

인권정보자료실

Ic1.1.2

행정간행물등록번호

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세계인권회의의 참가보고서

1993. 8.

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부

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(1993. 6. 14~6. 25. 비엔나)

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외국 제 무기 구 부국

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외무부
국제기구국

호남대학교출판부
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한국보육진흥원 제1회 전국보육교직원학술회의

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보육진흥원
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I. 회의개요

1. 회의명 : 세계인권회의 (World Conference on Human Rights)
2. 기간 및 장소 : 93.6.14-6.25, 비엔나 오스트리아 센타
 - * 6.9-6.12. 고위 정부대표 실무회의
3. 회의개최 경위
 - 1989년 당시 유엔 인권담당 사무차장인 Jan Martenson (스웨덴)의 주도하에 모로코 등의 제안에 따라 제44차 총회(1989) 결의로 세계회의 개최에 관한 각국 정부, 유엔기구 및 NGO의 의견을 보고할 것을 유엔 사무총장에게 요청
 - 1990년 총회는 결의 45/155로써 세계인권회의를 1993년에 개최기로 하고 이를 위한 4차례의 준비위원회 회의개최를 결정
 - 91.9월, 92.4월 및 9월, 93년 4월 제네바에서 준비위 개최
 - 1991년 총회에서 세계회의 준비의 일환으로 지역준비회의를 개최기로 결정 (46/116)함에 따라, 아프리카, 중남미 및 아시아지역 준비회의가 아래와 같이 개최되어 각각 선언을 채택
 - 92.11.2-11.6. 튀니스
 - 93.1.18-1.22. 산호세
 - 93.3.29-4.2. 방콕
 - 92.5.6. 총회결의 46/473에 의거, 세계회의 개최지를 비엔나로 변경 결정
 - 당초 베를린에서 개최기로 하였으나, 독일정부가 유치를 포기

* 1968년도 국제인권회의 (International Conference on Human Rights)

- 세계인권선언 채택 20주년이 되는 1968년에 국제인권회의를 개최하기로 한 제20차 유엔총회 결의 (결의 2081)에 따라 68.4월 테헤란에서 국제인권회의 개최
 - 테헤란 선언 (Proclamation of Teheran) 및 29개 결의를 채택

4. 회의참가

가. 정부대표 : 171개국

나. 유엔 산하기구 및 국제기구

- 유엔 직속기구 : 14
- 전문기구 : 10
- 유엔 인권관련기구 : 11
- 정부간 기구 : 20
- 국가인권기구 : 30
- 팔레스타인 및 2개 민족해방기구
- 경사리 협의관계 NGO : 249개
- 지역준비회의 참가 NGO : 568개
 - 아프리카 지역 : 87
 - 아시아 지역 : 130
 - 동구 지역 : 35
 - 중남미 지역 : 147
 - 서구 지역 : 169

다. 유엔 사무총장 특별초청인사

- Hassan Bin Talal 요르단 왕세자, Jimmy Carter 전 미국 대통령, Corazon Aquino 전 필리핀 대통령, Wole Soyinka 노벨문학상 수상자 (나이지리아), Elena Bonner 여사 (러시아 인권운동가), Rigoberta Menchu 노벨평화상 수상자 (과테말라)

5. 한국 대표단

대	표	단	비	고
수석대표	외무부장관	한승주		
교체수석대표	주오스트리아대사 주제네바대사 국제인권담당대사	이시영 허 승 신두병	고위실무회의 수석대표	
대	표	주오스트리아대사관 공사 주제네바대표부 참사관 법무부 인권과장 주오스트리아대사관 참사관 국제연합2과 서기관 주제네바대표부 2등서기관	조창범 문봉주 안재영 김의기 김종훈 조현동	고위실무회의 대표 고위실무회의 대표
고	문	국회의원 (민자당) 국회의원 (민주당)	정상천 강수림	

* 한국 민간단체 참가자

- 유엔 세계인권대회를 위한 민간단체 공동대책 위원회 (공대위)
 - 홍성우 변호사 (상임대표), 김찬국 KNCC 인권위원장, 천정배 변호사, 민변, 천주교 인권위원회, 불교 인권위원회, 민가협 등 대표
- 정신대문제 대책협의회
 - 이효재 공동대표, 김영호 주미 정대협 대표 등
- 세계인권응호 한국연맹
 - 최성철 연맹 사무총장 등
- 태평양전쟁 희생자 유족회
 - 양순임 공동대표 등
- 기 타
 - 박갑동 (재일교포) 등

6. 회의의제

- 가. 개 회
- 나. 의장 선출
- 다. 의사규칙 채택
- 라. 부의장 등 선출
- 마. 신임장 위원회 임명
- 바. 위원회 및 실무회의 설치
- 사. 의제 채택
- 아. 세계 원주민의 해 기념
- 자. 세계인권선언 채택이후 인권분야에서의 진전 평가 및 향후 진전에의 장애요인 제거방안 토의
- 차. 발전, 민주주의와 모든 인권의 보편적 향유와의 관계 검토

카. 취약계층을 포함한 남성 및 여성의 모든 인권의 완전한 실현에 관한 현재의 동향 및 새로운 도전에 관한 검토

타. 아래사항에 대한 권고

- 1) 유엔현장 및 국제인권관련 협약에 따른 인권분야에서의 국제협력 강화
- 2) 인권문제의 검토에 있어서 보편성, 객관적 및 비선별성 보장
- 3) 유엔인권활동 및 조직의 효율성 제고
- 4) 인권분야 유엔활동에 필요한 자원 확보

파. 회의 최종선언 및 보고서 채택

7. 회의조직

가. 의장단 구성

- 의 장 : Alois Mock 오스트리아 외무장관
- 부의장 : 44개국 대표
- 실무위원회 (Main Committee) 의장 : Halima Embarek Warzazi 모로코 외무부 극장
- 기초위원회 의장 : Gilberto Vergne Saboia 주제네바 브라질 대표부 대사
- 신임장 위원회 의장 : Mock 의장이 대행
- 보고관 (General Rapporteur) : Zdzislaw Kedzia 주제네바 폴란드 대표부 참사관
- * 회의 사무총장 (Secretary-General) : Ibrahima Fall 인권센터 소장

나. 회의조직

1) 본 회의

- 각국 정부대표 기초연설, 국제기구, 국가인권위원회 및 비정부간 기구 (NGO) 대표 연설
- 선언 및 실천계획 채택

2) 실무위원회

- 의제 9-12 (회의 중심의제)에 관하여 정부대표 및 NGO 대표의 의견 교환 방식으로 토의를 진행
- 당초 본회의와 기초위원회를 연결하는 교량역할을 임무로 하여, 토의 결과를 기초위에 보내어 기초위가 이를 참고하여 선언 기초작업에 활용하기로 하였으나, 실제로는 토의결과를 회의폐막일에 본회의에 간략히 보고하는데 그쳤음.

3) 기초위원회

- 선언 (Declaration) 및 실천계획 (Programme of Action) 작성업무를 담당
- 실천계획에 대한 토의를 위하여 별도의 Task Force를 구성
- 고위 실무회의의 결정에 따라 공식회의에 NGO 참관이 허용되었으나, 실제로는 대부분의 회의가 비공식으로 진행되어 정부대표만이 참석하였으며, 회의기간중 2차례 NGO 대표들의 발언을 허용하였음.

다. 회의진행방식

- 본회의, 실무위원회 및 기초위원회를 동시에 개최

8. 특별행사

가. NGO Forum (6.10-12.)

- 세계인권회의에 제출할 NGO의 권고 등을 토의
- Non-Governmental Coordinating Committee는 회의결과 보고서인 "All Human Rights for All"을 6.16. 기초위 회의에 제출

나. NGO Fair (6.14-25.)

- 인권문제를 주제로 한 NGO 주최의 강연회, 전시회 및 각종 행사

다. 노벨평화상 수상자 및 수상기관 회의 (6.14-16.)

- 오스트리아 정부주최 별도 회의
- 국제적십자사, UNHCR, ILO, AI, 달라이라마, Rigoberta Menchu 등 참석

II. 회의경과

1. 개회식

- 6.14.오전 Boutros-Ghali 유엔 사무총장의 개회선언으로 개회, Thomas Klestil 오스트리아 대통령 및 Franz Vranitzky 수상, 유엔 사무총장, Ibrahima Fall 세계인권회의 사무총장의 연설에 이어 Alois Mock 오스트리아 외무장관을 회의 의장으로 선출하고, 의사규칙 및 의제를 채택하였으며 의장단을 선출함.

Boutros-Ghali 유엔 사무총장의 연설요지

- 보편적 관점에서 인권은 우리들이 동일하면서 동시에 다르다는 것을 단도직입적으로 가르치고 있음.
- 금번 회의에서 토의하고자 하는 인권은 모든 국가간의 최소공약수가 아니라, 우리가 단일의 인류공동체라는 것을 함께 확인할 수 있는 가치의 진수임.
- 인권은 절대적인 척도일 뿐만 아니라 오랜 역사에서 유래된 종합체인 바, 모든 정치의 궁극적 기준인 동시에 본질적으로 지속적인 변화를 보임으로써 이중적 성격을 지님.
- 인권은 민주주의 수준과 밀접히 연관됨.
- 금번 회의의 3대 과제는 인권의 보편성, 인권보장, 민주화임.
- 국제사회에서 계속되는 이념적 분열과 경제적 격차도 인권의 보편성을 저해하지는 못함.
- 인권은 절대적인 주권 또는 정치적 간섭의 관점에서 검토되어서는 아니되며, 국제사회에서의 협력과 조정을 요구하는 것으로 이해되어야 함.
- 인권관련 국제적 행동은 국가가 인권보장의 역할을 소홀히하고 유엔 현장상의 기본원칙을 침해할 경우에 제기되어야 함.

- 인권보장은 인권침해를 처벌할 관할권을 구축하는 것을 의미
- 민주주의는 인권을 가장 잘 보장할 수 있는 정치적 체제이며, 민주주의만이 발전에 진정한 의미를 부여할 수 있음.
- 때때로 발전도상국가에서 비민주적 정책이 초기조치로써 취해질 수 있으나, 경제발전후 민주개혁을 하지 않을 경우 보다 큰 불평등을 야기, 결국은 사회적 소요를 맞게 됨. 선진국이 민주화 과정에 있는 국가에 보다 책임있는 태도를 보여야 함.
- 예방외교가 시급히 필요
- 인권이 모든 인류의 공통언어가 되기를 희망함.

2. 본회의

가. 기초연설 (6.14-6.25)

- 6.14.오후부터 6.25까지 계속된 기초연설에는 정부대표, 국제기구 및 유엔 인권관련 조직, NGO 대표들이 참여하였음. (주요연설요지 : 별첨3)
- 6.15.오전 한국대표단 수석대표인 한승주 외무장관은 아래 요지로 기초연설을 하였음.
- 세계인권선언은 자유와 민주주의를 위한 한국인 투쟁에 있어 하나의 등불이 되었으며, 한국에서는 인권이 성숙에 이르렀으며, 진실·자유·민주주의가 승리하였음.
- 인권은 보편적이고, 불가분이며 상호 관련되어 있으며, 어떤 인권의 보장을 위해 다른 인권이 부인될 수 없음.
- 안보와 경제적 발전이 없이 진정한 인권은 불가능하며, 인권 보호에 있어 지역적·국가적 상황이 고려될 필요가 있으나, 특수 상황이 인권침해를 정당화 할 수 없음.

- 타 국가와 지역의 인권문제에 대한 독선적인 태도는 민족주의를 촉발, 역효과를 발생시킬 수 있는 바, 등정과 실용주의가 우리의 기본지침이어야 함.
- 인권증진 방안과 관련, 자유로운 정보의 소통과 한 국가의 국제질서로의 통합문제의 중요성 강조
- 민주주의와 인권만이 개인의 잠재력의 완전한 발휘를 보장
- 개인과 민간단체의 인권보장을 위한 역할 평가
- 인권보장을 위한 국가의 1차적 책임을 강조, 모든 국가가 국제인권협약에 가입할 것을 촉구
- 유엔 인권고등판무관 임명 제안 지지
- 여성인권 보장을 위한 유엔활동 강화 및 아동, 소수민족 등 취약계층의 인권보장을 위한 구체적 행동계획 채택 촉구
- 김영삼 대통령이 신외교정책에서 인권에 대해 각별한 의미를 부여했음을 강조
- 93년내에 고문방지협약 가입방침 표명

나. 특별선정주제 토의

- o 아래 특별주제에 관한 본회의 토의에 정부, 관련 국제기구, 협약기구 및 각종 민간단체의 대표가 참가, 발언
 - 여성의 권리 (6.17)
 - 세계원주민의 해 기념행사 (6.18)
 - 아동의 권리 (6.21)

다. NGO 대표 연설

- o 본회의에서는 총 119개 NGO 대표가 여성, 원주민, 아동, 장애인, 난민 문제 외에 고문 등 인권위반 문제에 대하여 기조연설을 하였음.

라. 기타 결정사항 : 특정국 결의안

1) 경 과

- o 세계인권회의 준비위 회의에서는 금번 회의시 특정국의 인권상황은 토의하지 않기로 합의한 바 있으나, 6.15. 본회의에서 Haris Silajdzic 보스니아 외무장관이 기조연설 말미에서 보스니아 문제 종식을 위하여 긴급 호소를 하였으며, 회교권 국가를 중심으로 많은 정부대표들이 이를 지지하였음.
- o 이에따라 회의는 보스니아, 헤르체고비나에서의 대량학살을 종식시키기 위하여 유엔 안보리가 필요한 조치를 취할 것을 호소하는 회의 statement를 만장일치로 채택함.
- o statement 채택에 이어 이슬람회의기구(OIC)를 중심으로 보스니아 관련 결의안 채택 움직임이 본격화되면서, OIC 회원국과 특정국 결의안 채택을 반대하는 EC 회원국간 비공식 협의가 계속되었으나 합의에 이르지 못함.

2) 결의안 채택

가) 보스니아 관련 결의안 (L.2)

- o 6.24. 본회의는 파키스탄이 이슬람회의기구(OIC) 회원국을 대표하여 제안한 "보스니아 관련 특별선언 결의안" (L.2)을 roll call 표결을 통하여 찬성 88 : 반대 1 (러시아) : 기권 54로 채택하였음. (우리나라는 찬성)
- o 동 표결시에 대부분의 아시아, 중동, 아프리카, 중남미 국가와 회의주최국인 오스트리아가 찬성한 반면, 미국, 서구, 동구, 일본, 인도 등은 금번 회의에서 특정국가 인권문제를 토의하지 않기로

양해된 바 있으며, 동 결의안 일부 내용 (특히 제6항의 대보스니아 무기금수 해제 요청)에 이의가 있음을 이유로 기권함. 또한 중국, 쿠바, 북한 등은 표결시 불참의사를 밝혔음.

- 우리 대표단은 동 결의안이 금번 회의의 성격에 비추어 형식 및 절차상 문제가 있으나, 동 결의안이 보스니아 문제에 대한 유엔 등 국제사회의 관심을 촉구하는 것이 주목적이라는 점과 기권입장의 국가들이 내세우는 절차상 문제점이 설득력이 부족하다는 점 등을 고려하여 찬성 투표하였으며, 표결후 아래 요지의 EOV 발언을 하였음.

- 한국은 금번 결의안에 오직 인도주의적 고려 및 인종청소 행위에 대한 국제사회의 비판에 동참하기 위하여 찬성하였음.

- 그러나 동 결의안이 금번 회의의 임무 및 권능의 범위에서 벗어나며, 일부 조항 (특히 6항)에 대하여 유보의 입장임을 밝히고자 함.

- 동 결의안의 주요내용은 아래와 같음.

- 안보리를 비롯한 국제사회 및 국제기구들에 대하여 보스니아에 대한 무기금수조치 해제 등에 관한 강력하고 결정적인 조치를 취할 것을 촉구

- 안보리가 보스니아의 영토보전, 벤스.오웬 평화안의 이행, 무력에 의한 영토합병 반대조치를 취할 것을 촉구

- 즉각적인 휴전, 포위지역에 대한 즉각적인 인도적 지원 조치, 모든 대형무기의 중립화, 인도법 위반자 처벌을 위한 국제재판소의 신속한 활동을 촉구

나) 앙골라 관련 결의안 (L.3)

- 6.24. 본회의에서 케냐는 아프리카 그룹을 대표하여 "앙골라에 관한 특별선언안"을 제안한 바, 보스니아 결의안 채택 직후, 별다른 토의 없이, 표결없이 채택됨. 동 결의안 채택후, 미국, 캐나다, 일본 등은 EOV 발언을 통하여 만약 동 결의안에 대한 표결이 있었다면 기권 하였을 것이라는 입장을 표명함.

- 동 결의안 주요내용은 아래와 같음.

- 국제사회 및 안보리 등 모든 국제기구가 앙골라의 평화와 안전의 회복과 즉각적인 휴전의 이행을 위하여 조치를 취할 것을 촉구
- 또한 UNITA가 92년 선거결과를 완전히 수락하고 평화협정을 충실히 이행하도록 압력을 가할 것을 촉구

3. 실무위원회 (Main Committee)

가. 회의진행

- 6.15-6.24간 총 11회의 회의를 개최, 정부대표, 국제기구 및 NGO 대표들이 토의에 참가하여 의제 9-12에 관하여 발언

- 회의결과는 6.25. 본회의에서 위원회 의장이 구두로 요약, 발표

나. 주요 토의사항

- 인권보장에의 장애요인과 인권문제의 현대적 추세

- 발전, 민주주의와 인권과의 관계

- 시민적.정치적 권리와 경제적.사회적.문화적 권리의 상호 연관성

- 국제인권조직 강화, 인권법규의 적용에 있어서 보편성 및 비선별성 보장, 유엔 인권활동의 효율성 제고 및 자원확보 등에 관한 권고

- 여성, 아동, 난민, 소수민족, 노인, 이주노동자, 원주민, 외세점령하의 주민, AIDS 환자, 장애인, 고문피해자, 동성연애자의 인권보장을 위한 각종 권고
- 테러리즘의 인권침해문제, 인권교육의 필요성, NGO 활동
- 인권고등판무관제도 신설에 관한 토의

4. 기초위원회 (Drafting Committee)

가. 토의경과

- 의장은 준비위 회의에서 작성된 선언초안 (PC/98)을 기초로 아래와 같은 방식으로 토의진행을 제의한 바, 아주그룹 등 일부 대표단이 별도 소그룹에서의 선언문안 토의에 반대하여, 우선 본문에 대한 토의를 시작하기로 하고, 6.16부터 문안협상을 시작
 - 전문은 추후 별도 그룹에서 토의
 - 본문 (Principle)은 기초위 본회의에서 직접 토의
 - 실천계획 (Programme of Action)은 기초위 산하에 Open-ended Task Force를 구성, 토의
- 6.17부터는 실천계획 토의를 위한 Task Force (의장 : 브라질 대표) 회의를 개최
- 기초위 토의는 준비위 회의에서 작성된 선언 초안 (PC/98)중, 기합의된 조항에 대하여는 가급적 재토의 하지 않고, 초안문안 그대로 채택하였음.

나. 주요 토의내용

전 문

- 당초 기초위 의장이 프랑스, 인도, 튀니지 3개국 대표에게 전문 초안 작성 작업을 의뢰한 결과 11개항의 초안이 작성되었으나 이란, 인도네시아, 시리아, 예멘 등 다수 아주국가들이 등 결과에 강한 불만을 표시함에 따라 준비위 초안 (PC/98)을 기초로 협의를 진행함.
- 준비위 초안에서 괄호 처리되지 않은 7개 조항은 그대로 채택되었으며 유일하게 괄호가 남아있던 2항은 괄호 부분 "Individually and Collectively"을 삭제하고 채택됨.
- 또한 준비위에서 시간부족으로 토의하지 못했던 아프리카 그룹 제안 3개 조항을 일부 문안 수정후 채택하였으며, 상기 3개국 대표 작성 초안중 발췌한 2개 조항 및 여성인권 침해에 관한 조항 (프랑스 제안)을 추가로 채택함.
- 최종문서의 지위
 - 일부 개도국들이 Part III을 실천계획 (Programme of Action)으로 하지 말고 문서전체를 선언 (Declaration)으로 하자고 주장하였으나 실천계획 채택이 금번회의 최대성과임을 주장하는 다수 의견에 따라, 전문, 선언 및 실천계획으로 명명함.

본 문 (Principle)

1) 인권의 보편성·특수성 (PC/98 Para 2)

- 준비위 초안에서 괄호 처리되었던 부분들을 포함, 선.개도국간 정점사항들을 대부분 삭제, 간략한 표현으로 절충하였으며, 특히 괄호 처리되지 않았던 The Exercise 이하 문장 (다른 인권이 충분히 보장되지 못한다는 이유로 특정인권이 부인되어서는 안된다는 서구 주장)도 협상과정에서 삭제됨.

- AI 등 NGO들은 등 채택내용에 대해 별 성과가 없는 것으로 평가

2) 인권보장과정의 유연현장 합치 (Para 4)

- 준비위 초안 그대로 채택

3) 개도국 민주화 지원 (Para 5 Ter)

- 준비위 초안 그대로 채택

4) 발전의 권리 (Para 6)

- 발전의 권리 선언의 문안을 인용하여 절충
- 서구입장은 3항에 저개발이 인권침해의 구실이 될 수 없다는 내용으로 반영

5) 외채문제 (Para 6 Ter)

- 준비위 초안중 합의가 쉬운 두번째 문장만 발췌하여 그대로 채택

6) 국가의무 (Para 7)

- 준비위 초안을 간략히 줄인 절충안 채택

7) 빈곤문제 (Para 7 Bis)

- 준비위 초안 그대로 채택

8) 인종차별 (Para 8)

- 준비위 초안중 정점이었던 차별의 원인 열거부분을 삭제하고 채택

9) 아파트이트 (Para 8 Bis)

- 준비위 초안 그대로 채택

10) 여성의 권리 (Para 9)

- 준비위 초안 그대로 채택

11) 소수민

- 정점이었던 준비위 초안 세번째 Sub-Para는 소수민 권리보장의 중요성과 등 보장이 정서적 사회적 안정에 기여함을 고려 (consider) 한다는 표현으로 절충함.

12) 원주민 (Para 11)

- 당초 준비위 초안을 그대로 채택하였으나 조항 후반부는 호주, 캐나다 주장으로 소수민 관련조항과 같은 내용으로 수정 채택

13) 아동의 권리 (Para 12)

- 준비위 초안 그대로 채택

14) 장애인 (Para 12 Bis)

- 준비위 초안 그대로 채택

15) Vulnerable Group (Para 13)

- 준비위 초안 미합의 부분중 In Particular를 포함하여 그대로 채택

16) 빈곤과 사회참여 (Para 13 Bis)

- 준비위 초안 그대로 채택

17) 사법문제 (Para 15)

- 준비위 초안 그대로 채택

18) 대규모 인권침해 (Para 17 Bis)

- 준비위 초안 그대로 채택

19) 인권침해 우려 (Para 19)

- 준비위 초안 그대로 채택
- 주요쟁점이던 인권침해의 형태와 장애요인 열거문제는 각국의 이해관계가 복잡하게 상충되어 장시간 토론끝에 리스트 하지 않기로 합의하였으며 따라서 준비위 초안 Para 19(a), 19(b) 및 Para 2 앞 삽입문구는 모두 삭제됨.

20) 국내 인권보장기구 (Para 23)

- 준비위 초안중 괄호부분과 관련, 각국이 자국의 특수한 필요성에 따라 적합한 Framework을 선택할 권리와 책임이 있다는 내용으로 절충

21) 민주주의, 발전, 인권관계 (Para 5)

- 인권문제와 경제원조의 연계여부가 쟁점
- 준비위에서 합의되지 못한 국내적·국제적 차원에서의 인권보장은 보편적이며 "어떤 조건도 없이 시행되어야 한다"는 문안의 포함 문제에 대하여 의장이 서구 국가들과 비공식 협의, 등 문안을 포함, 준비위 초안을 그대로 채택

22) 국제사회의 의무 (Para 2)

- 인권보장이 국제사회의 합법적 관심사 (legitimate concern) 문안중 "legitimate" 포함문제가 쟁점
- 중국, 인니, 말레이시아, 미얀마 등 일부 아주지역 국가들의 강력한 반대에도 불구하고, Fall 사무총장이 두번째 문장 앞에 인권보장활동은 유엔의 목적과 원칙안에서 (in the framework of this purpose and principles) 하는 표현을 추가하고, 대신 인권보장이 국제사회의 "legitimate concern"이라는 문안이 포함된 중재안을 제시하고 아주 국가들에게 수용할 것을 강력히 종용, 채택됨.

23) 국제인권협약 가입 권고 (Para 14)

- 말레이시아가 협약 가입시 유보문제는 국가주권이므로 언급하지 말자고 주장하였으나 서구, 남미 등 다수 국가의 의견에 따라 모든 국가에 국제인권협약 가입을 장려하고 아울러 유보를 하지 않도록 장려 (encourage)한다는 아일랜드 수정안을 채택

24) 인권교육 (Para 20)

- 준비위 초안 그대로 채택

25) 인권센터 Advisory Service 등 (Para 21)

- 준비위 초안 그대로 채택

26) 지역협력 (Para 23)

- 준비위 초안 그대로 채택

27) 언론의 역할 (Para 26)

- 미국이 언론의 자유보장에 관한 보다 강한 문구삽입을 강력히 주장 하였으나 준비위 합의조항은 다시 토의하지 않겠다는 의장의 결정에 따라 준비위 초안 그대로 채택

28) 국가의 의무 (Para 1)

- 비공식 협의를 통해 마련된 의장 중재안을 별다른 토의없이 채택

29) 자결권 (Para 2)

- 자결권 행사와 독립국가의 영토주권 보장과의 관계가 쟁점
- 비공식 협의를 통해 작성된 중재안에 대해 시리아, 수단이 마지막 까지 이의를 제기하였으나 대다수 국가들이 지지하는 분위기 속에서 그대로 채택함.
- 주요 쟁점이었던 등 문안은 Para 2의 legitimate action 표현, Para 3의 독립국가의 영토주권과 정치적 보전 보장 조항 등이 삽입됨에 따라 문안이 상당히 약화됨.

30) 환경문제 (Para 6 Bis)

- 비공식 협의를 통해 작성된 중재안을 토의없이 채택함.

31) 인권침해와 장애요인 (Para 19 a)

- Para 19 채택시 리스트를 열거하지 않기로 하였으나 다수 국가들의 요청에 따라 의장이 리스트 추가요구를 받아들이지 않겠다는 조건으로 중재안을 제시, 채택됨.
- 등 중재안은 선.개도국 관심사항을 비교적 균형있게 열거하여, 고문, 즉결처형, 실종, 불법구금, 모든 형태의 인종차별, 아파타이트, 피점령, 외국인 혐오, 빈곤, 기아, 기타 경제.사회.문화적 권리 부인, 종교적 불관용, 테러리즘, 여성차별, 법의 지배 결여가 포함됨.

32) 재원확대 (Para 22)

- 중재안으로 뒷부분 괄호 (유엔 정규예산 또는 별도예산)를 삭제하고 채택함.

33) NGO (Para 25)

- 일부 개도국들이 인권 NGO에 대한 특혜부여는 곤란하다는 입장을 표명하였으나 비공식 협의 중재안을 그대로 채택함.

34) 테러리즘

- 당초 아랍국가들이 강력히 주장했던 테러리즘과 자결권 행사 투쟁의 구별조항이 포함되지 않은 일반적 내용으로 타결됨.

35) Non-Selectivity 등

- 중국, 쿠바 등이 주장했던 Non-Politicization 표현을 삭제하고 보편성, 객관성, 공정성 및 비선별성의 중요성만 강조하는 표현으로 채택됨.

실천계획 (Programme of Action)

1) 인권고등판무관직 설치

- 의장이 주요국 비공식 협의후 고등판무관 문제에 대한 신속한 결정, 광범위한 권한부여 등 서구입장이 많이 반영된 문안을 의장안으로 제시하였으나 다수 개도국들이 등 내용에 이의를 제기함.
- 이에 남미그룹이 산호세 선언상의 내용에 따라, 작업반을 설치, 등 문제를 검토토록 하자는 중재안을 제시하고 아주그룹 다수 국가가 등 제안을 지지함에 따라 의장이 다시 남미제안을 일부 수정한 중재안을 제시 채택함.
- 채택된 내용은 48차 유엔총회에서 우선적으로 (as a matter of priority) 유엔 인권고등판무관 설치문제를 검토하도록 권고한다는 요지임.

- 동건은 금번회의 최대쟁점으로 상당한 논란이 예상되었으나 기초위원회시 인권고등판무관직 설치에 반대한다는 입장을 표명한 국가는 하나도 없었으며 아주지역 국가들도 회의 분위기를 감안, 대체로 유연한 입장을 보임.

2) 국제인권재판소

- 다수 개도국들의 반대입장에 따라 국제인권재판소라는 표현없이 인권위가 인권협약의 이행 강화방안을 검토하고, 국제형사재판소 설치에 관한 ILC가 검토작업을 계속하도록 권고하는 수준에서 타결됨.

3) 인종차별 (A)

- 준비위 초안에서 괄호 처리되지 않은 3개 조항은 그대로 채택하였으며 Para 4는 Task Force 중재안에 파키스탄 주장으로 desecration of religious sites 문구를 추가하고 채택함.
- Task Force 토의시 준비위에서 합의된 Para 4와 관련, 신앙에 따른 불관용 및 폭력에 대하여 각국 정부가 대응조치를 취할 경우 "국제적 의무에 부합되도록" (in compliance with this international obligation) 문안을 명기하자는 서구측과 이에 반대하는 이란, 수단 등의 입장이 대립되어 결국 동 문안을 삭제하기로 함.

4) 소수민 (B)

- 준비위 초안을 간략히 줄인 Task Force 중재안을 채택함.
- Task Force 토의시 소수민족 문제에 대하여는 이들이 정치적, 경제적, 사회적 활동에 참여하도록 촉진하는 조치를 취하여야 한다는 원칙에는 합의하였으나 이를 위한 구체적 방법 (인권관련 국내, 국제 기구에 입장 전달)을 제시하자는 핀란드, 스웨덴 등의 주장이 반대에

부딪혀 채택되지 못하였음. 또한 소수민족 문제에 기인한 분쟁의 평화적 해결을 위한 유엔 사무총장의 중재역할을 권장하는 문안 (Para 3)을 복구 및 대부분 서구국가들이 지지하였으나 이란, 멕시코, 프랑스 등이 반대, 채택되지 못함.

5) 원주민 (C)

- 준비위 초안 그대로 채택

6) 고 문 (D)

- 준비위 초안을 일부 표현수정만 하고 거의 그대로 채택함.

7) 인권교육 (IV)

- Task Force 중재안을 토의없이 채택함.

8) 금번 회의 후속조치

- 세계인권선언 50주년인 1998년에 각국 정부, 국제기구, 국내 인권 기관 및 NGO가 금번 회의 실천계획 이행결과를 UN 사무총장에게 보고한다는 요지로 채택됨.

9) 여성의 권리 (II.C)

- Para 3관련 한국을 비롯 북한, 파키스탄, 콜롬비아, 필리핀, 우루과이 등이 마지막 문장의 "current" 표현 삭제를 주장, "current violations"를 "all violations"로 수정하여 채택함. (상세내용 별도)
- 여타 조항은 미합의된 부분중 Para 5 "인권위" 표현을 삭제하고 Para 7은 괄호만 제거한채 모두 준비위 초안 그대로 채택함.

10) 아동의 권리 (II.D)

- 미합의된 부분중 Para 4는 괄호만 제거하였으며 Para 6중 첫째 괄호 부분은 모든 전쟁무기의 무차별 사용 특히 대인지뢰 사용으로 부터 보호, 둘째 괄호 부분은 "징병연령을 18세로 하는 문제를 아동권리 위원회가 검토토록 요청한다"는 표현으로 각각 수정 채택함.
- 여타 조항은 모두 준비위 초안 그대로 채택

11) 장애인 (II.E)

- 준비위 초안 그대로 채택

5. 기타사항

가. 고위 정부대표 실무회의

1) 회의성격

- 6.9-6.12간 개최, 세계회의 조직 및 운영에 관한 사항을 토의, 세계회의에 권고

2) 회의경과

- 6.9. 오전 Fall 세계회의 사무총장이 준비회의 경과를 설명하고 2개 Main Committee 및 기초위원회 설치 등 세계회의 조직 및 운영에 관한 제안을 하였으며, 오후에는 고위 실무회의 의장인 Franz Cede 대사 (오스트리아)의 제의에 따라 지역그룹별 협의를 가졌음.

* 지역그룹별 입장

중남미 그룹

- 2개 Main Committee 구성을 찬성하며 가능한 빠른 진전을 위해 기초위원회의 동시개최도 가능함.
- 등 3개 위원회가 모두 협상의 forum이어야 함.

아시아 그룹

- 최종문서 초안 협상은 기초위원회에서만 하여야 하며, Main Committee를 2개까지 구성할 필요성이 있는지 의문이 있으나 등 숫자에 대하여는 유연한 입장임.
- 정부대표 및 NGO의 발언시간 제한이 필요
- NGO의 토의참가는 본회의 기초연설에 한하는 것으로 이해

아프리카 그룹

- 가능한 빨리 기초위원회 활동 시작 필요
- 의장단 구성과 관련, 부의장국 숫자를 늘리는 것이 바람직 (아프리카 그룹에 할당된 9석은 10석으로 증대 희망)

동구 그룹

- 6.15(화)부터 기초위 활동 개시 필요

서구 그룹

- 기초위원회의 즉각적인 활동을 지지
- Main Committee의 숫자에는 유연한 입장이나 등 Committee는 협상을 위주로 하며, 기초위와 동시 회의개최를 지지

- 6.10.에는 공식회의 대신에 지역 coordinator 회의 및 지역그룹 회의를 개최, 세계회의 운영 및 조직에 관한 비공식 협의를 가졌으며, 동 협의 결과 지역그룹간 합의에 따라 6.10. 야간 본회의에서 아래사항을 채택함.

가) 세계회의 조직

- 1개의 Main Committee를 구성, 의제 9-12 (회의 중심의제)를 토의하며, 동 위원회에는 NGO 참가가 가능
- 기초위원회에는 정부대표만이 참가
- 상기 양 위원회는 늦어도 6.15(화) 오전부터 활동을 개시하며, 본회의 진행과 동시에 회의를 개최함.
- Main Committee의 활동으로 기초위원회 활동이 지체되어서는 아니됨.

나) 의장단 구성

- 대부분 지역그룹이 부의장국 의석을 확대하자는 입장을 밝힘에 따라 준비회의에서 합의된 바 있는 운영위 의석을 35석에서 48석으로 늘리기로 함.
- 기초위 의장직을 둘러싸고 아주그룹과 중남미 그룹간 심각한 대립이 있었으나, 중남미 그룹에 배정되고, 신임장 위원회 의장직이 아주그룹에 배정되었으나 아주그룹은 후보를 추천하지 않음.

- 6.11. 야간까지 비공식 협의를 계속, NGO의 기초위원회 참관문제 등 미결된 회의조직 및 운영 관련사항을 토의하였으나, NGO의 기초위 참관을 반대하는 아주.아프리카 그룹과 참관을 지지하는 서구.동구 그룹의 의견이 대립, 회의를 하루 연장하여 6.12(화) 오후 비공식 협의 및 본회의를 개최기로 함.

- 6.12(토) 오후 NGO의 회의 참가문제에 관하여 지역 coordinator 회의를 거쳐 합의된 아래내용을 본회의에서 채택하고 폐회함.

- 본회의 및 실무위원회에 NGO 참관 및 대표발언 허용
- 기초위원회에는 회의 개최시 대표발언을 허용하며, 초안작업 진행시에는 참관만 허용하되 기초위 결정에 따라 대표발언 가능

나. 한국 민간단체 활동

1) NGO Fair 행사

- 군대위안부 문제 세미나 개최 (6.17)
 - 한국, 북한, 일본, 필리핀 4개국 정신대 대책위 공동주최로 아시아 여성포럼이 개최되어, 군대위안부 문제를 토의
- 아시아의 국가보안법과 인권 세미나 (6.17)
 - 한국, 인도네시아, 말레이시아, 방글라데시, 스리랑카, 필리핀 민간단체 대표들이 아시아지역에서의 국가보안법 실태에 대하여 토의

2) 본회의 발언

- 6.25. 공대위 대표 (천정배 변호사) 및 민변 대표 (조용환 변호사)가 경제개발을 이유로한 인권침해문제 및 자결권 문제를 발언
- 6.23-24. 민간단체 대표 2명이 군사정권하의 인권문제 및 고문문제에 대하여 발언

3) 기타 활동

- 국제인권옹호 한국연맹은 6.14-15간 NGO 전시장에서 북한인권 관련 비디오 상영 및 책자배포 활동

Ⅲ. 선언 및 실천계획

1. 채택경위

- 기초위원회의 제안대로 6.25.야간 본회의에서 전문 16개조, 본문 39개조로 구성된 비엔나 선언과 6개 분야로 구성된 실천계획을 표결없이 채택

2. 주요내용

가. 선 언

- 인권의 보편성 재확인
 - 인권보장은 국제사회의 합법적 관심사 (legitimate concern)
 - 국가적, 지역적 특수성을 인정하나, 어떠한 정치, 경제, 사회 체제하에서도 인권보장은 국가의 의무임을 선언
- 인권의 보편성, 불가분성, 상호연관성 인정
- 민주주의, 발전, 인권의 상호의존성 인정
 - 국내적, 국제적 인권보장은 보편적이며 부가조건없이 이행되어야 함.
- 발전권의 재확인
 - 발전권은 보편적 불가양의 권리
 - 발전을 이유로한 인권침해는 정당화 될 수 없음.
 - 발전권 보장을 위한 효율적 국제협력 필요성 강조
- 경제적 권리보장을 위하여 외채, 국민, 환경문제 등에 있어서 국제적 노력 확대 필요

○ 자결권과 테러리즘

- 자결권은 모든 인간의 권리로서, 피점령지역 주민들의 합법적 (legitimate) 행위를 인정
- 모든 형태의 테러리즘은 인권 및 민주주의의 파괴행위

○ 취약계층 인권보장 강화 필요성 확인

- 여성, 아동, 소수민, 원주민, 장애인, 난민, 이주노동자

○ 중대한 인권침해에 우려표명

- 인종청소, 인종차별주의, 외세점령, 빈곤 등 경제적, 사회적, 문화적 권리의 침해

○ 유연의 인권분야 활동강화

- 예산의 확대, 인권사무국의 자문활동 및 기술지원 확대

○ NGO 활동 평가

- 인권보장을 위한 NGO 역할 인정
- 정부와 NGO간의 협력 및 대화의 중요성 강조

나. 실천계획 주요내용

1) 유엔조직내 인권활동 조정강화

- 유엔 인권관련 기구의 강화 및 조정을 위한 고위급 연례회의 개최 권고
- 인권사무국의 기술지원활동을 위한 자발적 기여금 강화

2) 평등, 존엄 및 관용

- 모든 형태의 인종차별철폐 추진방안 권고

- 여성, 아동, 소수민, 원주민, 이주노동자, 장애인의 권리강화를 위한 구체계획 시행 권고
 - 94년부터 세계 원주민 10개년을 선포토록 유엔총회에 권고
 - 여성에 대한 폭력, 특히 전시 여성인권 침해에 대한 효율적 대응 필요 (군대위안부 포함)
 - 관련 협약에의 가입확대 및 협약 산하기구 활동강화

3) 인권강화, 협력 및 발전

- 민주주의, 발전 및 인권보장을 위한 국내적·국제적 활동에 대한 우선적 고려 권고
 - 공명선거 지원, 법치주의 강화, 표현의 자유, 사법 및 국민의 정책 결정과정 참여 증진
- 인권관련 국내기구 설치 및 등 활동을 위한 유엔 인권사무국의 협력 권고
 - 인권의 전반적인 준수 및 법치주의 지속화 목적
- 인권보장 개선을 위한 구체적 조치를 포함한 국가실천계획 작성 필요성 검토를 각국 정부에 요청
- 인권위원회에 경제적·사회적·문화적 권리에 관한 국제규약 선택의정서 초안작성문제 계속 검토 권장
- 인권관련 지역적 및 소지역적 워크샵 등 개최 권고

4) 인권교육

- 모든 국가 및 기구에 대하여 인권, 인도법, 민주주의, 법치주의를 정규 또는 비정규 과정 교과목에 포함할 것을 촉구
- 유엔 인권교육 10개년 선포 검토 필요

5) 이행 및 감독

- 93년도 유엔총회에서 인권고등판무관제도 신설문제를 최우선적으로 토의할 것을 권고
- 국제법위원회 (ILC)에 국제형사재판소 문제의 계속 검토를 권고
- 인권협약기구 의장회의 등에서 각종 협약보고서 제출조정 및 단일 총괄보고서 제출 방안 검토 요청
- 유엔총회 및 경제사회이사회에서 협약기구 및 각종 특별보고관 활동 상황을 포함한 활동 효율성 제고문제 검토 권고

6) 회의 후속조치

- 유엔총회, 인권위 및 관련기구에서 등 선언에 포함된 각종 권고의 즉각 실천을 위한 방안강구를 권고
 - 유엔 인권 10개년 선포 가능성 포함
- 유엔 사무총장이 모든 국가 및 인권관련 유엔기구에 대하여 1998년 세계인권선언 선포 50주년을 계기로 등 선언 시행결과 보고서를 제출할 것을 요청하도록 권고

IV. 우리대표단 활동

1. 수석대표 기초연설

- 6.15.오전 본회의에서 한승주 외무장관은 8번째 연사로 세계인권보호 및 증진에 관한 한국정부 입장에 대하여 연설 (연설내용은 P.9 참조)
 - 과거 인권상황에 따른 비판의 대상에서 탈피, 세계 인권의 증진을 위한 활동에의 참여의사 및 국내인권 개선노력에 관한 정부의지를 표명
- 기초연설 직후 인니, 파키스탄, 세네갈 등 다수 대표가 축하인사를 하여 왔으며, 주비엔나 미국, 호주, 일본 (대표부) 대사가 대표단에 축하의 뜻을 전함.
- 국제언론인 민간단체인 Inter Press Service에서 금번 회의 진행상황 보도를 위하여 매일 발간, 회의장에서 배포하고 있는 일간지 Terra Viva (6.16자)는 6.14-15간 본회의 기초연설을 종합 보도하면서 특히 많은 부분을 할애, 한승주 장관 연설내용을 집중 보도함.

2. 선언초안 작업 참가

- 기초위원회 본회의 및 Task Force 회의의 선언초안 작업에 계속 참가 하였으며, 특히 아래 내용에 관한 초안작성시 발언 및 비공식 협의에 적극 참여
 - 민주주의, 발전, 인권과의 관계
 - 인권과 개발원조와의 연계문제
 - 전시 여성의 인권보장문제 (아래 상세내용 참조)
- 전시 여성의 인권보장문제 토의경과
 - 6:21, 기초위 본회의에서 실천계획중 여성인권 부분 (II.C, Para 3)과 관련, 의장은 동 내용이 준비위에서 이미 합의된 바 있으므로 그대로

채택할 것을 제의하였으나 한국을 비롯 북한, 파키스탄, 콜롬비아, 필리핀, 우루과이 등이 마지막 문장의 "current violations"의 "current" 표현은 미래와 과거의 여성인권 침해를 외면하고 현재의 침해만을 대상으로 하는 문제점이 있다는 점을 지적 "current"를 삭제할 것을 주장하였음.

- 이에 대해 일본은 동 문안이 준비위에서 오랜 토의 끝에 이미 합의된 문안이므로 그대로 채택하자고 주장하였으나, "current"를 유지해야 할 이유를 충분히 설명하지 못하였으며, 미안마가 준비위 합의문안을 그대로 채택하기로 한 기초위 결정을 이유로 원안 채택을 주장한 외에는 일본 입장에 동조하는 국가는 없었음.
- 이에 따라 의장은 다수국의 의견과 동 문제의 중요성을 고려, 예외적으로 수정안을 받아들일 것을 제의하면서 "current violations"을 "all violations"으로 대체할 것을 제안, 동 제안이 채택됨.
- 수정 채택된 Para 3 후반부의 전문장은 아래와 같음.

Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law.

All violations of this kind, including in particular murder, systematic rape, sexual slavery, and forced pregnancy, require a particularly effective response.

3. 기타 활동

- 한승주 장관은 6.14. 회의의장인 Alois Mock 오스트리아 외무장관이 주최 하는 회의대표단을 위한 리셉션에 참석하였으며, 6.15. Mock 장관이 회의 참가 각료급 수석대표를 위하여 주최한 오찬에 참석함.

V. 평가 및 건의

1. 종합관찰

- 금번 회의는 냉전의 종식과 세계적 민주화 추세에 따라 인권의 중요성에 대한 국제적 인식이 높아지고 있는 시점에서 개최되어 앞으로의 국제적 인권보장 및 증진활동의 원칙과 구체적 실천계획을 수립함으로써, 인권보장 및 증진과 인권침해 예방문제를 국제사회의 주요과제의 하나로 부각시키는데 기여
- 세계인권선언이 1948년 전회원국이 50여개국인 유엔에서 채택된데 비하여 금번 회의에는 170여개 국가가 참가, 인권문제의 전반에 걸친 원칙과 구체적 실천계획에 관하여 합의에 이른 것 자체가 커다란 성과이며, 유엔의 인권관련 권능이 강화될 수 있는 기초가 마련된 것으로 평가됨.
- 정부대표, 국제기구 대표, 민간단체 대표 및 취재 언론인 등 총 5천여명이 참석한 이제까지 인권관계 국제회의중 최대의 회의로서 평가되며, 특히 10여개국의 대통령 및 정부수반, 65개국 외무장관이 참석, 각국이 인권문제의 중요성을 새롭게 인식하는 계기가 됨.
- 금번 회의 준비위 회의가 전과정을 통하여 절차문제를 둘러싼 선.개도국간 이견으로 원활히 진행되지 못하였으며, 또한 금번 회의가 인권의 보편성 및 불가분성 원칙을 재확인 하였음에도 불구하고, 금번 선언내용이 선.개도국간 인권문제에 관한 합의의 폭을 넓혔다기 보다는 각 그룹 입장을 강화하는 내용이 혼재되어 있어, 향후 유엔 인권회의에서 인권의 보편성과 특수성, 발전권 문제 등을 둘러싼 정치적 논쟁이 격화될 것으로 예상됨.

- 많은 정부 및 NGO 대표들은 금번 회의를 통하여 인권증진에 있어서의 민주주의 제도의 필요성이 확인되고, 여성, 아동, 소수민, 원주민, 난민 등 취약계층의 인권보장의 중요성이 부각되고, 등 보장을 위한 구체적 방안이 선언에 포함된 것을 높이 평가
- 금번 회의에서 인권보장을 위한 제도 또는 조직의 창설에 구체적 성과가 없었다는 비판이 있으나, 금번 회의 최대의 쟁점이었던 인권고등판무관 제도의 경우, 등 문제가 유엔 회의결과 문서에 공식적으로 언급된 점과 유엔총회에서 등 문제 토의의 근거를 마련하였다는 점에서 성과가 적지 않았으며, 기존제도의 강화 및 조정에 관하여도 구체적 제안이 많이 포함되어 있어 유엔 인권업무의 질적향상에 기여 예상
- 인권의 보편성, 정치적 권리와 경제적 권리의 상호관련성 재확인 등 우리 정부가 수석대표의 기초연설을 통하여 밝힌 주요입장이 선언 및 실천계획에 폭넓게 반영된 것은 회의참가의 커다란 성과

2. 선언내용 평가

- 등 선언에는 인권보장에 대한 국제사회의 관심을 반영, 인권의 보편성 원칙과 함께 인권보장을 위하여 경제.사회발전이 긴요하다는 내용이 모두 포함
 - 선진국은 인권보장이 국제사회의 합법적 관심사임을 확인하고 어떤 이유이든 인권침해의 정당화를 주장할 수 없다는 내용을 포함, 인권의 보편성 확인에 의의를 부여
 - 개도국은 발전권을 불가양의 권리로서 재확인 받고, 경제적 권리와 시민적.정치적 권리의 등가성 인정을 평가
 - 대체로 서방선진국들의 입장이 기초를 이루면서 개도국의 주장이 적절히 수용되었으며, 인권보장의 우선을 강조, 선진국과 기본입장을 같이한 우리 정부의 입장도 균형있게 반영

- 개도국이 주장하는 발전권의 구체적 보장은 유엔 인권분야 보다는 개발협력분야에서 원용 가능할 것으로 보이며, 특정국가의 인권문제를 주대상으로 하는 현재의 유엔인권활동에 큰 영향을 미치지 않는 것임.

- o 유엔 인권활동을 강화하고 총괄할 인권고등판무관직 설치문제는 금년도 유엔총회에서 최우선적으로 검토하기로 결정

- 토의시 동 제도 자체에 대한 명시적 반대의견이 거의 없어, 총회 토의시 임무, 권한 및 조직문제에 토의 집중 예상

- o 국제인권재판소/국제형사재판소 설치 문제는 많은 국가 및 NGO 대표들이 설치 필요성을 언급하였으나, 기초위에서 대부분 국가의 소극적 입장으로 선언에는 국제법위원회의 활동을 권장하는 내용으로만 반영되었음.

- o 일부 NGO들은 금번 선언이 인권보장을 위한 구체적 계획이 미흡한 정치적 선언이라고 비판적으로 평가

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VIENNA DECLARATION AND PROGRAMME OF ACTION

Note by the secretariat

Attached is the text of the Vienna Declaration and Programme of Action,
as adopted by the World Conference on Human Rights on 25 June 1993.

VIENNA DECLARATION AND PROGRAMME OF ACTION

The World Conference on Human Rights,

Considering that the promotion and protection of human rights is a matter of priority for the international community, and that the Conference affords a unique opportunity to carry out a comprehensive analysis of the international human rights system and of the machinery for the protection of human rights, in order to enhance and thus promote a fuller observance of those rights, in a just and balanced manner,

Recognizing and affirming that all human rights derive from the dignity and worth inherent in the human person, and that the human person is the central subject of human rights and fundamental freedoms, and consequently should be the principal beneficiary and should participate actively in the realization of these rights and freedoms,

Reaffirming their commitment to the purposes and principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming the commitment contained in Article 56 of the Charter of the United Nations to take joint and separate action, placing proper emphasis on developing effective international cooperation for the realization of the purposes set out in Article 55, including universal respect for, and observance of, human rights and fundamental freedoms for all,

Emphasizing the responsibilities of all States, in conformity with the Charter of the United Nations, to develop and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Recalling the Preamble to the Charter of the United Nations, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small,

Recalling also the determination expressed in the Preamble of the Charter of the United Nations to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practice tolerance and good neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Emphasizing that the Universal Declaration of Human Rights, which constitutes a common standard of achievement for all peoples and all nations, is the source of inspiration and has been the basis for the United Nations in making advances in standard setting as contained in the existing international human rights instruments, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Considering the major changes taking place on the international scene and the aspirations of all the peoples for an international order based on the principles enshrined in the Charter of the United Nations, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, rule of law, pluralism, development, better standards of living and solidarity,

Deeply concerned by various forms of discrimination and violence, to which women continue to be exposed all over the world,

Recognizing that the activities of the United Nations in the field of human rights should be rationalized and enhanced in order to strengthen the United Nations machinery in this field and to further the objectives of universal respect for observance of international human rights standards,

Having taken into account the Declarations adopted by the three regional meetings at Tunis, San José and Bangkok and the contributions made by Governments, and bearing in mind the suggestions made by intergovernmental and non-governmental organizations, as well as the studies prepared by independent experts during the preparatory process leading to the World Conference on Human Rights,

Welcoming the International Year of the World's Indigenous People 1993 as a reaffirmation of the commitment of the international community to ensure their enjoyment of all human rights and fundamental freedoms and to respect the value and diversity of their cultures and identities,

Recognizing also that the international community should devise ways and means to remove the current obstacles and meet challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting thereof throughout the world,

Invoking the spirit of our age and the realities of our time which call upon the peoples of the world and all States Members of the United Nations to rededicate themselves to the global task of promoting and protecting all human rights and fundamental freedoms so as to secure full and universal enjoyment of these rights,

Determined to take new steps forward in the commitment of the international community with a view to achieving substantial progress in human rights endeavours by an increased and sustained effort of international cooperation and solidarity,

Solemnly adopts the Vienna Declaration and Programme of Action.

I

1. The World Conference on Human Rights reaffirms the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments

relating to human rights, and international law. The universal nature of these rights and freedoms is beyond question.

In this framework, enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations.

Human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the first responsibility of Governments.

2. All peoples have the right of self-determination. By virtue of that right they freely determine their political status, and freely pursue their economic, social and cultural development.

Taking into account the particular situation of peoples under colonial or other forms of alien domination or foreign occupation, the World Conference on Human Rights recognizes the right of peoples to take any legitimate action, in accordance with the Charter of the United Nations, to realize their inalienable right of self-determination. The World Conference on Human Rights considers the denial of the right of self-determination as a violation of human rights and underlines the importance of the effective realization of this right.

In accordance with the Declaration on Principles of International Law concerning Friendly Relations and Cooperation Among States in accordance with the Charter of the United Nations, this shall not be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples and thus possessed of a Government representing the whole people belonging to the territory without distinction of any kind.

3. Effective international measures to guarantee and monitor the implementation of human rights standards should be taken in respect of people under foreign occupation, and effective legal protection against the violation of their human rights should be provided, in accordance with human rights norms and international law, particularly the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 14 August 1949, and other applicable norms of humanitarian law.

4. The promotion and protection of all human rights and fundamental freedoms must be considered as a priority objective of the United Nations in accordance with its purposes and principles, in particular the purpose of international cooperation. In the framework of these purposes and principles, the promotion and protection of all human rights is a legitimate concern of the international community. The organs and specialized agencies related to human rights should therefore further enhance the coordination of their activities based on the consistent and objective application of international human rights instruments.

5. All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.

6. The efforts of the United Nations system towards the universal respect for, and observance of, human rights and fundamental freedoms for all, contribute to the stability and well-being necessary for peaceful and friendly relations among nations, and to improved conditions for peace and security as well as social and economic development, in conformity with the Charter of the United Nations.

7. The processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter of the United Nations, and international law.

8. Democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing. Democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives. In the context of the above, the promotion and protection of human rights and fundamental freedoms at the national and international levels should be universal and conducted without conditions attached. The international community should support the strengthening and promoting of democracy, development and respect for human rights and fundamental freedoms in the entire world.

9. The World Conference on Human Rights reaffirms that least developed countries committed to the process of democratization and economic reforms, many of which are in Africa, should be supported by the international community in order to succeed in their transition to democracy and economic development.

10. The World Conference on Human Rights reaffirms the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights.

As stated in the Declaration on the Right to Development, the human person is the central subject of development.

While development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights.

States should cooperate with each other in ensuring development and eliminating obstacles to development. The international community should promote an effective international cooperation for the realization of the right to development and the elimination of obstacles to development.

Lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level.

11. The right to development should be fulfilled so as to meet equitably the developmental and environmental needs of present and future generations. The World Conference on Human Rights recognizes that illicit dumping of toxic and dangerous substances and waste potentially constitutes a serious threat to the human rights to life and health of everyone.

Consequently, the World Conference on Human Rights calls on all States to adopt and vigorously implement existing conventions relating to the dumping of toxic and dangerous products and waste and to cooperate in the prevention of illicit dumping.

Everyone has the right to enjoy the benefits of scientific progress and its applications. The World Conference on Human Rights notes that certain advances, notably in the biomedical and life sciences as well as in information technology, may have potentially adverse consequences for the integrity, dignity and human rights of the individual, and calls for international cooperation to ensure that human rights and dignity are fully respected in this area of universal concern.

12. The World Conference on Human Rights calls upon the international community to make all efforts to help alleviate the external debt burden of developing countries, in order to supplement the efforts of the Governments of such countries to attain the full realization of the economic, social and cultural rights of their people.

13. There is a need for States and international organizations, in cooperation with non-governmental organizations, to create favourable conditions at the national, regional and international levels to ensure the full and effective enjoyment of human rights. States should eliminate all violations of human rights and their causes, as well as obstacles to the enjoyment of these rights.

14. The existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights; its immediate alleviation and eventual elimination must remain a high priority for the international community.

15. Respect for human rights and for fundamental freedoms without distinction of any kind is a fundamental rule of international human rights law. The speedy and comprehensive elimination of all forms of racism and racial discrimination, xenophobia and related intolerance is a priority task for the international community. Governments should take effective measures to prevent and combat them. Groups, institutions, intergovernmental and non-governmental organizations and individuals are urged to intensify their efforts in cooperating and coordinating their activities against these evils.

16. The World Conference on Human Rights welcomes the progress made in dismantling apartheid and calls upon the international community and the United Nations system to assist in this process.

The World Conference on Human Rights also deplores the continuing acts of violence aimed at undermining the quest for a peaceful dismantling of apartheid.

17. The acts, methods and practices of terrorism in all its forms and manifestations as well as linkage in some countries to drug trafficking are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity, security of States and destabilizing legitimately constituted Governments. The international community should take the necessary steps to enhance cooperation to prevent and combat terrorism.

18. The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community.

Gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking, are incompatible with the dignity and worth of the human person, and must be eliminated. This can be achieved by legal measures and through national action and international cooperation in such fields as economic and social development, education, safe maternity and health care, and social support.

The human rights of women should form an integral part of the United Nations human rights activities, including the promotion of all human rights instruments relating to women.

The World Conference on Human Rights urges Governments, institutions, intergovernmental and non-governmental organizations to intensify their efforts for the protection and promotion of human rights of women and the girl-child.

19. Considering the importance of the promotion and protection of the rights of persons belonging to minorities and the contribution of such promotion and protection to the political and social stability of the States in which such persons live,

The World Conference on Human Rights reaffirms the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

The persons belonging to minorities have the right to enjoy their own culture, to profess and practise their own religion and to use their own language in private and in public, freely and without interference or any form of discrimination.

20. The World Conference on Human Rights recognizes the inherent dignity and the unique contribution of indigenous people to the development and plurality of society and strongly reaffirms the commitment of the international community to their economic, social and cultural well-being and their enjoyment of the fruits of sustainable development. States should ensure the full and free participation of indigenous people in all aspects of society, in particular in matters of concern to them. Considering the importance of the promotion and protection of the rights of indigenous people, and the contribution of such promotion and protection to the political and social stability of the States in which such people live, States should, in accordance with international law, take concerted positive steps to ensure respect for all human rights and fundamental freedoms of indigenous people, on the basis of equality and non-discrimination, and recognize the value and diversity of their distinct identities, cultures and social organization.

21. The World Conference on Human Rights, welcoming the early ratification of the Convention on the Rights of the Child by a large number of States and noting the recognition of the human rights of children in the World Declaration on the Survival, Protection and Development of Children and Plan of Action adopted by the World Summit for Children, urges universal ratification of the Convention by 1995 and its effective implementation by States parties through the adoption of all the necessary legislative, administrative and other measures and the allocation to the maximum extent of the available resources. In all actions concerning children, non-discrimination and the best interest of the child should be primary considerations and the views of the child given due weight. National and international mechanisms and programmes should be strengthened for the defence and protection of children, in particular, the girl-child, abandoned children, street children, economically and sexually exploited children, including through child pornography, child prostitution or sale of organs, children victims of diseases including acquired immunodeficiency syndrome, refugee and displaced children, children in detention, children in armed conflict, as well as children victims of famine and drought and other emergencies. International cooperation and solidarity should be promoted to support the implementation of the Convention and the rights of the child should be a priority in the United Nations system-wide action on human rights.

The World Conference on Human Rights also stresses that the child for the full and harmonious development of his or her personality should grow up in a family environment which accordingly merits broader protection.

22. Special attention needs to be paid to ensuring non-discrimination, and the equal enjoyment of all human rights and fundamental freedoms by disabled persons, including their active participation in all aspects of society.

23. The World Conference on Human Rights reaffirms that everyone, without distinction of any kind, is entitled to the right to seek and to enjoy in other countries asylum from persecution, as well as the right to return to one's own country. In this respect it stresses the importance of the Universal Declaration of Human Rights, the 1951 Convention relating to the Status of Refugees, its 1967 Protocol and regional instruments. It expresses its appreciation to States that continue to admit and host large numbers of refugees in their territories, and to the Office of the United Nations High

Commissioner for Refugees for its dedication to its task. It also expresses its appreciation to the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

The World Conference on Human Rights recognizes that gross violations of human rights, including in armed conflicts, are among the multiple and complex factors leading to displacement of people.

The World Conference on Human Rights recognizes that, in view of the complexities of the global refugee crisis and in accordance with the Charter of the United Nations, relevant international instruments and international solidarity and in the spirit of burden-sharing, a comprehensive approach by the international community is needed in coordination and cooperation with the countries concerned and relevant organizations, bearing in mind the mandate of the United Nations High Commissioner for Refugees. This should include the development of strategies to address the root causes and effects of movements of refugees and other displaced persons, the strengthening of emergency preparedness and response mechanisms, the provision of effective protection and assistance, bearing in mind the special needs of women and children, as well as the achievement of durable solutions, primarily through the preferred solution of dignified and safe voluntary repatriation, including solutions such as those adopted by the international refugee conferences. The World Conference on Human Rights underlines the responsibilities of States, particularly as they relate to the countries of origin.

In the light of the comprehensive approach, the World Conference on Human Rights emphasizes the importance of giving special attention including through intergovernmental and humanitarian organizations and finding lasting solutions to questions related to internally displaced persons including their voluntary and safe return and rehabilitation.

In accordance with the Charter of the United Nations and the principles of humanitarian law, the World Conference on Human Rights further emphasizes the importance of and the need for humanitarian assistance to victims of all natural and man-made disasters.

24. Great importance must be given to the promotion and protection of the human rights of persons belonging to groups which have been rendered vulnerable, including migrant workers, the elimination of all forms of discrimination against them, and the strengthening and more effective implementation of existing human rights instruments. States have an obligation to create and maintain adequate measures at the national level, in particular in the fields of education, health and social support, for the promotion and protection of the rights of persons in vulnerable sectors of their populations and to ensure the participation of those among them who are interested in finding a solution to their own problems.

25. The World Conference on Human Rights affirms that extreme poverty and social exclusion constitute a violation of human dignity and that urgent steps are necessary to achieve better knowledge of extreme poverty and its causes, including those related to the problem of development, in order to promote the human rights of the poorest, and to put an end to extreme poverty and social exclusion and to promote the enjoyment of the fruits of social progress. It

is essential for States to foster participation by the poorest people in the decision-making process by the community in which they live, the promotion of human rights and efforts to combat extreme poverty.

26. The World Conference on Human Rights welcomes the progress made in the codification of human rights instruments, which is a dynamic and evolving process, and urges the universal ratification of human rights treaties. All States are encouraged to accede to these international instruments; all States are encouraged to avoid, as far as possible, the resort to reservations.

27. Every State should provide an effective framework of remedies to redress human rights grievances or violations. The administration of justice, including law enforcement and prosecutorial agencies and, especially, an independent judiciary and legal profession in full conformity with applicable standards contained in international human rights instruments, are essential to the full and non-discriminatory realization of human rights and indispensable to the processes of democracy and sustainable development. In this context, institutions concerned with the administration of justice should be properly funded, and an increased level of both technical and financial assistance should be provided by the international community. It is incumbent upon the United Nations to make use of special programmes of advisory services on a priority basis for the achievement of a strong and independent administration of justice.

28. The World Conference on Human Rights expresses its dismay at massive violations of human rights especially in the form of genocide, "ethnic cleansing" and systematic rape of women in war situations, creating mass exodus of refugees and displaced persons. While strongly condemning such abhorrent practices it reiterates the call that perpetrators of such crimes be punished and such practices immediately stopped.

29. The World Conference on Human Rights expresses grave concern about continuing human rights violations in all parts of the world in disregard of standards as contained in international human rights instruments and international humanitarian law and about the lack of sufficient and effective remedies for the victims.

The World Conference on Human Rights is deeply concerned about violations of human rights during armed conflicts, affecting the civilian population, especially women, children, the elderly and the disabled. The Conference therefore calls upon States and all parties to armed conflicts strictly to observe international humanitarian law, as set forth in the Geneva Conventions of 1949 and other rules and principles of international law, as well as minimum standards for protection of human rights, as laid down in international conventions.

The World Conference on Human Rights reaffirms the right of the victims to be assisted by humanitarian organizations, as set forth in the Geneva Conventions of 1949 and other relevant instruments of international humanitarian law, and calls for the safe and timely access for such assistance.

30. The World Conference on Human Rights also expresses its dismay and condemnation that gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of all human rights continue to occur in different parts of the world. Such violations and obstacles include, as well as torture and cruel, inhuman and degrading treatment or punishment, summary and arbitrary executions, disappearances, arbitrary detentions, all forms of racism, racial discrimination and apartheid, foreign occupation and alien domination, xenophobia, poverty, hunger and other denials of economic, social and cultural rights, religious intolerance, terrorism, discrimination against women and lack of the rule of law.

31. The World Conference on Human Rights calls upon States to refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of the human rights set forth in the Universal Declaration of Human Rights and international human rights instruments, in particular the rights of everyone to a standard of living adequate for their health and well-being, including food and medical care, housing and the necessary social services. The World Conference on Human Rights affirms that food should not be used as a tool for political pressure.

32. The World Conference on Human Rights reaffirms the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues.

33. The World Conference on Human Rights reaffirms that States are duty-bound, as stipulated in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights and in other international human rights instruments, to ensure that education is aimed at strengthening the respect of human rights and fundamental freedoms. The World Conference on Human Rights emphasizes the importance of incorporating the subject of human rights education programmes and calls upon States to do so. Education should promote understanding, tolerance, peace and friendly relations between the nations and all racial or religious groups and encourage the development of United Nations activities in pursuance of these objectives. Therefore, education on human rights and the dissemination of proper information, both theoretical and practical, play an important role in the promotion and respect of human rights with regard to all individuals without distinction of any kind such as race, sex, language or religion, and this should be integrated in the education policies at the national as well as international levels. The World Conference on Human Rights notes that resource constraints and institutional inadequacies may impede the immediate realization of these objectives.

34. Increased efforts should be made to assist countries which so request to create the conditions whereby each individual can enjoy universal human rights and fundamental freedoms. Governments, the United Nations system as well as other multilateral organizations are urged to increase considerably the resources allocated to programmes aiming at the establishment and strengthening of national legislation, national institutions and related infrastructures which uphold the rule of law and democracy, electoral

assistance, human rights awareness through training, teaching and education, popular participation and civil society.

The programmes of advisory services and technical cooperation under the Centre for Human Rights should be strengthened as well as made more efficient and transparent and thus become a major contribution to improving respect for human rights. States are called upon to increase their contributions to these programmes, both through promoting a larger allocation from the United Nations regular budget, and through voluntary contributions.

35. The full and effective implementation of United Nations activities to promote and protect human rights must reflect the high importance accorded to human rights by the Charter of the United Nations and the demands of the United Nations human rights activities, as mandated by Member States. To this end, United Nations human rights activities should be provided with increased resources.

36. The World Conference on Human Rights reaffirms the important and constructive role played by national institutions for the promotion and protection of human rights, in particular in their advisory capacity to the competent authorities, their role in remedying human rights violations, in the dissemination of human rights information, and education in human rights.

The World Conference on Human Rights encourages the establishment and strengthening of national institutions, having regard to the "Principles relating to the status of national institutions" and recognizing that it is the right of each State to choose the framework which is best suited to its particular needs at the national level.

37. Regional arrangements play a fundamental role in promoting and protecting human rights. They should reinforce universal human rights standards, as contained in international human rights instruments, and their protection. The World Conference on Human Rights endorses efforts under way to strengthen these arrangements and to increase their effectiveness, while at the same time stressing the importance of cooperation with the United Nations human rights activities.

The World Conference on Human Rights reiterates the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist.

38. The World Conference on Human Rights recognizes the important role of non-governmental organizations in the promotion of all human rights and in humanitarian activities at national, regional and international levels. The World Conference on Human Rights appreciates their contribution to increasing public awareness of human rights issues, to the conduct of education, training and research in this field, and to the promotion and protection of all human rights and fundamental freedoms. While recognizing that the primary responsibility for standard-setting lies with States, the conference also appreciates the contribution of non-governmental organizations to this process. In this respect, the World Conference on Human Rights emphasizes the importance of continued dialogue and cooperation between Governments and non-governmental organizations. Non-governmental organizations and their

members genuinely involved in the field of human rights should enjoy the rights and freedoms recognized in the Universal Declaration of Human Rights, and the protection of the national law. These rights and freedoms may not be exercised contrary to the purposes and principles of the United Nations. Non-governmental organizations should be free to carry out their human rights activities, without interference, within the framework of national law and the Universal Declaration of Human Rights.

39. Underlining the importance of objective, responsible and impartial information about human rights and humanitarian issues, the World Conference on Human Rights encourages the increased involvement of the media, for whom freedom and protection should be guaranteed within the framework of national law.

II

A. Increased coordination on human rights within the United Nations system

1. The World Conference on Human Rights recommends increased coordination in support of human rights and fundamental freedoms within the United Nations system. To this end, the World Conference on Human Rights urges all United Nations organs, bodies and the specialized agencies whose activities deal with human rights to cooperate in order to strengthen, rationalize and streamline their activities, taking into account the need to avoid unnecessary duplication. The World Conference on Human Rights also recommends to the Secretary-General that high-level officials of relevant United Nations bodies and specialized agencies at their annual meeting, besides coordinating their activities, also assess the impact of their strategies and policies on the enjoyment of all human rights.

2. Furthermore, the World Conference on Human Rights calls on regional organizations and prominent international and regional finance and development institutions to assess also the impact of their policies and programmes on the enjoyment of human rights.

3. The World Conference on Human Rights recognizes that relevant specialized agencies and bodies and institutions of the United Nations system as well as other relevant intergovernmental organizations whose activities deal with human rights play a vital role in the formulation, promotion and implementation of human rights standards, within their respective mandates, and should take into account the outcome of the World Conference on Human Rights within their fields of competence.

4. The World Conference on Human Rights strongly recommends that a concerted effort be made to encourage and facilitate the ratification of and accession or succession to international human rights treaties and protocols adopted within the framework of the United Nations system with the aim of universal acceptance. The Secretary-General, in consultation with treaty bodies, should consider opening a dialogue with States not having acceded to these human rights treaties, in order to identify obstacles and to seek ways of overcoming them.

5. The World Conference on Human Rights encourages States to consider limiting the extent of any reservations they lodge to international human rights instruments, formulate any reservations as precisely and narrowly as possible, ensure that none is incompatible with the object and purpose of the relevant treaty and regularly review any reservations with a view to withdrawing them.

6. The World Conference on Human Rights, recognizing the need to maintain consistency with the high quality of existing international standards and to avoid proliferation of human rights instruments, reaffirms the guidelines relating to the elaboration of new international instruments contained in General Assembly resolution 41/120 of 4 December 1986 and calls on the United Nations human rights bodies, when considering the elaboration of new international standards, to keep those guidelines in mind, to consult with human rights treaty bodies on the necessity for drafting new standards and to request the Secretariat to carry out technical reviews of proposed new instruments.

7. The World Conference on Human Rights recommends that human rights officers be assigned if and when necessary to regional offices of the United Nations Organization with the purpose of disseminating information and offering training and other technical assistance in the field of human rights upon the request of concerned Member States. Human rights training for international civil servants who are assigned to work relating to human rights should be organized.

8. The World Conference on Human Rights welcomes the convening of emergency sessions of the Commission on Human Rights as a positive initiative and that other ways of responding to acute violations of human rights be considered by the relevant organs of the United Nations system.

Resources

9. The World Conference on Human Rights, concerned by the growing disparity between the activities of the Centre for Human Rights and the human, financial and other resources available to carry them out, and bearing in mind the resources needed for other important United Nations programmes, requests the Secretary-General and the General Assembly to take immediate steps to increase substantially the resources for the human rights programme from within the existing and future regular budgets of the United Nations, and to take urgent steps to seek increased extrabudgetary resources.

10. Within this framework, an increased proportion of the regular budget should be allocated directly to the Centre for Human Rights to cover its costs and all other costs borne by the Centre for Human Rights, including those related to the United Nations human rights bodies. Voluntary funding of the Centre's technical cooperation activities should reinforce this enhanced budget; the World Conference on Human Rights calls for generous contributions to the existing trust funds.

11. The World Conference on Human Rights requests the Secretary-General and the General Assembly to provide sufficient human, financial and other

resources to the Centre for Human Rights to enable it effectively, efficiently and expeditiously to carry out its activities.

12. The World Conference on Human Rights, noting the need to ensure that human and financial resources are available to carry out the human rights activities, as mandated by intergovernmental bodies, urges the Secretary-General, in accordance with Article 101 of the Charter of the United Nations, and Member States to adopt a coherent approach aimed at securing that resources commensurate to the increased mandates are allocated to the Secretariat. The World Conference on Human Rights invites the Secretary-General to consider whether adjustments to procedures in the programme budget cycle would be necessary or helpful to ensure the timely and effective implementation of human rights activities as mandated by Member States.

Centre for Human Rights

13. The World Conference on Human Rights stresses the importance of strengthening the United Nations Centre for Human Rights.

14. The Centre for Human Rights should play an important role in coordinating system-wide attention for human rights. The focal role of the Centre can best be realized if it is enabled to cooperate fully with other United Nations bodies and organs. The coordinating role of the Centre for Human Rights also implies that the office of the Centre for Human Rights in New York is strengthened.

15. The Centre for Human Rights should be assured adequate means for the system of thematic and country rapporteurs, experts, working groups and treaty bodies. Follow-up on recommendations should become a priority matter for consideration by the Commission on Human Rights.

16. The Centre for Human Rights should assume a larger role in the promotion of human rights. This role could be given shape through cooperation with Member States and by an enhanced programme of advisory services and technical assistance. The existing voluntary funds will have to be expanded substantially for these purposes and should be managed in a more efficient and coordinated way. All activities should follow strict and transparent project management rules and regular programme and project evaluations should be held periodically. To this end, the results of such evaluation exercises and other relevant information should be made available regularly. The Centre should, in particular, organize at least once a year information meetings open to all Member States and organizations directly involved in these projects and programmes.

Adaptation and strengthening of the United Nations machinery for human rights, including the question of the establishment of a United Nations High Commissioner for Human Rights

17. The World Conference on Human Rights recognizes the necessity for a continuing adaptation of the United Nations human rights machinery to the current and future needs in the promotion and protection of human rights, as reflected in the present Declaration and within the framework of a balanced

and sustainable development for all people. In particular, the United Nations human rights organs should improve their coordination, efficiency and effectiveness.

18. The World Conference on Human Rights recommends to the General Assembly that when examining the report of the Conference at its forty-eighth session, it begin, as a matter of priority, consideration of the question of the establishment of a High Commissioner for Human Rights for the promotion and protection of all human rights.

B. Equality, dignity and tolerance

1. Racism, racial discrimination, xenophobia and other forms of intolerance

19. The World Conference on Human Rights considers the elimination of racism and racial discrimination, in particular in their institutionalized forms such as apartheid or resulting from doctrines of racial superiority or exclusivity or contemporary forms and manifestations of racism, as a primary objective for the international community and a worldwide promotion programme in the field of human rights. United Nations organs and agencies should strengthen their efforts to implement such a programme of action related to the third decade to combat racism and racial discrimination as well as subsequent mandates to the same end. The World Conference on Human Rights strongly appeals to the international community to contribute generously to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination.

20. The World Conference on Human Rights urges all Governments to take immediate measures and to develop strong policies to prevent and combat all forms and manifestations of racism, xenophobia or related intolerance, where necessary by enactment of appropriate legislation, including penal measures, and by the establishment of national institutions to combat such phenomena.

21. The World Conference on Human Rights welcomes the decision of the Commission on Human Rights to appoint a Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. The World Conference on Human Rights also appeals to all States parties to the International Convention on the Elimination of All Forms of Racial Discrimination to consider making the declaration under article 14 of the Convention.

22. The World Conference on Human Rights calls upon all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and including the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion. The Conference also invites all States to put into practice the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

23. The World Conference on Human Rights stresses that all persons who perpetrate or authorize criminal acts associated with ethnic cleansing are individually responsible and accountable for such human rights violations, and that the international community should exert every effort to bring those legally responsible for such violations to justice.

24. The World Conference on Human Rights calls on all States to take immediate measures, individually and collectively, to combat the practice of ethnic cleansing to bring it quickly to an end. Victims of the abhorrent practice of ethnic cleansing are entitled to appropriate and effective remedies.

2. Persons belonging to national or ethnic, religious and linguistic minorities

25. The World Conference on Human Rights calls on the Commission on Human Rights to examine ways and means to promote and protect effectively the rights of persons belonging to minorities as set out in the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities. In this context, the World Conference on Human Rights calls upon the Centre for Human Rights to provide, at the request of Governments concerned and as part of its programme of advisory services and technical assistance, qualified expertise on minority issues and human rights, as well as on the prevention and resolution of disputes, to assist in existing or potential situations involving minorities.

26. The World Conference on Human Rights urges States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in accordance with the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities.

27. Measures to be taken, where appropriate, should include facilitation of their full participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development in their country.

Indigenous people

28. The World Conference on Human Rights calls on the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to complete the drafting of a declaration on the rights of indigenous people at its eleventh session.

29. The World Conference on Human Rights recommends that the Commission on Human Rights consider the renewal and updating of the mandate of the Working Group on Indigenous Populations upon completion of the drafting of a declaration on the rights of indigenous people.

30. The World Conference on Human Rights also recommends that advisory services and technical assistance programmes within the United Nations system respond positively to requests by States for assistance which would be of direct benefit to indigenous people. The World Conference on Human Rights

further recommends that adequate human and financial resources be made available to the Centre for Human Rights within the overall framework of strengthening the Centre's activities as envisaged by this document.

31. The World Conference on Human Rights urges States to ensure the full and free participation of indigenous people in all aspects of society, in particular in matters of concern to them.

32. The World Conference on Human Rights recommends that the General Assembly proclaim an international decade of the world's indigenous people, to begin from January 1994, including action-orientated programmes, to be decided upon in partnership with indigenous people. An appropriate voluntary trust fund should be set up for this purpose. In the framework of such a decade, the establishment of a permanent forum for indigenous people in the United Nations system should be considered.

Migrant workers

33. The World Conference on Human Rights urges all States to guarantee the protection of the human rights of all migrant workers and their families.

34. The World Conference on Human Rights considers that the creation of conditions to foster greater harmony and tolerance between migrant workers and the rest of the society of the State in which they reside is of particular importance.

35. The World Conference on Human Rights invites States to consider the possibility of signing and ratifying, at the earliest possible time, the International Convention on the Rights of All Migrant Workers and Members of Their Families.

3. The equal status and human rights of women

36. The World Conference on Human Rights urges the full and equal enjoyment by women of all human rights and that this be a priority for Governments and for the United Nations. The World Conference on Human Rights also underlines the importance of the integration and full participation of women as both agents and beneficiaries in the development process, and reiterates the objectives established on global action for women towards sustainable and equitable development set forth in the Rio Declaration on Environment and Development and chapter 24 of Agenda 21, adopted by the United Nations Conference on Environment and Development (Rio de Janeiro, Brazil, 3-14 June 1992).

37. The equal status of women and the human rights of women should be integrated into the mainstream of United Nations system-wide activity. These issues should be regularly and systematically addressed throughout relevant United Nations bodies and mechanisms. In particular, steps should be taken to increase cooperation and promote further integration of objectives and goals between the Commission on the Status of Women, the Commission on Human Rights, the Committee for the Elimination of Discrimination against Women, the United Nations Development Fund for Women, the United Nations Development Programme and other United Nations agencies. In this context, cooperation and

coordination should be strengthened between the Centre for Human Rights and the Division for the Advancement of Women.

38. In particular, the World Conference on Human Rights stresses the importance of working towards the elimination of violence against women in public and private life, the elimination of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism. The World Conference on Human Rights calls upon the General Assembly to adopt the draft declaration on violence against women and urges States to combat violence against women in accordance with its provisions. Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law. All violations of this kind, including in particular murder, systematic rape, sexual slavery, and forced pregnancy, require a particularly effective response.

39. The World Conference on Human Rights urges the eradication of all forms of discrimination against women, both hidden and overt. The United Nations should encourage the goal of universal ratification by all States of the Convention on the Elimination of All Forms of Discrimination against Women by the year 2000. Ways and means of addressing the particularly large number of reservations to the Convention should be encouraged. Inter alia, the Committee on the Elimination of Discrimination against Women should continue its review of reservations to the Convention. States are urged to withdraw reservations that are contrary to the object and purpose of the Convention or which are otherwise incompatible with international treaty law.

40. Treaty monitoring bodies should disseminate necessary information to enable women to make more effective use of existing implementation procedures in their pursuits of full and equal enjoyment of human rights and non-discrimination. New procedures should also be adopted to strengthen implementation of the commitment to women's equality and the human rights of women. The Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women should quickly examine the possibility of introducing the right of petition through the preparation of an optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The World Conference on Human Rights welcomes the decision of the Commission on Human Rights to consider the appointment of a special rapporteur on violence against women at its fiftieth session.

41. The World Conference on Human Rights recognizes the importance of the enjoyment by women of the highest standard of physical and mental health throughout their life span. In the context of the World Conference on Women and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the Proclamation of Tehran of 1968, the World Conference on Human Rights reaffirms, on the basis of equality between women and men, a woman's right to accessible and adequate health care and the widest range of family planning services, as well as equal access to education at all levels.

42. Treaty monitoring bodies should include the status of women and the human rights of women in their deliberations and findings, making use of gender-specific data. States should be encouraged to supply information on the situation of women de jure and de facto in their reports to treaty monitoring bodies. The World Conference on Human Rights notes with satisfaction that the Commission on Human Rights adopted at its forty-ninth session resolution 1993/46 of 8 March 1993 stating that rapporteurs and working groups in the field of human rights should also be encouraged to do so. Steps should also be taken by the Division for the Advancement of Women in cooperation with other United Nations bodies, specifically the Centre for Human Rights, to ensure that the human rights activities of the United Nations regularly address violations of women's human rights, including gender-specific abuses. Training for United Nations human rights and humanitarian relief personnel to assist them to recognize and deal with human rights abuses particular to women and to carry out their work without gender bias should be encouraged.

43. The World Conference on Human Rights urges Governments and regional and international organizations to facilitate the access of women to decision-making posts and their greater participation in the decision-making process. It encourages further steps within the United Nations Secretariat to appoint and promote women staff members in accordance with the Charter of the United Nations, and encourages other principal and subsidiary organs of the United Nations to guarantee the participation of women under conditions of equality.

44. The World Conference on Human Rights welcomes the World Conference on Women to be held in Beijing in 1995 and urges that human rights of women should play an important role in its deliberations, in accordance with the priority themes of the World Conference on Women of equality, development and peace.

4. The rights of the child

45. The World Conference on Human Rights reiterates the principle of "First Call for Children" and, in this respect, underlines the importance of major national and international efforts, especially those of the United Nations Children's Fund, for promoting respect for the rights of the child to survival, protection, development and participation.

46. Measures should be taken to achieve universal ratification of the Convention on the Rights of the Child by 1995 and the universal signing of the World Declaration on the Survival, Protection and Development of Children and Plan of Action adopted by the World Summit for Children, as well as their effective implementation. The World Conference on Human Rights urges States to withdraw reservations to the Convention on the Rights of the Child contrary to the object and purpose of the Convention or otherwise contrary to international treaty law.

47. The World Conference on Human Rights urges all nations to undertake measures to the maximum extent of their available resources, with the support of international cooperation, to achieve the goals in the World Summit Plan of Action. The Conference calls on States to integrate the Convention on the

Rights of the Child into their national action plans. By means of these national action plans and through international efforts, particular priority should be placed on reducing infant and maternal mortality rates, reducing malnutrition and illiteracy rates and providing access to safe drinking water and to basic education. Whenever so called for, national plans of action should be devised to combat devastating emergencies resulting from natural disasters and armed conflicts and the equally grave problem of children in extreme poverty.

48. The World Conference on Human Rights urges all States, with the support of international cooperation, to address the acute problem of children under especially difficult circumstances. Exploitation and abuse of children should be actively combated, including by addressing their root causes. Effective measures are required against female infanticide, harmful child labour, sale of children and organs, child prostitution, child pornography, as well as other forms of sexual abuse.

49. The World Conference on Human Rights supports all measures by the United Nations and its specialized agencies to ensure the effective protection and promotion of human rights of the girl child. The World Conference on Human Rights urges States to repeal existing laws and regulations and remove customs and practices which discriminate against and cause harm to the girl child.

50. The World Conference on Human Rights strongly supports the proposal that the Secretary-General initiate a study into means of improving the protection of children in armed conflicts. Humanitarian norms should be implemented and measures taken in order to protect and facilitate assistance to children in war zones. Measures should include protection for children against indiscriminate use of all weapons of war, especially anti-personnel mines. The need for aftercare and rehabilitation of children traumatized by war must be addressed urgently. The Conference calls on the Committee on the Rights of the Child to study the question of raising the minimum age of recruitment into armed forces.

51. The World Conference on Human Rights recommends that matters relating to human rights and the situation of children be regularly reviewed and monitored by all relevant organs and mechanisms of the United Nations system and by the supervisory bodies of the specialized agencies in accordance with their mandates.

52. The World Conference on Human Rights recognizes the important role played by non-governmental organizations in the effective implementation of all human rights instruments and, in particular, the Convention on the Rights of the Child.

53. The World Conference on Human Rights recommends that the Committee on the Rights of the Child, with the assistance of the Centre for Human Rights, be enabled expeditiously and effectively to meet its mandate, especially in view of the unprecedented extent of ratification and subsequent submission of country reports.

5. Freedom from torture

54. The World Conference on Human Rights welcomes the ratification by many Member States of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and encourages its speedy ratification by all other Member States.

55. The World Conference on Human Rights emphasizes that one of the most atrocious violations against human dignity is the act of torture, the result of which destroys the dignity and impairs the capability of victims to continue their lives and their activities.

56. The World Conference on Human Rights reaffirms that under human rights law and international humanitarian law, freedom from torture is a right which must be protected under all circumstances, including in times of internal or international disturbance or armed conflicts.

57. The World Conference on Human Rights therefore urges all States to put an immediate end to the practice of torture and eradicate this evil forever through full implementation of the Universal Declaration of Human Rights as well as the relevant conventions and, where necessary, strengthening of existing mechanisms. The World Conference on Human Rights calls on all States to cooperate fully with the Special Rapporteur on the question of torture in the fulfilment of his mandate.

58. Special attention should be given to ensure universal respect for, and effective implementation of, the Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment adopted by the General Assembly of the United Nations.

59. The World Conference on Human Rights stresses the importance of further concrete action within the framework of the United Nations with the view to providing assistance to victims of torture and ensure more effective remedies for their physical, psychological and social rehabilitation. Providing the necessary resources for this purpose should be given high priority, inter alia, by additional contributions to the United Nations Voluntary Fund for the Victims of Torture.

60. States should abrogate legislation leading to impunity for those responsible for grave violations of human rights such as torture and prosecute such violations, thereby providing a firm basis for the rule of law.

61. The World Conference on Human Rights reaffirms that efforts to eradicate torture should, first and foremost, be concentrated on prevention and, therefore, calls for the early adoption of an optional protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, which is intended to establish a preventive system of regular visits to places of detention.

Enforced disappearances

62. The World Conference on Human Rights, welcoming the adoption by the General Assembly of the Declaration on the Protection of All Persons from Enforced Disappearance, calls upon all States to take effective legislative, administrative, judicial or other measures to prevent, terminate and punish acts of enforced disappearances. The World Conference on Human Rights reaffirms that it is the duty of all States, under any circumstances, to make investigations whenever there is reason to believe that an enforced disappearance has taken place on a territory under their jurisdiction and, if allegations are confirmed, to prosecute its perpetrators.

6. The rights of the disabled person

63. The World Conference on Human Rights reaffirms that all human rights and fundamental freedoms are universal and thus unreservedly include persons with disabilities. Every person is born equal and has the same rights to life and welfare, education and work, living independently and active participation in all aspects of society. Any direct discrimination or other negative discriminatory treatment of a disabled person is therefore a violation of his or her rights. The World Conference on Human Rights calls on Governments, where necessary, to adopt or adjust legislation to assure access to these and other rights for disabled persons.

64. The place of disabled persons is everywhere. Persons with disabilities should be guaranteed equal opportunity through the elimination of all socially determined barriers, be they physical, financial, social or psychological, which exclude or restrict full participation in society.

65. Recalling the World Programme of Action concerning Disabled Persons, adopted by the General Assembly at its thirty-seventh session, the World Conference on Human Rights calls upon the General Assembly and the Economic and Social Council to adopt the draft standard rules on the equalization of opportunities for persons with disabilities, at their meetings in 1993.

C. Cooperation, development and strengthening of human rights

66. The World Conference on Human Rights recommends that priority be given to national and international action to promote democracy, development and human rights.

67. Special emphasis should be given to measures to assist in the strengthening and building of institutions relating to human rights, strengthening of a pluralistic civil society and the protection of groups which have been rendered vulnerable. In this context, assistance provided upon the request of Governments for the conduct of free and fair elections, including assistance in the human rights aspects of elections and public information about elections, is of particular importance. Equally important is the assistance to be given to the strengthening of the rule of law, the promotion of freedom of expression and the administration of justice, and to the real and effective participation of the people in the decision-making processes.

68. The World Conference on Human Rights stresses the need for the implementation of strengthened advisory services and technical assistance activities by the Centre for Human Rights. The Centre should make available to States upon request assistance on specific human rights issues, including the preparation of reports under human rights treaties as well as for the implementation of coherent and comprehensive plans of action for the promotion and protection of human rights. Strengthening the institutions of human rights and democracy, the legal protection of human rights, training of officials and others, broad-based education and public information aimed at promoting respect for human rights should all be available as components of these programmes.

69. The World Conference on Human Rights strongly recommends that a comprehensive programme be established within the United Nations in order to help States in the task of building and strengthening adequate national structures which have a direct impact on the overall observance of human rights and the maintenance of the rule of law. Such a programme, to be coordinated by the Centre for Human Rights, should be able to provide, upon the request of the interested Government, technical and financial assistance to national projects in reforming penal and correctional establishments, education and training of lawyers, judges and security forces in human rights, and any other sphere of activity relevant to the good functioning of the rule of law. That programme should make available to States assistance for the implementation of plans of action for the promotion and protection of human rights.

70. The World Conference on Human Rights requests the Secretary-General of the United Nations to submit proposals to the United Nations General Assembly, containing alternatives for the establishment, structure, operational modalities and funding of the proposed programme.

71. The World Conference on Human Rights recommends that each State consider the desirability of drawing up a national action plan identifying steps whereby that State would improve the promotion and protection of human rights.

72. The World Conference on Human Rights on Human Rights reaffirms that the universal and inalienable right to development, as established in the Declaration on the Right to Development, must be implemented and realized. In this context, the World Conference on Human Rights welcomes the appointment by the Commission on Human Rights of a thematic working group on the right to development and urges that the Working Group, in consultation and cooperation with other organs and agencies of the United Nations system, promptly formulate, for early consideration by the United Nations General Assembly, comprehensive and effective measures to eliminate obstacles to the implementation and realization of the Declaration on the Right to Development and recommending ways and means towards the realization of the right to development by all States.

73. The World Conference on Human Rights recommends that non-governmental and other grass-roots organizations active in development and/or human rights should be enabled to play a major role on the national and international levels in the debate, activities and implementation relating to the right to

development and, in cooperation with Governments, in all relevant aspects of development cooperation.

74. The World Conference on Human Rights appeals to Governments, competent agencies and institutions to increase considerably the resources devoted to building well-functioning legal systems able to protect human rights, and to national institutions working in this area. Actors in the field of development cooperation should bear in mind the mutually reinforcing interrelationship between development, democracy and human rights. Cooperation should be based on dialogue and transparency. The World Conference on Human Rights also calls for the establishment of comprehensive programmes, including resource banks of information and personnel with expertise relating to the strengthening of the rule of law and of democratic institutions.

75. The World Conference on Human Rights encourages the Commission on Human Rights, in cooperation with the Committee on Economic, Social and Cultural Rights, to continue the examination of optional protocols to the International Covenant on Economic, Social and Cultural Rights.

76. The World Conference on Human Rights recommends that more resources be made available for the strengthening or the establishment of regional arrangements for the promotion and protection of human rights under the programmes of advisory services and technical assistance of the Centre for Human Rights. States are encouraged to request assistance for such purposes as regional and subregional workshops, seminars and information exchanges designed to strengthen regional arrangements for the promotion and protection of human rights in accord with universal human rights standards as contained in international human rights instruments.

77. The World Conference on Human Rights supports all measures by the United Nations and its relevant specialized agencies to ensure the effective promotion and protection of trade union rights, as stipulated in the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments. It calls on all States to abide fully by their obligations in this regard contained in international instruments.

D. Human rights education

78. The World Conference on Human Rights considers human rights education, training and public information essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace.

79. States should strive to eradicate illiteracy and should direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. The World Conference on Human Rights calls on all States and institutions to include human rights, humanitarian law, democracy and rule of law as subjects in the curricula of all learning institutions in formal and non-formal settings.

80. Human rights education should include peace, democracy, development and social justice, as set forth in international and regional human rights

instruments, in order to achieve common understanding and awareness with a view to strengthening universal commitment to human rights.

81. Taking into account the World Plan of Action on Education for Human Rights and Democracy, adopted in March 1993 by the International Congress on Education for Human Rights and Democracy of the United Nations Educational, Scientific and Cultural Organization, and other human rights instruments, the World Conference on Human Rights recommends that States develop specific programmes and strategies for ensuring the widest human rights education and the dissemination of public information, taking particular account of the human rights needs of women.

82. Governments, with the assistance of intergovernmental organizations, national institutions and non-governmental organizations, should promote an increased awareness of human rights and mutual tolerance. The World Conference on Human Rights underlines the importance of strengthening the World Public Information Campaign for Human Rights carried out by the United Nations. They should initiate and support education in human rights and undertake effective dissemination of public information in this field. The advisory services and technical assistance programmes of the United Nations system should be able to respond immediately to requests from States for educational and training activities in the field of human rights as well as for special education concerning standards as contained in international human rights instruments and in humanitarian law and their application to special groups such as military forces, law enforcement personnel, police and the health profession. The proclamation of a United Nations decade for human rights education in order to promote, encourage and focus these educational activities should be considered.

E. Implementation and monitoring methods

83. The World Conference on Human Rights urges Governments to incorporate standards as contained in international human rights instruments in domestic legislation and to strengthen national structures, institutions and organs of society which play a role in promoting and safeguarding human rights.

84. The World Conference on Human Rights recommends the strengthening of United Nations activities and programmes to meet requests for assistance by States which want to establish or strengthen their own national institutions for the promotion and protection of human rights.

85. The World Conference on Human Rights also encourages the strengthening of cooperation between national institutions for the promotion and protection of human rights, particularly through exchanges of information and experience, as well as cooperation with regional organizations and the United Nations.

86. The World Conference on Human Rights strongly recommends in this regard that representatives of national institutions for the promotion and protection of human rights convene periodic meetings under the auspices of the Centre for Human Rights to examine ways and means of improving their mechanisms and sharing experiences.

87. The World Conference on Human Rights recommends to the human rights treaty bodies, to the meetings of chairpersons of the treaty bodies and to the meetings of States parties that they continue to take steps aimed at coordinating the multiple reporting requirements and guidelines for preparing State reports under the respective human rights conventions and study the suggestion that the submission of one overall report on treaty obligations undertaken by each State would make these procedures more effective and increase their impact.

88. The World Conference on Human Rights recommends that the States parties to international human rights instruments, the General Assembly and the Economic and Social Council should consider studying the existing human rights treaty bodies and the various thematic mechanisms and procedures with a view to promoting greater efficiency and effectiveness through better coordination of the various bodies, mechanisms and procedures, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks.

89. The World Conference on Human Rights recommends continued work on the improvement of the functioning, including the monitoring tasks, of the treaty bodies, taking into account multiple proposals made in this respect, in particular those made by the treaty bodies themselves and by the meetings of the chairpersons of the treaty bodies. The comprehensive national approach taken by the Committee on the Rights of the Child should also be encouraged.

90. The World Conference on Human Rights recommends that States parties to human rights treaties consider accepting all the available optional communication procedures.

91. The World Conference on Human Rights views with concern the issue of impunity of perpetrators of human rights violations, and supports the efforts of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine all aspects of the issue.

92. The World Conference on Human Rights recommends that the Commission on Human Rights examine the possibility for better implementation of existing human rights instruments at the international and regional levels and encourages the International Law Commission to continue its work on an international criminal court.

93. The World Conference on Human Rights appeals to States which have not yet done so to accede to the Geneva Conventions of 12 August 1949 and the Protocols thereto, and to take all appropriate national measures, including legislative ones, for their full implementation.

94. The World Conference on Human Rights recommends the speedy completion and adoption of the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

95. The World Conference on Human Rights underlines the importance of preserving and strengthening the system of special procedures, rapporteurs, representatives, experts and working groups of the Commission on Human Rights

and the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, in order to enable them to carry out their mandates in all countries throughout the world, providing them with the necessary human and financial resources. The procedures and mechanisms should be enabled to harmonize and rationalize their work through periodic meetings. All States are asked to cooperate fully with these procedures and mechanisms.

96. The World Conference on Human Rights recommends that the United Nations assume a more active role in the promotion and protection of human rights in ensuring full respect for international humanitarian law in all situations of armed conflict, in accordance with the purposes and principles of the Charter of the United Nations.

97. The World Conference on Human Rights, recognizing the important role of human rights components in specific arrangements concerning some peace-keeping operations by the United Nations, recommends that the Secretary-General take into account the reporting, experience and capabilities of the Centre for Human Rights and human rights mechanisms, in conformity with the Charter of the United Nations.

98. To strengthen the enjoyment of economic, social and cultural rights, additional approaches should be examined, such as a system of indicators to measure progress in the realization of the rights set forth in the International Covenant on Economic, Social and Cultural Rights. There must be a concerted effort to ensure recognition of economic, social and cultural rights at the national, regional and international levels.

F. Follow-up to the World Conference on Human Rights

99. The World Conference on Human Rights on Human Rights recommends that the General Assembly, the Commission on Human Rights and other organs and agencies of the United Nations system related to human rights consider ways and means for the full implementation, without delay, of the recommendations contained in the present Declaration, including the possibility of proclaiming a United Nations decade for human rights. The World Conference on Human Rights further recommends that the Commission on Human Rights annually review the progress towards this end.

100. The World Conference on Human Rights requests the Secretary-General of the United Nations to invite on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights all States, all organs and agencies of the United Nations system related to human rights, to report to him on the progress made in the implementation of the present Declaration and to submit a report to the General Assembly at its fifty-third session, through the Commission on Human Rights and the Economic and Social Council. Likewise, regional and, as appropriate, national human rights institutions, as well as non-governmental organizations, may present their views to the Secretary-General on the progress made in the implementation of the present Declaration. Special attention should be paid to assessing the progress towards the goal of universal ratification of international human rights treaties and protocols adopted within the framework of the United Nations system.

Delivery Text

STATEMENT

**BY
H.E. HAN SUNG-JOO
THE MINISTER OF FOREIGN AFFAIRS
OF
THE REPUBLIC OF KOREA
AT THE
WORLD CONFERENCE ON HUMAN RIGHTS**

**Vienna
15 June 1993**

Mr. President,
Distinguished Delegates,
Ladies and Gentlemen,

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

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

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

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

(New World Order and Human Rights)

Mr. President,

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

in the wake of the Cold War. Ideologically speaking, World War II was fought against fascism and the Cold War against communism. The demise of the Cold War means that liberal democracy has survived and triumphed.

In retrospect, oppressive ideologies perversely justified the systematic and wholesale violation of human rights in the twentieth century. Now, we can put to rest frightening Orwellian phrases such as "freedom is slavery" or "two and two make five." States that ignored such basic rights as the freedom to choose where to live, not to mention the freedom to travel, are ceasing to exist.

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

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

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

At the same time, we have to bear in mind that the journey toward human rights cannot be completed overnight. It will be a long and arduous one to be achieved concurrently with other tasks. Without