights Centre in Geneva should become a "centre of excellence" for the promotion and protection of human rights within the United Nations system.

A significantly greater proportion of the United Nations regular budget must be devoted to human rights - the allocation of less than one percent of the UN's total budget to the Centre is wholly inadequate considering that human rights is one of the main purposes of the United Nations under the Charter.

Canada therefore supports the appointment of a High Commissioner for Human Rights with the authority and resources to ensure human rights are front and centre of United Nations efforts to promote peace and development for all.

Equality and human rights of women

Mr. President,

Not a single country treats women equally to men.

Around the world, women are beaten, bought, sold, mutilated and degraded simply because of their gender.

In Canada, according to our own statistics, one woman in ten is beaten by her partner. Our Government has set an ambitious target - zero tolerance for violence against women. A Canadian Panel on Violence Against Women, the most comprehensive inquiry of its kind in the world, will present its recommendations this summer.

Thousands of women from all over the world have gathered in Vienna to ensure that we - the member states of the United Nations - live up to our commitments under the UN Charter to reaffirm equality between women and men.

Canada salutes the courageous women whose tragic testimonies at yesterday's Global Tribunal on Violations of Women's Human Rights bear witness to the urgent need for the international community to take strong action.

Canada has been actively pressing for action to bring the rights of women into the mainstream of the human rights system.

The Ad Hoc War Crimes Tribunal must ensure effective prosecution of rape cases brought to its attention.

Canada is committed to the appointment of a Special Rapporteur on Violence against Women and other Violations of Women's Human Rights. We call upon this Conference to give impetus to this proposal.

The General Assembly should adopt the Declaration on the Elimination of Violence Against Women at its fall session. A complaints mechanism should be established under the Convention on the Elimination of All Forms of Discrimination Against Women to address individual violations under the Convention.

I am pleased to announce that the Government of Canada, through the Canadian International Development Agency, will provide support of up to half a million dollars to the Centre for Human Rights to enable a women's rights expert to assist in the all-important task of integrating the rights of women throughout the UN human rights system.

Rights of persons in vulnerable groups

Mr. President,

If fundamental human rights are to be enjoyed equally by all people without distinction, the international community must devote more attention to those whose rights have been traditionally neglected.

The rights of children must be a priority concern for all nations. We must redouble our efforts to implement the Plan of Action adopted by the 1990 World Summit for Children, which Canada was proud to co-chair. On this - the Day of the African Child - it is fitting to rededicate ourselves to the survival, protection and development of children.

Persons with disabilities experience continuing marginalization in society. If their potential is to be fully appreciated, our outdated attitudes must be challenged and changed.

It is also unacceptable that anyone, because of sexual orientation or HIV infection, be denied fundamental human rights and freedoms.

Indigenous Rights

Mr. President,

This Conference will be commemorating the International Year of the World's Indigenous People. We must ensure that the world's Indigenous People can fulfil their legitimate aspirations to be full-fledged partners in the broader societies in which they live.

Canada looks forward to the completion of a draft Declaration on Indigenous Rights by the Working Group on Indigenous Populations. We support the full participation of indigenous representatives in the review of the draft Declaration by member states. Our experience in Canada has demonstrated that the involvement of Indigenous People is essential to the development of solutions appropriate to their needs.

This is why Canada also supports the extension of the Working Group mandate to review developments and advise on the concerns of Indigenous People.

We shall all be coming together in the Commission on Human Rights to give consideration to the draft Declaration. Let us do this under one agenda item to ensure that all facets of the situation of Indigenous People receive due attention. They have waited long enough.

The World Conference

Mr. President,

These are Canada's main goals for this Conference.

It will take every ounce of the international community's resolve to attain these objectives. Respect for universal human rights and fundamental freedoms is vital to the achievement of global peace, democracy and development.

I pledge Canada's unflagging commitment to work towards these goals with other nations, and with the global community of non-governmental organizations.

Thank you, Mr. President.



HUMAN RIGHTS
WORLD ORDER

Address by Senator The Hon Gareth Evans QC, Minister for Foreign Affairs, Australia, to the World Conference on Human Rights, Vienna, 15 June 1993

The victory for personal freedom that was won with the end of the Cold War has led to a global awareness of human rights. We have been forced to recognize that democracy does not automatically lead to economic growth, but that economic growth can be fostered and that it is essential for the international community to continue to work for the achievement of human rights. The international community is confronting a new and more complex set of problems posed by regional conflicts, continuing human rights crises and massive violations of human rights. In the environment, the expansion of the UN human rights system are immense, but there is a need for a new system to deliver over the capacity of the system to deliver.

Statement

Senator The Hon Gareth Evans QC

**Minister for Foreign Affairs
and Head of the Australian Delegation**

to
the Second World Conference
on Human Rights
Vienna, 15 June 1993

It would be a deeply unhappy development if we allowed the unproductive East-West ideological confrontation of the past to be replaced by a similarly sterile North-South divide. We should not exaggerate the differences between us, for there is much common ground to be found. One constantly hears the argument that the West is the only system that respects its values or national interests or societies. The World Conference on Human Rights is an opportunity for us to discuss the common

We shall all be fortunate to have the opportunity to discuss the Declaration on the Elimination of All Forms of Racial Discrimination. It is a landmark document, and it is a testament to the fact that the international community has the capacity to act together to address the most serious threats to human rights. The Declaration is a clear and unequivocal statement of the principles of human rights, and it is a challenge to all of us to ensure that these principles are fully and effectively implemented.

The World Conference

Mr. President,
These are Canada's main goals for this Conference. It will take every ounce of the international community's resources to ensure that the objectives of the Declaration are fully and effectively implemented. The rights of children are a particular concern, and we are committed to ensuring that they are fully and effectively implemented. I pledge Canada's continuing commitment to work towards these goals with other nations and with the global community. I am confident that the international community will continue to work together to ensure that the Declaration is fully and effectively implemented.

Thank you, Mr. President.
Persons with disabilities contribute to the world in many ways. It is important that we ensure that they are fully and effectively included in all aspects of society. We are committed to ensuring that persons with disabilities are fully and effectively included in all aspects of society.

Indigenous Rights

Mr. President,
This Conference will be commemorating the International Year of the World's Indigenous People. We must ensure that the world's Indigenous Peoples are fully and effectively included in all aspects of society. We are committed to ensuring that Indigenous Peoples are fully and effectively included in all aspects of society. Canada looks forward to the completion of a draft Declaration on Indigenous Rights by the Working Group on Indigenous Populations. We are committed to ensuring that Indigenous Peoples are fully and effectively included in all aspects of society.

HUMAN RIGHTS AND THE NEW WORLD ORDER

Address by Senator the Hon Gareth Evans QC, Minister for Foreign Affairs of Australia, to the World Conference on Human Rights, Vienna, 15 June 1993.

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

In human rights, no less than engineering, effective machinery is often the key to success. Since 1945, the international community has created an extraordinarily impressive array of human rights machinery, both treaty-based and charter-based. But it is severely underfunded, understaffed and poorly co-ordinated, and is not meeting the steadily increasing demands placed upon it. A major task before this World Conference - the first for 25 years - will therefore be to end the disparity between the proclaimed priorities of the United Nations and its allocation of resources for the protection of human rights.

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

It would be a deeply unhappy development if we allowed the unproductive East-West ideological confrontation of the past to be replaced by a similarly sterile North-South divide. We should not exaggerate the differences between us, for there is much common ground to be found. One constantly hears the argument that the West or the North is seeking to impose its values or national interests on societies

which have their own values based on very different religious and cultural systems. But the reality is that there is no significant value or cultural system anywhere in the world which does not aspire - at least publicly - to increase human dignity and freedom from fear. The Universal Declaration of 1948 would not have been acceptable to the international community if it did not reflect human rights traditions and themes evident in the whole range of countries and ideologies represented in the UN's membership.

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

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

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

On the other hand, the developed world must for its part do more than simply talk about the indivisibility of human rights. If we are to reconstruct a unity of purpose, we in the developed world have to give full recognition and emphasis to economic and social rights - rights which have in fact been sadly neglected in the past 25 years. This World Conference should, as one of its primary objectives, put forward specific

measures to promote the implementation of economic, social and cultural rights. Such measures might include action aimed at raising the profile of these rights, in part through education, and through states making a clear statement of commitment to them at the national level. Such commitment may be reflected, for example, in states' overseas development assistance programs, as suggested in the proposal that 0.5% of such assistance should, by the year 2000, be earmarked for human rights-related projects. It is also important in this context that we understand the significance attached by developing states to the right to development and poverty alleviation. Without the developed world recognising such a right, we run the risk of driving a greater wedge between the governments of the North and South.

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

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

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

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

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

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

Mr President,

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

We certainly need to agree, for a start, that the United Nations system must deliver the resources necessary for strengthening human rights activities. At the present time less than one per cent of the total United Nations budget is allocated to this field. This is reflected in the state of the machinery and the current difficulties confronting the Center for Human Rights. The fact is that the budget for the Center has

remained largely static for twenty years and is now smaller than the budget for Amnesty International in London.

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

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

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

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

could, among other things, form the basis for proposals under UN programs of technical assistance in the field of human rights.

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

A further major issue the Vienna Declaration needs to address is the equal status and human rights of women. To date there has been little overlap between the work of mainstream human rights bodies and the Commission on the Status of Women (CSW), which, since its inception in 1946, has taken the lead in elaborating the United Nations approach to women's human rights. To some extent, CSW's separation from mainstream human rights bodies has had its advantages, for it has allowed CSW to take action quickly to resolve problems of particular concern to women and to develop international norms safeguarding the rights of women, most recently in the important area of violence against women. This process, however, has meant that the mainstream bodies have not given detailed consideration to women's rights issues. Specific action is now needed to ensure that these issues are fully integrated into mainstream human rights forums.

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

At least two other machinery matters will be the subject of considerable discussion at this Conference. One is the Amnesty International proposal to establish a Special Commissioner on Human Rights. Australia sees considerable merit in this proposal, particularly as it would raise the profile of human rights within the UN political processes. There are other, parallel, proposals before us for streamlining and making more effective existing mechanisms, particularly that of the Center for Human Rights. Such proposals should not be seen as mutually exclusive, and I would hope

at the end of the day that the best elements of all proposals can be blended to produce the most effective machinery possible.

The other matter with which we will need to deal concerns proposals for an international human rights court. A feature of the post-Cold War period has been a growing call for a mechanism to try individuals for breaches of international humanitarian law and other international crimes. The establishment of an ad hoc tribunal to deal with such breaches in the former Yugoslavia is well advanced. The renewed vigour of the International Law Commission's work towards drafting a statute for an international criminal court is particularly gratifying as a means of addressing this general issue. I have also noted with great interest the proposal by the International Commission of Jurists in favour of the establishment of a permanent international penal court to prosecute those responsible for gross violations of human rights and humanitarian law.

What these proposals have in common is a desire to make those who are guilty accountable to the international community. This is not a new idea. I record with some pride the fact that Australia's Foreign Minister in the immediate post-War period, Dr Herbert Vere Evatt - who was President of the General Assembly when the Universal Declaration was adopted in 1948 - made a proposal that an International Human Rights Court be established. It may be that we are now seeing an idea whose time has at last come. If this endeavour is to be really successful, however, we need to ensure that any mechanism we set up has the flexibility to be adapted to the variety of situations where gross human rights violations occur, and that the commitment of the international community to pursue the perpetrators is firm and clear.

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

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

The imperatives that guide Australia's approach to human rights are, I believe, the same that drive all of us here. The first is a moral one: recognition of the worth and

dignity of the human being. The second is grounded in pragmatism: recognition that the evolution of just and tolerant societies brings its own returns in higher standards of international behaviour, and in the contribution that internal stability makes to regional, and ultimately global, peace and security.

* * * * *

Speech by
Dr. Klaus Kinkel
Minister of Foreign Affairs
of the Federal Republic of Germany

at the World Conference on Human Rights
Vienna, 15 June 1993

Translation of advance text

Embargoed: Tuesday, 15 June 1993, 3.00 p.m.

DER BUNDESMINISTER DES AUSWÄRTIGEN



Bonn, 15 June 1993

Embargoed: Tuesday, 15 June 1993, 3.00 p.m.

Speech by
Dr. Klaus Kinkel
Minister of Foreign Affairs
of the Federal Republic of Germany

at the World Conference on Human Rights
Vienna, 15 June 1993

Translation of advance text

Embargoed: Tuesday, 15 June 1993, 3.00 p.m.

Mr President,
Ladies and Gentlemen,

Forty-five years after the promulgation of the Universal Declaration of Human Rights and 25 years after the First World Conference on Human Rights was held in Tehran, we meet here in Vienna in order to make man and his rights the focus of politics in a dramatically changed world, which is, unfortunately, not any more peaceful for that. I would like to thank you, Mr President, and the Austrian Government for your hospitality. The tolerance and cosmopolitan outlook of this city should both encourage and exhort us.

Communism foundered on its suppression of human rights. The ending of the East-West conflict was a victory for human rights. The world saw an opportunity to create a Golden Age. Unfortunately this was not to be. Fifty new conflicts have since been counted. Even the consensus on human rights is at risk. My principle concern is to preserve it. In the interests of the countless victims of human rights violations, this Conference simply must be a success. In a joint all-out endeavour differences must be overcome.

We have witnessed inconceivable crimes during this century. Megalomania, arrogance, racism and political doctrines of salvation have led to unspeakable human rights violations. Germany played a particularly painful and reprehensible role in this. Today, people are being killed on a massive scale and systematically raped and driven out of their homes in former Yugoslavia, just a few hundred kilometres away from here. The barbaric phrase "ethnic cleansing" has found its way into all languages. This list of terror is growing every day. Not only in former Yugoslavia, the focus of the media's attention, but in many, often unknown, places in the world.

The figures are truly alarming. In 1992, 125,000 complaints were recorded at the Centre for Human Rights in Vienna alone. They concerned summary and arbitrary executions, the "disappearance" of people, imprisonment without trial, and torture. I am particularly disturbed by the fact that, contrary to international law, about 200 million children are being misused as labour.

This represents suffering on an unimaginable scale by individual human beings. An individual is never unimportant; nowhere should he be treated with disrespect.

Human rights violations can only be stopped if we hold on to the universality of human rights. Human rights apply everywhere and for all human beings, regardless of history, tradition, religious beliefs and stages of development. The world's cultural, religious and social diversity is not inconsistent with this. Precisely because the international community is so varied and diverse, it requires worldwide cooperation and a common frame of reference. It is the recognition that "all human beings are born free and equal in dignity and rights", as set forth in Article 1 of the Universal Declaration of Human Rights.

Awareness of human rights has increased all over the world. This is a positive development which we must uphold despite all the negative aspects. We are not starting from scratch. We must recall the rules of international law established on the basis of the United Nations Charter and the Universal Declaration of Human Rights which are binding for us all. The International Convention on the Elimination of All Forms of Racial Discrimination of 1966 was the first of more than 20 global agreements. We now have a solid network of international conventions which protect the various categories of human rights. Germany endorses the appeal to effect ratification by the year 2000 where this has not yet been done and to review reservations. Last week my country resolved to accede to the First Optional Protocol to the Civil Rights Covenant.

The general belief in the universality of human rights was expressed in one form or other in all regional declarations issued during the preparations for this Conference - those of Tunis, San José and Bangkok and, not least, the policy statement drawn up by the European Community and its member states. It is also in keeping with the doctrines of all great religions and philosophies.

Protection of human rights is no longer a matter for individual states and governments alone. The United Nations Charter expressly made it a concern for all. The great problems facing mankind such as the environment,

development and the preservation of peace cannot be solved locally, in isolation, or by individual powers, no matter how powerful they are. The world has grown together. In this changed world, human rights must play a more prominent role than hitherto in all areas of international relations.

The United Nations is tangible evidence of this recognition which is gaining force and intensity from year to year. In the field of human rights, there are a host of encouraging examples of successful cooperation at regional level. I am thinking here of the relevant institutions of the Council of Europe, the CSCE as well as those in Africa and Latin America. Suffering and reason are forcing people of all continents to act together. The fact that European, African and Asian peacekeeping forces are working together to defend a minimum of order against chaos which threatens human life is a sign of hope.

Every human being is, by virtue of his birth, endowed with inalienable rights. When this value begins to waver then peace is also at risk. Whenever human rights are in danger of being impaired, we must issue appeals, warnings and calls for action. Prevention is the best form of protection. This includes lending assistance to those who desire to build democratic and constitutional structures of their own. We offer them our advice and support.

I know that we Germans, too, are observed critically. The xenophobic outrages of the last two years have appalled me and my countrymen. They are a source of shame for our country. By participating in peaceful demonstrations, millions of Germans have made it clear that they will not accept these atrocities. We will not permit crimes committed by individuals to disturb the spirit of good-neighbourliness in Germany. Those who attack foreigners will founder on our firm determination. We will fight xenophobia with every constitutional means, through education, information and criminal law. We are countering ignorance, intolerance and hate with our firm belief as democrats in the dignity of all men - Germans and foreigners alike.

However, we must not blur the difference between social evils and state terror.

Mr President, I acknowledge the duty of industrial nations to cooperate responsibly with developing countries in the endeavour to improve the situation of the majority of mankind who are currently struggling to survive - without hope and on the verge of starvation. The self-reliance demanded of developing countries has its equivalent in the industrial nations responsibility to create basic conditions conducive to development and to provide assistance in a spirit of solidarity. Economic conditions cannot be allowed to make human rights an unattainable luxury for a large proportion of the world population.

Only where human rights in the economic, social, cultural and political fields are equally respected can there be any self-sustaining development. This is not a matter of political conditions but of internal prerequisites for success in development. For this reason, states which are successful in terms of democratic, human-rights and economic development deserve special support.

It must be stated clearly that neither a lack in social and economic development nor an ideology solely aimed at achieving affluence can serve to justify the denial of fundamental freedoms and political rights. The rights embodied in the two human rights covenants must be equally respected and protected. It would indeed be a cynical view of human rights to allow the hungry to be silenced and subjected to torture.

We have recently made substantial progress in the further development of human rights instruments:

- The UN General Assembly has issued a mandate to draw up a statute for an International Criminal Tribunal. The pressure on those who trample human rights underfoot must be stepped up. Those who torture should not be able to sleep soundly at night.
- In order to swiftly punish the ghastly human rights violations in former Yugoslavia, the Security Council resolved for the first time to set up an ad-hoc tribunal. We Germans have always called for this.
- The operational capacity of the Commission on Human Rights is increasing. It met for the first time for extraordinary sessions and at its

50th session it will discuss the appointment of a special rapporteur on violence against women. The horrific events in Bosnia-Herzegovina have demonstrated to the world what women in particular have to bear and suffer.

We have been waiting too long for these important and necessary developments. This must never happen again.

Human rights must be given greater weight in the United Nations budget. The Centre for Human Rights is inadequately equipped for the growing number of diverse tasks it faces. We all know that. The United Nations allocates less than 1 % of its budget to the Centre. This stands in glaring contrast to its importance. Despite their limited resources, Mr Ibrahim Fall, the director of the Centre for Human Rights, and his staff have done excellent preparatory work for this Conference. For this I would like to thank them.

The United Nations' ability to act in the field of human rights must be improved. Together with its partners in the European Community, Germany advocates the creation of the office of High Commissioner for Human Rights to head the Centre.

In my view, the High Commissioner should be vested with the right to take the initiative in dealing with grave human rights violations and bring them before the international human rights courts. This is not a novel idea, but the situation is new. The time is ripe for such an office. It would send out a message which proves that we are serious.

Non-governmental organizations play a major role in ensuring international protection of human rights. With untiring, selfless commitment they succeed, against strong opposition, in lending a voice to people who would otherwise not be heard. We know from those who have survived camps and prisons that their worst fear was that they would be forgotten. I would like to express my respect and thanks to all those involved in this work. In my view, a government's attitude towards human rights organizations is a measure of its conduct in the field of human rights.

Treatment of the media is another yardstick by which to measure the human rights situation in a country. The media bring light into the darkness of human rights violations. In doing so they often become victims themselves.

Mr President, the best instruments and the most perfect mechanism are of little avail if the international community lacks the will to use them.

This also applies to our Conference. Only through open and constructive dialogue and a readiness to relinquish maximalist and tactical positions will we achieve a result which does not disappoint the countless and mostly anonymous victims of human rights violations.

At the close of this century and on the threshold of a new millennium, the Vienna Conference offers us a chance to promote human rights. Let us seize this opportunity. The Preamble to the Universal Declaration of Human Rights calls upon us to "protect human rights by the rule of law, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression."

S W E D E N

CHECK AGAINST DELIVERY

S T A T E M E N T

by

H.E. Alf Svensson

Minister for Development Co-operation

and Human Rights Issues

at

the UN World Conference

on Human Rights

in Vienna

16th June 1993

Mr. President, Excellencies, Distinguished
Delegates, Ladies and Gentlemen,

Allow me to join previous delegations in
congratulating you, Mr. President, on your election
to preside over this important Conference. I also
like to commend the Government of Austria for
undertaking the challenge of hosting the
Conference.

"All human beings are born free and equal in
dignity and rights".

This fundamental principle valid around our world
and in all nations is expressed in the first
article of the Universal Declaration of Human
Rights.

Since the adoption of the Universal Declaration,
the world has gone through dramatic changes.
Peoples have freed themselves from colonial rule
and built their independent States. A cold war has
come to an end after the collapse of the
totalitarian communist system. Many countries have
opened up the path to democracy and respect for
human rights. Yet millions of people are deprived
of their dignity and rights.

We are confronted with reports of summary
executions, disappearances, torture, rape,
arbitrary detention and suppression of the freedom
of expression occurring around the world. We witness
starvation, exploitation of women and children,
racism, anti-semitism and xenophobia.

Not far from here, the most horrible crimes are
committed against innocent civilians, women and
children. We all know in painful detail what is
happening. Words such as ethnic cleansing and
systematic rape cannot convey the full horror of
these outrageous methods of warfare.

We must do our utmost to fight these violations and
to bring them to an end. To ensure the effective
implementation of human rights norms is the main
task before us.

The Universal Declaration of Human Rights was
adopted as "a common standard of achievement for
all peoples and nations". It has been further
developed by the two Covenants and a number of
important human rights instruments into a
comprehensive system of norms. The universality and
indivisibility of these norms must be confirmed.