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Official Records

President: The Hon. Julian R. Hunte. (Saint Lucia)

The meeting was called to order at 10.05 a.m.

Agenda item 48

Fifty-fifth anniversary of the Universal Declaration of Human Rights

Award of human rights prizes in 2003

Agenda item 117

Human rights questions

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

Tenth anniversary of the adoption of the Vienna Declaration and Programme of Action

The President: I declare open the commemorative meetings devoted to the observance of the fifty-fifth anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the adoption of the Vienna Declaration and Programme of Action, under agenda items 48 and 117 (d).

Today is Human Rights Day. Yet, on this Day, when we celebrate our entitlement to human rights and fundamental freedoms, countless incidents of human rights abuses will occur around the world.

On Human Rights Day, civilians will continue to be targeted as combatants in war and conflict; refugees

and displaced persons will continue to number in the millions; violence against women and children will remain pervasive; human beings will continue to be trafficked into prostitution and slavery; people will continue to be subjected to torture and arbitrary detention; religious intolerance will continue to be a fact of life for many; countries and regions will continue to be ravaged by deadly diseases such as HIV/AIDS; and inequalities in the global economic system will continue to subject hundreds of millions to poverty and misery, particularly in the developing world.

Grave human rights problems, however, must not hinder us from celebrating, on this Human Rights Day, the progress we have made, for indeed it is a day of special significance for the peoples of the world. On this day in 1948, the Universal Declaration of Human Rights proclaimed the rights of all humankind and became the centrepiece of our human rights endeavours. It was, then, as it is now, a noble vision and a beacon of hope, calling nations, societies and individuals to work towards the common goal of enjoyment by all of civil, political, economic, social and cultural rights.

Having as a firm foundation the rights enshrined in the Declaration, the obligations arising from the human rights Covenants and other international and regional human rights instruments, and international and regional human rights institutions and mechanisms, we have made important progress in the field of human rights. The inalienable right of all peoples and human

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beings to the full range of human rights, including freedom, equality, dignity, social justice, self-determination and the right to be democratically governed, is today unquestionable. Those who violate those rights must know that they cannot expect to do so with impunity.

If there is a group to which I would make particular reference on this Human Rights Day, it is the children — our future, and our best hope for a world in which human rights and fundamental freedoms are truly respected and protected. Children's rights are set out in the International Convention on the Rights of the Child. We must live up to these standards to provide decent life chances for every child, even as we promote among children the ideals of human rights and fundamental freedoms.

If we are to build a universal culture of human rights — and I believe that we must — we must begin with the children. Human rights education must be an integral aspect of the education we give our children. Education and learning, however, is a lifetime process, as is living together in peace. The time has come, therefore, to include human rights education in the curriculums of our primary and secondary schools, and in all our institutions of learning. For it is through human rights education that we will inculcate and reinforce respect, tolerance and friendship, and bring about the realization and protection of human rights across the globe.

However, to live up to our commitments to promote and protect human rights and fundamental freedoms requires us to do much more. We must commit ourselves to uphold the ideals of the United Nations Charter and the Universal Declaration of Human Rights and to implement human rights instruments and standards through our parliaments, the courts and national human rights institutions.

It is important that we act decisively over the full range of issues impacting the enjoyment of human rights and fundamental freedoms today. The United Nations and the international community as a whole are challenged to devise solutions to seemingly intractable conflicts and war, in the wake of which massive violations of human rights occur. We must strive for a more equitable global economic system, so as to eradicate poverty and hunger. We must cooperate in confronting grave pandemics, such as HIV/AIDS. And

we must be particularly vigilant in respect of the rights of vulnerable groups, including women and children.

The exemplary persons and organizations who are today recipients of the 2003 United Nations Prize in the Field of Human Rights, given on this fifty-fifth anniversary of the Universal Declaration of Human Rights, are strong advocates for international cooperation and for the promotion and protection of human rights. But today's six awardees, among them the very respected late Sergio Vieira de Mello, have been much more. They have been people of action and strong defenders of the rights of humankind, whether in the area of disabilities, peace and security or the equality of men and women. They come from all parts of the world. They encourage and inspire us, both with their words and their deeds.

It is my pleasure to commend and pay tribute to the awardees on this Human Rights Day, a day that affords us the opportunity to recommit ourselves to building a world in the image of the Universal Declaration of Human Rights. We must embrace this opportunity for the mobilization of conscience around the Universal Declaration of Human Rights and the international human rights instruments, to renew our pledge to fight against injustices and gross violations of human rights, wherever they occur, and to strengthen our resolve to intensify international cooperation for the universal realization of human rights and fundamental freedoms.

The Assembly will now begin the ceremony for the award of the United Nations Prizes in the Field of Human Rights for 2003. In accordance with General Assembly resolution 2217 (XXI) of 19 December 1966, six prizes are to be awarded this year to individuals and organizations that have made outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

The award recipients are the following.

Ms. Enriqueta Estela Barnes de Carlotto of Argentina is the President of the Association of Plaza de Mayo Grandmothers, which was established in 1977 in response to the forced or involuntary disappearance of hundreds of children following the military coup in Argentina in 1976. At that time, many children were either abducted with their parents or born in clandestine detention centres for young pregnant women. In addition to locating missing and kidnapped children and restoring them to their rightful families,

Ms. Barnes de Carlotto and the Association have been advocating the rights of the child at both the national and the international levels, so that these abhorrent violations of children's rights will not be repeated.

The Family Protection Project Management Team of Jordan leads a groundbreaking initiative that has helped to lift the taboo on the subject of domestic violence and promote open debate on issues of human rights, equity and gender. The Team of seven men and five women, representing both government and non-governmental organizations, has been responsible for the development and implementation of the Project, which takes a truly holistic, preventative and inclusive approach to tackling the root causes of domestic violence. The Team has also developed a social justice partnership model to address domestic violence in other countries and is providing a useful learning experience for nations around the world.

Ms. Shulamith Koenig of the United States of America is the Executive Director of the People's Movement for Human Rights Education, which she founded in 1988 with the goal of creating a global human rights culture. To that end, Ms. Koenig worked tirelessly and successfully to have the United Nations declare a Decade for Human Rights Education, and has since supported the Decade through the organization of workshops in over 60 countries to promote critical thinking about human rights education as a strategy for human, social and economic development. Most recently, Ms. Koenig initiated the Human Rights Cities project, which is supported by the United Nations Development Programme and will develop 30 human rights cities and train 500 young community leaders as human rights educators, thereby strengthening democracy as a delivery system for human rights.

The Mano River Women's Peace Network of West Africa is a network of women's organizations from Sierra Leone, Liberia and Guinea, established in May 2000 in response to the deteriorating security situation in the West African region. The network has brought an effective, multi-dimensional, coordinated and regional approach to the struggle for human rights aimed at restoring peace and ensuring that women's voices are included at all levels of the decision-making process. In addition to grassroots projects such as the demobilization and reintegration of child soldiers, the Network has been an effective advocate at the highest levels of Government, successfully bringing the heads of State of their three countries back to the negotiating

table in 2001 and was a delegate, mediator and signatory to the Liberian peace talks in August 2003.

Mr. Deng Pufang of China founded the China Disabled Persons' Federation in 1988 to act as an international advocate for the rights of persons with disabilities, and is now the Director of the Federation. Mr. Deng's advocacy has significantly improved the living standards and status of persons with disabilities in China. His most significant achievements include the establishment of the China Welfare Fund for the Handicapped in 1984, which now assists over 15 million disabled people on low incomes, and the enactment of China's first law aimed at the protection and promotion of the human rights of persons with disabilities. Mr. Deng has also been instrumental in bringing international attention to the rights of the disabled, and is a strong supporter of the elaboration of an international convention on the rights of persons with disabilities.

A special posthumous award is being given to the late United Nations High Commissioner for Human Rights, Mr. Sergio Vieira de Mello of Brazil. He held many other high-level positions within the United Nations, including, most recently, Special Representative of the Secretary-General in Iraq. He served the United Nations cause tirelessly for more than 30 years, and was killed on duty in Iraq, along with 21 of his United Nations colleagues, on 19 August 2003. Mrs. Annie Vieira de Mello will accept the award on his behalf.

I will now present the awards. I kindly and respectfully request delegations to reserve their applause until the last award has been presented.

I call to the podium Ms. Enriqueta Estela Barnes de Carlotto.

At the request of the President, Ms. Enriqueta Estela Barnes de Carlotto was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of your outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I now call to the podium the representative of the Family Protection Project Management Team.

At the request of the President, the representative of the Family Protection Project Management Team was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of your outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I now call to the podium Ms. Shulamith Koenig.

At the request of the President, Ms. Shulamith Koenig was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of your outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I now call to the podium the representative of the Mano River Women's Peace Network.

At the request of the President, the representative of the Mano River Women's Peace Network was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of your outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I now call to the podium Mr. Deng Pufang.

At the request of the President, Mr. Deng Pufang was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of your outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I now call to the podium Mrs. Annie Vieira de Mello.

At the request of the President, Mrs. Annie Vieira de Mello was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of the outstanding contributions made by your husband, Mr. Sergio Vieira de Mello, to the promotion and protection of human rights and fundamental freedoms.

It is my honour to present to the Assembly the winners of the United Nations Prizes in the Field of Human Rights for 2003.

May I request representatives to remain seated while I escort the recipients of the awards.

Before I give the floor to those on the list to speak this morning, I wish to recognize the presence of Mr. Bertrand Ramcharan, the Acting High Commissioner for Human Rights, who continues to give sterling service, and to wish him all the best as he continues to strive to do yeoman service in this most difficult field. Please give Mr. Ramcharan a round of applause.

The General Assembly will now continue the commemorative meeting.

Mr. De Rivero (Peru) (*spoke in Spanish*): On behalf of the Rio Group, I should like to pay a tribute to my friend, Sergio Vieira de Mello, for his dedication and sacrifice to promote mankind. We would also like to congratulate the recipients of the prizes, which constitute recognition for work done to promote and protect human rights and fundamental freedoms.

"All human beings are born free and equal in dignity and rights." That is the basic premise proclaimed, on 10 December 1948, in the Universal Declaration of Human Rights adopted at the fourth session of the General Assembly. The equality of humanity is thus the basic principle on which is founded the humane treatment of every homo sapiens, regardless of culture, ethnicity, religion, gender or political thought. The Second World Conference on Human Rights, held in Vienna in 1993, universally reinforced that premise and that principle.

A positive normative current to protect those rights was initiated with the adoption of the Universal Declaration of Human Rights. The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights were adopted. Both legal instruments, among others, determined the universal, indivisible and interdependent nature of all human rights.

That positive normative current in favour of human rights led the international community to work on many normative instruments on human rights relating to such specific topics as women and children, among others, that provide us with a broad framework for action and pull together principles that are likewise universal and interdependent.

In the same vein, we have recently seen significant progress made in this Assembly in the

effective defence of human rights through the penalization of crimes against humanity and with the entry into force of the Rome Statute of the International Criminal Court, in which it is recognized that human rights justice has no borders and that it is necessary to combat impunity and violations of human rights globally.

The international community is currently calling for the creation of new international instruments to promote the human rights of disabled persons and to prevent the forced disappearance of people. Moreover, wide consensus has been reached on the importance of answering new threats, such as terrorism, with measures that are congruent with international obligations on human rights.

In this context, the States members of the Rio Group believe that human rights are a universal, indivisible, interdependent and interrelated group of rights that must be approached and enjoyed without discrimination, selectivity or arbitrariness, and with objectivity. We are making an effort to fulfil in a continuous, permanent and transparent way the obligations arising from the various United Nations human rights instruments. We therefore attach great importance to cooperation mechanisms on this matter, since they provide a way to progress in the long term towards respect for and the protection and promotion of human rights.

To that end, the Governments and societies of the Rio Group attach great importance to democracy as an essential instrument to achieve respect for and protection and universal promotion of the human rights, fundamental freedoms and economic and social rights of all people. It is difficult to promote and protect human rights without democracy. This leads us to the conclusion that there can be no effectively valid indivisibility of human rights without democracy.

The States members of the Rio Group are aware that progress was made in the twentieth century in the protection and promotion of human rights and fundamental freedoms. Nevertheless, we are also conscious that there is still a long way to go in the twenty-first century towards putting into practice many basic principles contained in the international instruments of the United Nations on human rights. That long road should be travelled through the practice of democracy and the strengthening of international cooperation to promote and protect human rights.

Fifty-five years after the adoption of the Universal Declaration of Human Rights, there are still many populations in the world unable to exercise their civil and political rights. Likewise, half of the global population survives on less than \$2 a day, millions of children die every day from preventable diseases, and armed conflicts dominate the reality of many countries, causing massive violations of the human rights of the civil population, particularly by illegal armed groups. In many societies, immigrants are discriminated against and their fundamental rights and freedoms are not respected. More than 1.2 billion people live in precarious and subhuman conditions, with no access to medical attention or education. That situation is unacceptable in the twenty-first century to those who are committed to promoting the effective enjoyment of all human rights without discrimination.

The right to development is also a fundamental human right of individuals and peoples. The United Nations recognized that right in its declaration of 1986. This leads us to the conclusion that there can be no development without human rights. Thus, if they are to reach a significant level of development, people must be able to enjoy their rights.

The Rio Group understands that the exercise of the right to development is not limited to mere economic growth, but involves, above all, a change in the quality of life of the majority of the world's population and is tied closely to the combination of internal and external factors that require corrective actions within and outside States, with cooperation from the international community.

For those reasons, the countries of the Rio Group attach fundamental importance to poverty eradication and to changing the quality of life of peoples through attainment of the consensual Goals of the Declaration of the Millennium Summit, of Agenda 21 and of the Monterrey and Johannesburg Summits. All those Summits reflect nothing less than the broad United Nations consensus in which developing countries' internal policies converge with developed countries' policies of cooperation to improve the quality of life of the world's inhabitants in the twenty-first century, and therefore to ensure human rights.

In conclusion, on the occasion of the celebration of the fifty-fifth anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the Vienna Declaration and Programme of Action,

the Rio Group here reaffirms its commitment to protecting and promoting human rights and fundamental freedoms, not only as a moral imperative, but also as the foundation of freedom and justice for all human beings. In that context, social and economic progress are indispensable conditions to achieve dignity for all.

Mr. Muñoz (Chile) (*spoke in Spanish*): I have the honour to speak on behalf of the members of the Convening Group of the Community of Democracies, composed of the Czech Republic, India, the Republic of Korea, Mali, Mexico, Poland, Portugal, South Africa, the United States of America and my own country, Chile. Italy, Peru and Romania, special guests of the Convening Group, also align themselves with this statement.

The Community of Democracies was created in June 2000 at a ministerial conference in Warsaw, Poland, where more than 100 countries committed themselves to promoting the democratic principles adopted in the Warsaw Declaration. At its Second Ministerial Conference, held in the Republic of Korea in November 2002, the Community adopted the Seoul Plan of Action, in which it reaffirmed, inter alia, its members' commitment to promoting, protecting and respecting human rights — civil, political, economic, social and cultural — as essential elements of democracy.

At its most recent ministerial meeting, held at United Nations Headquarters, the Convening Group stressed the support of the Community of Democracies for the purposes and principles of the Charter of the United Nations, for the Universal Declaration of Human Rights and for the fundamental principles of international law. The ministerial meeting also emphasized the interdependence of peace, development, human rights and democracy, and it reaffirmed a commitment to the continuous development of democracy at the regional and global levels.

Today, the convening countries of the Community of Democracies join in the commemoration of Human Rights Day on the occasion of the fifty-fifth anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the adoption by the World Conference on Human Rights, held in 1993, of the Vienna Declaration and Programme of Action on human rights.

On this occasion, we recall the commitment of the States members of the Community of Democracies to full implementation of the Vienna Declaration and Programme of Action. We also reaffirm the interdependence of peace, development, human rights and democracy. Furthermore, the members of the Convening Group today recall the commitment of the Community of Democracies to cooperating on democracy-related issues with and within the framework of the United Nations system and other international and regional organizations.

In that context, we welcome the Secretary-General's decision to convene a high-level panel as well as other ongoing efforts to reform the multilateral system. We shall continue to cooperate with all States committed to promoting democracy.

Mr. Spatafora (Italy): I have the honour to take the floor on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria, Romania and Turkey, and the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and The former Yugoslav Republic of Macedonia declare that they align themselves with this statement.

First, I should like to express our most sincere congratulations to the individuals and organizations who today received the United Nations Prize in the Field of Human Rights. Through their courage, dedication and commitment, they represent with honour the work of countless actors in advancing the cause of human rights in their own countries and internationally. In particular, I should like to pay sincere tribute once again to the memory of the late High Commissioner for Human Rights, Sergio Vieira de Mello, whose dedication set an example for us all.

The important anniversaries that we celebrate today represent, more than ever before, an occasion to reflect on our human rights achievements and to reaffirm our commitment to the goal of realizing human rights for all, in part by addressing our own shortcomings.

Over the past 55 years, humanity has made extraordinary progress in the promotion and protection of human rights thanks to the creative force generated by the Universal Declaration of Human Rights,

undoubtedly one of the most influential documents in history. The Declaration was the fruit of much reflection on the rights to which everyone on the planet is entitled — simply by virtue of being human — and on our duties towards one another. It is a remarkable document full of idealism, but also of determination to learn lessons from the past and not to repeat the same mistakes. Most important, it placed human rights at the centre of the framework of principles and obligations shaping relations within the international community. Indeed, the Universal Declaration of Human Rights has stimulated intensive legislative activity at both the national and international levels that has resulted in a complex legal and institutional system of bodies, conventions and international instruments of various legal values. Many new procedural and institutional mechanisms have also been created, including international tribunals and courts. In that respect, the European Union would like to highlight the importance of the recent election of the judges and prosecutor of the International Criminal Court as a further step towards ending impunity and giving substance and effectiveness to the rights enshrined in the Declaration.

That process has led to considerable achievements: freedom and democracy are enjoyed by more people today than at any time in history. At both the national and international levels, there has been an increase in institutions to promote and safeguard human rights.

In that context, and in connection with today's celebration, the European Union would like to underline the role of national institutions for the promotion and protection of human rights. The European Union also reiterates the strength and continuing validity of the Paris Principles as a framework to guide the work of those institutions while guaranteeing their independence. In particular, we note the significant increase in the number of national human rights institutions in every region of the world and their efforts to achieve full compliance with the Paris Principles. We also appreciate the fact that in recent years more and more people have come to know of the existence of those Principles. Such visibility enhances the work of national institutions and contributes to strengthening the effectiveness of all human rights.

One of the most significant achievements in the human rights field over the past 55 years has been the legitimization of the concept that human rights — civil

and political, as well as economic, social and cultural — are universal and indivisible. That principle, reaffirmed and expanded by the 1993 World Conference on Human Rights in Vienna and adopted by consensus, has committed the international community to treating human rights “globally in a fair and equal manner, on the same footing, and with the same emphasis” (*A/CONF.157/23, para. 5*). By proclaiming that “All human rights are universal, indivisible and interdependent and interrelated” (*Ibid.*), the Vienna Declaration and Programme of Action reaffirmed and renewed all efforts to strengthen and further implement the body of human rights instruments built on the basis of the Universal Declaration of Human Rights.

In addition, the recognition in the Vienna Declaration of the interdependence between democracy, development and human rights set the stage for cooperation among Governments, international organizations and national agencies in the promotion of all human rights. In that respect, the European Union reiterates its support of the reform efforts of the Secretary-General, including the mainstreaming of human rights into all policies and programmes of the United Nations system. Indeed, human rights are a crucial dimension of several issues — humanitarian aid, conflict prevention and resolution, and development. Recognition of that truth can only improve the effectiveness of the United Nations family as a whole.

In that context, the Vienna Declaration and Programme of Action has played a crucial role in recognizing the ongoing need for the United Nations human rights machinery to keep in step with the ever-changing requirements in the promotion and protection of human rights. That includes the strengthening and harmonizing of its monitoring capacity.

A crucial step in that direction was the recommendation to establish a High Commissioner for Human Rights. The European Union would like to recall and commend the invaluable work performed by Mr. José Ayala-Lasso, Mrs. Mary Robinson and Mr. Sergio Vieira de Mello, who served their terms with great vision and leadership. We also appreciate the field presence of the Office of the High Commissioner for Human Rights and encourage the Office, the funds and the programmes present around the world to reinforce their cooperation. The European Union actively supports the work of the Office and calls for strengthening its resources, especially for treaty bodies

support and special procedures. The European Union also looks forward to the appointment of the new High Commissioner.

Those achievements notwithstanding, a great deal remains to be done. We are all aware that violations of human rights take place everywhere. At this very moment, in many parts of the world there are people who are unjustly deprived of their freedom; people who are tortured; human rights defenders who are being silenced, imprisoned and killed; women who are abused; children who are exploited, trafficked or sent to war; millions of refugees and internally displaced persons who cannot return to their homes; minorities who are excluded if not persecuted and elderly people who are abandoned. As long as those affronts to humankind persist, we cannot be satisfied with the progress achieved. What we need, first and foremost, is the determination, the courage and the ability to ensure respect for the existing body of specific obligations in the human rights instruments.

Let me assure the General Assembly of the firm commitment of the European Union and its member States, acceding countries, candidate countries and potential candidates. We represent, here, a group of 33 countries and as such, a firm commitment to ensure respect for human rights. We expect other States to do likewise.

The obligation to respect human rights is unconditional. Human rights belong to each and every person, no matter what he or she may have done, no matter what crime they may have or are believed to have committed. The European Union believes that efforts to combat terrorist acts should respect human rights, fundamental freedoms and humanitarian law, and that the fight against terrorism should be carried out in accordance with international human rights law, as defined in the relevant instruments.

The European Union is founded on the principles and values of the Universal Declaration of Human Rights, which guides both its internal policies and its external relations. In that light, we reiterate our commitment to strengthening the international system for the promotion and protection of human rights and to cooperating with international human rights mechanisms. We will continue to seek dialogue with other countries on human rights issues, both bilaterally and within the framework of international organizations. We will continue to support

Governments and civil society, including non-governmental organizations, in their efforts in the field of human rights.

The 10th of December 2003 is the culmination of many anniversaries that remind us of the promises originally set forth in the Universal Declaration and subsequently reinforced in the Vienna Declaration and Programme of Action — promises, I would add, that are still unfulfilled. The European Union strongly believes that the United Nations will continue to play a central role in that regard, as a forum for dialogue, further improvements in international standards, scrutiny of the human rights performance of Member States, and assistance to countries in living up to their human rights obligations.

Finally, let me say that for human rights to be respected, a culture of human rights has to be deeply rooted worldwide. Education, in particular human rights education, is crucial. In a world in which everybody knows his or her rights, in which Governments and individuals are held accountable for their actions, the chance for human rights to prevail will significantly improve. Let us continue to work, with coherence and consistency, towards that goal.

Mr. Pfanzelter (Austria): As representative of the country that hosted the World Conference on Human Rights in 1993, it is a very special privilege to speak today on the implementation of the Vienna Declaration and Programme of Action. It goes without saying that my delegation fully associates itself with the statement of the representative of Italy, Ambassador Marcello Spatafora, who has so eloquently spoken on behalf of the European Union.

Let us remember today that the Vienna Declaration and Programme of Action, adopted 10 years ago, outlined a vision for global action for human rights. Recognizing the principles of universality, indivisibility, interdependence and interrelatedness, it marked the beginning of a new era of international, regional, and national cooperation aimed at strengthening and implementing the body of human rights instruments that had been constructed on the foundation of the Universal Declaration of Human Rights. We are proud, indeed, that Austria hosted that landmark conference.

The validity and pertinence of the Vienna Declaration and Programme of Action remain undiminished. We are grateful that the General

Assembly decided last year to devote today's plenary meeting also to the commemoration of the tenth anniversary of the adoption of the Vienna Declaration and Programme of Action. In its decision the General Assembly invited Member States to provide specific contributions on this occasion.

In that context I would like to inform you of the results of an international symposium on the role of judges in the promotion and protection of human rights and fundamental freedoms, held in Vienna on 24 November 2003. The symposium was organized on the initiative of the Austrian Minister for Foreign Affairs, Mrs. Benita Ferrero-Waldner, and the United Nations High Commissioner for Human Rights, in cooperation with the United Nations Office on Drugs and Crime. It was chaired by the Acting High Commissioner for Human Rights, Mr. Bertrand Ramcharan, and attended by high-ranking representatives of governmental and non-governmental organizations, as well as eminent judges and experts.

The symposium adopted the "Vienna Declaration on the Role of Judges in the Promotion and Protection of Human Rights and Fundamental Freedoms", which contains specific recommendations for Governments, international organizations and non-governmental organizations, as well as concrete proposals with regard to conflict and post-conflict situations. The Vienna Declaration has been published as a document of the General Assembly and the Security Council (A/58/618-S/2003/1145).

Participants at the symposium concluded that training is an important tool to assist judges in fulfilling their role as human rights defenders. We must ensure that all members of the judiciary receive comprehensive and continuing training on international and regional human rights standards and humanitarian law, including specialized gender and child rights training. We also need to ensure a transparent and independent process for the selection and promotion of judges at all levels without discrimination of any kind, based on objective criteria, and that all courts and members of the judiciary are provided with adequate resources to exercise their functions in a professional and impartial manner. A new recommendation emanating from the symposium is the establishment of two appropriate consolidated international databases: one containing case law and court rulings relevant to human rights law and the other, aiming to facilitate the

exchange of information on projects and concrete action undertaken in the field of human rights.

In this context let me recall that the Vienna Declaration and Programme of Action had already clearly stated that

"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" (*A/CONF.157/23, para. 27*).

Judges are frontline actors in the protection of human rights. Indeed, the more precarious the human rights situation in a country, the more exposed and vulnerable judges are. The international community must therefore give full support to judges so that they can maintain their integrity, impartiality and independence.

Mr. Kuchinsky (Ukraine): At the outset let me join you and all previous speakers in congratulating the winners of this year's Human Rights Awards. An advocate for the disappeared, a defender of the disabled, a human rights educator, a taboo-lifting protection team and a women's peace-building network — everyone has worked hard in promoting various human rights and together, they have helped to protect universal human rights.

It is very sad, indeed, to honour the United Nations High Commissioner for Human Rights by a special posthumous award, instead of welcoming Sergio here, in this Hall, alive and full of energy and optimism, the way we all knew him. In paying tribute to the memory of Sergio Vieira de Mello, we also remember the other hundreds of thousands of human rights defenders, as well as the millions who were victims of gross human rights violations. History testifies to the fact that some of humanity's bravest lessons emerge only after the greatest tragedies.

The Universal Declaration of Human Rights took shape in a world ravaged by the horrors of totalitarianism and fascism, by Holocaust and Holodomor.

Recently here at the United Nations, and throughout the world, we observed a sad anniversary of the Great Famine of 1932-1933 in Ukraine — the

Holodomor — one of the most tragic events in the history of my country and, I believe, in the history of humankind. Just 15 years before the adoption of the Universal Declaration of Human Rights, the totalitarian Soviet regime killed 7 to 10 million Ukrainians, a figure that can be compared with the population of an average European country today.

The Great Famine that engulfed Ukraine in 1932-1933 was the result of Joseph Stalin's policy of forced collectivization. This dreadful famine was accompanied by devastating purges of the Ukrainian intelligentsia, religious leaders and politicians. It broke the peasants' will to resist collectivization and left Ukraine politically, socially and psychologically traumatized. Unfortunately, back in 1933, the world did not respond to our tragedy. The international community believed the cynical propaganda of the Soviet Union, which was selling bread abroad while in Ukraine, hunger was killing 17 people each minute.

The price for denying that crime was very high. When it was clear that Stalin had gotten away with such massive genocide in Ukraine, Hitler felt free to proceed with the Holocaust. During a long period of time, the totalitarian regime kept its horrors in the shadow of the Iron Curtain.

I would like to draw the attention of delegates to the fact that it is only today, after 70 years, that the world has started to learn the truth about the Great Famine in Ukraine. This year the joint statement on the seventieth anniversary of Holodomor, now signed by 36 delegations and supported by 27 other Member States, has been issued as an official document of the General Assembly (A/C.3/58/9).

In that declaration, for the first time in the history of the United Nations, Holodomor has been officially recognized as a national tragedy of the Ukrainian people, caused by the cruel actions and policies of the totalitarian regime. Representatives of States from different parts of the world expressed sympathy to the victims of Holodomor and deplored the acts and policies that brought about mass starvation and the deaths of millions of people. From this rostrum I would like to express our gratitude to all delegations that have signed the Joint Statement and expressed their support and solidarity.

We in Ukraine are also grateful to the Senates of Argentina, Australia and Canada, the United States House of Representatives and the Parliament of

Hungary for adopting this year their own documents on the Great Famine. Some of them have clearly pointed out that the Holodomor was one of the most terrible examples of genocide in the history of humankind.

We find it symbolic that the adoption of the Universal Declaration of Human Rights was preceded by the approval by the General Assembly on 9 December 1948 of the Convention on the Prevention and Punishment of the Crime of Genocide. To a large extent, the issue of genocide becomes, in addition to a drastic human problem, a test for the efficacy of the international community in ensuring protection of human beings.

History reminds us that human rights are integral elements in ensuring human dignity and in promoting peace and security, sustainable economic development and social equality. Without genuine respect for human rights, we cannot move forward as a global community. That is why it is important to remember, as stated in paragraph 5 of the Vienna Declaration and Programme of Action on Human Rights of 1993, "All human rights are universal, indivisible and interdependent and interrelated".

But as we assess what has been accomplished, we cannot assert that the gap between aspirations and real achievements has been bridged. Unfortunately, our world is still a place where violence against national, ethnic, racial or religious groups continues, millions are uprooted from their homes and untold numbers are being arrested arbitrarily or imprisoned without trial. Sadly, we continue to live on a planet where torture is still practised, children are still being exploited and sexually abused, and women denied their fundamental human rights.

It has always been the task of the United Nations to provide a forum for diverse cultures and, at the same time, to seek the common denominator that reveals a common humanity. It is now our responsibility to strengthen the adherence of the international community to the principles of the universality, indivisibility and interdependence of human rights and translate them into reality.

Finally, I would like to recall the words of Mrs. Eleanor Roosevelt, one of the authors of the Universal Declaration of Human Rights. In my opinion, they provide a key to our daily action, and I quote:

“Where, after all, do universal human rights begin? In small places, close to home — so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm, or office where he works. Such are the places where every man, woman, and child seek equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere.”

Mr. Singh (India): My delegation is pleased to participate in the debate in plenary in observance of the 55th anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the adoption of the Vienna Declaration and Programme of Action.

At the outset, we would like to pay tribute to the memory of the former United Nations High Commissioner for Human Rights, the late Sergio Vieira de Mello.

The Universal Declaration proclaims that human rights are rights inherent to man and are universal. Their universality presumes the universal brotherhood of humankind. The Declaration establishes a common standard of achievement for all peoples and nations. It sets the highest standards by asserting that all people are born free and equal in dignity and rights.

As a newly independent country, India was one of the few developing countries to participate actively in the drafting of the Universal Declaration. As India's delegate, Mrs. Hansa Mehta, a social worker and disciple of Mahatma Gandhi, contributed substantially to the drafting of the Declaration, in particular in areas that deal with gender equality. The Universal Declaration served subsequently as a standard in the drafting of the chapters on fundamental rights in India's Constitution.

The present debate provides us an opportunity to review the progress achieved in the implementation of the Vienna Declaration and Programme of Action and in living up to the ideals contained in the Universal Declaration. The Universal Declaration has evolved into international law through the elaboration of the two principal Covenants and the establishment of the human rights treaty bodies. The various declarations and conventions adopted over the past five decades have marked further normative elaborations of the

specific elements of the Universal Declaration. The consensus at the conclusion of the World Conference on Human Rights, held in Vienna in 1993, signalled the development of the Universal Declaration in a programmatic, action-oriented manner. In many respects, the Vienna Declaration and Programme of Action marked the broadest political consensus achieved in the area of human rights by the international community after the adoption of the Universal Declaration.

The recognition in the Vienna Declaration that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing values provides the foundation for a genuinely holistic conception of human rights. The purpose of all development is to promote individual human rights and social justice, or in the words of the Charter, “promote social progress and better standards of life in larger freedom”. Development without democracy, social justice and respect for human rights can be neither lasting nor sustainable.

Article 22 of the Universal Declaration speaks of the “national effort and international cooperation” for everyone to enjoy “economic, social and cultural rights indispensable for his dignity and the free development of his personality”. We feel that this is the area where the Declaration has been the most wanting in implementation and where the greatest challenges lie. It would be useful, perhaps, to analyse why this is so. Prescriptiveness comes easier and is less expensive than engagement. Only a universalization of basic economic dignity can provide the foundation for any shared vision of universal human rights. It would be difficult to achieve universal observance of human rights among societies differentiated by gradations of affluence and want, surplus and despair.

The advocacy of human rights has been based upon an exaggerated dependence on the aspects of promotion and protection, rather than enjoyment of rights. There has been a tendency to insist that all that is needed is to set in place a framework of laws. At the international level, this has meant an ever-increasing body of conventions, protocols and other legal instruments. Unfortunately, this approach does not address the question of how individuals acquire and enjoy basic human rights. It also differentiates between the civil and political rights on the one hand and economic, social and cultural rights on the other, placing the former on a higher pedestal than the latter.

Another challenge facing us today is the need to move away from selectivity, double standards and partial approaches. We need to engage in an honest, self-critical appraisal of whether the international community has managed to effect genuine improvement in human rights through an approach characterized by the giving of report cards or by intrusive monitoring. Have countries been persuaded to improve their record of human rights simply because resolutions against them, often based on political or non-human rights considerations, have been adopted year after year in the Commission on Human Rights or in the General Assembly? On the other hand, would an approach based on dialogue, consultation and cooperation not have a better chance of success, if success were to be judged by genuine improvement in a people's enjoyment of human rights? We are convinced of the essential validity of the latter approach.

It is in this context that India stresses the importance that has to be attached to national capacity-building in the area of human rights. The Office of the United Nations High Commissioner for Human Rights can play a highly supportive role in this regard. Technical cooperation programmes by that Office could cover a broad range of activities, from assistance in acceding to international human rights instruments and amendment of national legislation, to putting in place a framework of administrative regulations and machinery for that purpose. Assistance can also be rendered for the establishment of national human rights institutions. Developing country Member States that have established such national institutions in accordance with the Paris principles could render technical assistance to other developing countries desirous of setting up their own national institutions.

The Vienna Declaration calls on the international community to take the necessary steps to enhance cooperation to prevent and combat terrorism — which is aimed at the destruction of human rights, fundamental freedoms and democracy — threatens territorial integrity and the security of States, and destabilizes legitimately constituted Governments. Unfortunately, an understanding of the broad linkage between countering terrorism and promoting human rights remains mired in suspicion and misunderstanding.

Terrorism constitutes, at the very least, a violation of article 3, on the right to life, article 19, on the

freedom of opinion and expression, and articles 29 and 30, on the duties of individuals and the rights of others, of the Universal Declaration of Human Rights. It challenges the principle of freedom from fear. As a violent expression of extremism, it represents a negation of every liberal value that sustains the concept of human rights. It is an invasion of the rights of others and denial of human rights to its victims. A selective response to terrorism is itself a challenge to the universality of human rights.

At this meeting, we feel it is also important to underscore the role played by civil society, particularly non-governmental organizations, in the promotion and protection of human rights. National non-governmental organizations can play a crucial role in the protection and promotion of human rights within a country. Along with a vigilant media, they perform invaluable watchdog functions.

Recognizably, the United Nations system occupies a significant place in the Vienna Declaration and Programme of Action. Apart from the Office of the United Nations High Commissioner for Human Rights, which plays a very successful role, other elements of the United Nations system can and should contribute to the practical enjoyment of economic, social and cultural rights and the right to development. Once again, we stress that it is important to ensure that the United Nations is not perceived as promoting a partial conception of human rights, namely one modeled purely on civil and political rights.

Let us re-dedicate ourselves on this occasion to the implementation of the Vienna Declaration and Programme of Action. Let us also renew our commitment to live up to the ideals of the Universal Declaration of Human Rights.

Mr. Oyugi (Kenya): My delegation is pleased to take the floor on this auspicious occasion in which we commemorate the fifty-fifth anniversary of the Universal Declaration of Human Rights, as well as the tenth anniversary of the adoption of the Vienna Declaration and Programme of Action. We would like at the outset to convey our congratulations to all six of the winners of the Human Rights Awards presented this morning. Their devotion to the cause of human rights and humanity should serve as an inspiration to all.

My delegation attaches great importance to the Universal Declaration of Human Rights. This important document constitutes a common standard for

all peoples and all nations. It is a source of inspiration and has been the basis for United Nations standard-setting, as evidenced by existing international human rights instruments, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. My delegation firmly believes that these fundamental rights and freedoms must be promoted and protected in every part of the world by the international community, as a collective responsibility of Governments, the United Nations, civil society and, indeed, all individuals in society.

The adoption of the Vienna Declaration and Programme of Action represents an important milestone in the development of international human rights norms. The Declaration builds upon the principles enshrined in the Charter of the United Nations and in the Universal Declaration of Human Rights. It calls for the promotion and encouragement of respect for human rights and fundamental freedoms for all, respect for the principles of equal rights and self-determination of peoples and of peace, democracy, justice, equality and the rule of law. It also reaffirms the right to development and calls for better standards of living and solidarity, among others things.

Regarding the implementation of the Vienna Declaration and Programme of Action, it is noteworthy that over the years there has been widespread recognition of the need to give special attention to the rights of women and girls. In virtually every part of the world, States have passed legislation and adopted policies and programmes to promote the status of women and to outlaw discrimination and violence against women.

Particularly in this regard, Kenya is in the process of setting up a National Gender and Development Commission, which will coordinate and facilitate gender mainstreaming in national development, by, among others, initiating legal reforms and formulating policies and programmes to promote gender equality. Thus, Kenya's Equality Bill of 2002 has been drafted and will be debated in parliament in due course. Once enacted, this bill will review laws and policies to promote equality and opportunity between persons of different status, set up a body to receive, investigate and conciliate allegations of discrimination, and generally work towards the elimination of all forms of discrimination.

As we mark the tenth anniversary since the adoption of the Vienna Declaration and Programme of Action, my delegation is pleased to note that reasonable progress has been made in some areas of the Programme of Action. In assessing its implementation, one very important achievement comes to mind: the elevation of economic, social and cultural rights to the same level as civil and political rights. The Vienna Declaration and Programme of Action reaffirms that "All human rights are universal, indivisible and interdependent and interrelated" (*A/CONF.157/23, para. 5*). It stresses that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis. While much remains to be done to place the two sets of rights at par in practice, the last 10 years have seen economic, social and cultural rights gain significantly in importance.

The Vienna Declaration and Programme of Action stresses that the human person is the central subject of development and reaffirms the right to development as a universal and inalienable right and an integral part of fundamental human rights. Regrettably, little progress has been made with respect to that right. The Working Group on the Right to Development of the Commission on Human Rights has been plagued by controversy, politicization and polarization. As a result, unfortunately, the traditional resolution on the right to development, both in the Commission on Human Rights and in this Assembly, has been subjected to voting; there is thus little agreement on the way forward in implementing that right. We would therefore urge all members of the Working Group to negotiate in good faith and in a serious, open and friendly manner. Only in that way can we expect the Working Group to fulfil its mandate and contribute to the implementation of the right to development. We would also urge the Working Group to give serious consideration to the elaboration of an international instrument on the right to development.

The implementation of the Vienna Declaration and Programme of Action requires States to take concrete steps in various areas, particularly those concerning vulnerable groups. In Kenya, special attention has been given to the welfare of children, and especially the girl child, with particular emphasis on education and health. The new Government in Kenya has adopted and implemented a policy of free education for all at the primary-school level, beginning this year. Consequently, there has been a huge upsurge

in the number of children enrolled in schools. That programme has inevitably taken its toll on the resources available to the Government, but we firmly believe that its benefits will far outstrip the costs involved.

As regards health, the Government is initiating comprehensive health care reforms with a view to providing affordable and accessible health care to all. It is envisaged that this will be achieved through a projected national health insurance scheme to cover both in-patient and out-patient services. Consequently, the health sector has seen increased budgetary allocation for the current financial year.

The last two decades have seen a host of countries embrace democracy and the rule of law, thus ensuring wider participation by all members of society, especially women, in decision-making at all levels. Kenya is no exception to this, having elected a new Government in December 2002, which took over the reigns of power in a peaceful and democratic transition. Since then, the Government has, amongst other things, embarked on a platform of promotion and protection of human rights, strengthening democracy and the rule of law, and accelerating the fight against corruption. The Government and the people of Kenya have also launched a broad and dynamic consultative constitutional reform process that is designed to enhance the dignity of every citizen. That process, which is already at an advanced stage, seeks to strengthen the bill of rights to include economic, social and cultural rights in a people-driven, participatory process that involves all stakeholders.

Kenya recognizes that gross human rights violations can engender or perpetuate conflict and remains deeply concerned by the numerous armed conflicts that continue to plague countries around the world, especially in Africa. Those conflicts hinder development and accentuate poverty. All efforts in the promotion and protection of human rights will be futile without an enabling atmosphere of peace and stability within and among countries.

In that respect, Kenya continues to mediate in seeking solutions to conflicts within the subregion. We call on the international community to support these efforts in order to ensure that a lasting and durable peace is found in those countries. Only through direct involvement, sustained dialogue and support from the

international community can we hope to see those conflicts finally resolved.

Mr. Baja (Philippines): It is an honour to address the General Assembly on the fifty-fifth anniversary of the Universal Declaration of Human Rights, a landmark instrument that ushered in the universal recognition of fundamental human rights. The Philippines stands in solidarity with the international community on this occasion, animated by the very same fervour as when it endorsed the Declaration in Paris 55 years ago.

The Universal Declaration came to the fore driven by the desire for peace in the aftermath of the Second World War. Today, it still symbolizes the embodiment of the same ideals of genuine peace, equality and justice for which the world continues to strive as battles and wars are still being fought, including those against new forms of threats to human security, such as terrorism, human and drug trafficking, economic conflict and transnational environmental problems.

This anniversary reminds us of the obligation to translate our pledge into action by adopting national legislation and domestic plans of action to implement international human rights instruments. It is heartening to see that many countries are making notable progress in the promotion and protection of human rights. This anniversary is also an occasion to contemplate the extent to which we have educated our peoples on human rights. There is a need to make respect for and the protection of human rights blossom within every individual.

To achieve that, we need to educate our peoples. Human rights education must be promoted comprehensively and continuously as a lifelong process if we want our gains to benefit future generations. Today's advances in information and communication technology, especially in cyberspace, present an immense opportunity to promote human rights education in all corners of the world. We must take advantage of the multiple forms of media in order to promote public awareness of human rights and disseminate their relevance and application to everyone in everyday life.

Today, we celebrate the promotion and protection of human rights. We wish to reiterate the need for the international community to work in solidarity to protect the most vulnerable groups: women, children

and migrants. The Philippines supports the promotion of and respect for the rights of women and will continue to support the efforts made by the United Nations in advancing the status of women and in mainstreaming the gender perspective through the Beijing Platform for Action and the initiatives made at the follow-up process at the Beijing + 5 review. We must work for the implementation of initiatives strengthening international cooperation and measures to address all forms of violence against women, including trafficking of women.

There is a need to renew our commitment to providing for every child a better future and to support the Convention on the Rights of the Child. In that regard, the Philippines supports initiatives that will give further momentum to the implementation of the outcome document "A World Fit for Children", consistent with the principles of the Convention. One of the most serious violations of children's rights is child trafficking, as it causes psychosocial damage to both the child and his or her family. Child trafficking is a crime that States should work against. It is perpetuated through illegal adoption, child labour, slavery and prostitution. My delegation welcomes the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. That Convention will address the treatment, welfare and human rights of both documented and undocumented migrants. We call on the international community to increase cooperation in the promotion and enhancement of the welfare and dignity of migrant workers and to deal with the global challenge of migration.

Human rights transcend every aspect of the individual and are woven into the soul of society in all its dimensions. For those reasons, the issue of human rights is closely intertwined with the concepts of self, societal development and democracy. It would be fruitless to promote awareness of human rights without paying attention to development and democracy. We cannot turn a blind eye to the obstacles preventing the full enjoyment of human rights. The world is still plagued by incidents of human rights violations, most especially in poverty-stricken countries and in conflict areas. The international approach to promoting human rights must, therefore, be comprehensive and pragmatic.

In conclusion, the fifty-fifth anniversary of the Universal Declaration of Human Rights and the tenth

anniversary of the Vienna Declaration and Programme of Action are also commemorations of our shared aspirations for freedom, dignity and respect, without distinction of any kind.

Mr. Vergne Saboia (Brazil): It is a special honour for me to take the floor, on behalf of Brazil, as the world reaffirms its commitment to human rights as a primary goal of the United Nations. I am also pleased to address this session of the General Assembly, Mr. President, which you have been guiding with such skill and competence.

I would also like to extend warm congratulations to the recipients of the Human Rights Awards this year.

I want to join other speakers in rendering a sad tribute to my compatriot and friend, Sergio Vieira de Mello, and to his many colleagues who lost their lives or were injured by the terrorist attack in Baghdad. Sergio's life of dedication to peace, human rights and humanitarian protection will remain an inspiration for us all.

Brazil associates itself with and endorses the statement made by the representative of Peru, on behalf of the Rio Group.

The Universal Declaration of Human Rights, adopted 55 years ago, remains the most important instrument, indeed the foundation, for realizing the obligations contained in the Charter of the United Nations regarding cooperation for the promotion and protection of human rights. Drafting and adopting the Universal Declaration was a major breakthrough, a difficult task to harmonize the views and notions from different cultures and legal traditions to produce a set of norms that could serve as a universal yardstick. We know the great care that Eleanor Roosevelt and her colleagues took in that work, despite the difficulties besetting a world on the brink of the cold war. The Declaration has stood the test of time, and while we pay tribute to Mrs. Roosevelt and the other drafters, it is worth recalling — as it is reminiscent of contemporary difficulties — that she left the Commission disappointed at the changed political mood that for many years impeded the drafting of an international bill of rights with mandatory legal provisions.

Ten years ago, the Vienna Declaration and Programme of Action was adopted by the consensus of 171 countries. Many thought that consensus was an

unattainable goal, given the tense political atmosphere that prevented progress during the preparatory phase. Many feared the outcome of the Conference would be a watered-down final text — a setback that could threaten progress already achieved in establishing legal standards and implementation procedures and that could jeopardize the universalization of human rights.

Despite those fears, the Vienna Declaration and Programme of Action consolidated and reinforced legal standards, monitoring mechanisms and procedures embodied in international instruments and in resolutions of the Commission on Human Rights. It called for bold new initiatives to achieve universal adoption of legal standards and strengthen national and international means to combat violations of civil, cultural, economic, political and social rights.

As Chairman of the drafting committee in Vienna, I had to take up the challenge of dissipating mistrust among delegates and conciliating those with frequently conflicting positions, so that we could arrive not only at a consensus, but achieve one that was forward-looking and meaningful. I would now like to briefly highlight some of the most important results of our work, as embodied in the Vienna Declaration and Programme of Action.

First, the universality of human rights was clearly reinforced, together with their indivisible, interdependent and interrelated character. It was affirmed that, while national, regional, historical, cultural and religious factors 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. The promotion and protection of human rights was declared to be a legitimate concern of the international community.

Consensus was achieved, for the first time, on the right to development, which was recognized as a universal and inalienable right and an integral part of fundamental human rights. The individual was declared to be the focus of development and it was affirmed that a lack of development could not be invoked to justify the abridgement of human rights. It was further affirmed that lasting progress in establishing the right to development requires effective national policies, as well as equitable economic relations and a favourable economic environment at the international level.

Other important provisions of the Declaration include acknowledging the interrelationship between democracy, human rights and development, emphasizing that extreme poverty and social exclusion are violations of human rights and affirming that freedom from torture is a right which must be protected under all circumstances, including in times of internal or international disturbances or armed conflicts.

The strong emphasis put on the need to mainstream the rights of women within the overall human rights framework, as well as the approaches to other issues such as children's rights, racism, and the rights of minorities, indigenous peoples and other vulnerable groups, broke new ground, and were further expanded at the specialized conferences that took place in subsequent years.

The Vienna Declaration and Programme of Action captured, in a single document, the need for an integrated, comprehensive framework of standards and mechanisms, which need to be put into concerted practice by all institutions at both the national and international levels. The establishment of the post of High Commissioner for Human Rights, following the Vienna Conference, contributed to putting that integrated approach into practice where it was needed first and foremost — within the United Nations system itself.

At the global conferences in following years, human rights were considered together with social, economic and environmental issues, as was done at the United Nations Conference on Environment and Development, held in Rio de Janeiro in 1992. Among those, the Beijing Declaration and Platform of Action launched a most important agenda centred around the concept that the empowerment of women and the achievement of equality are a matter of human rights and a condition for social justice and development.

Conferences and meetings devoted to economic issues were challenged to take into account the social consequences of globalization, trade liberalization and adjustment policies and their effects on social and economic rights. One good example of that concerted approach is the acceptance of the right to access to medications at affordable prices and capable of fighting dangerous diseases and pandemics, such as HIV/AIDS, as part of the right to adequate health care.

Another very important step to eliminate gaps in the architecture of human rights has been the

establishment of the International Criminal Court (ICC), which fulfilled a long-standing aspiration of humanity to bring to justice people responsible for genocide, crimes against humanity and war crimes. States should be encouraged to join the Statute and to cooperate with the work of the ICC, resisting attempts to create loopholes in its application.

Despite those encouraging signs, the current world situation gives rise to concern. We are worried by the constant attempts to erode and dilute consensual language regarding principles and guidelines that were won most arduously during the global conferences.

The Third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance that took place in Durban two years ago, although dealing with issues which the whole world should consider with a common perspective, was held during a very tense political and ideological confrontation that almost prevented the consensus adoption of a declaration. From Brazil's point of view, the results of the Durban Conference are a valuable platform for action in the fight against all forms of discrimination, racism and intolerance, which are central issues for human rights and have served as an inspiration for national public policies. We are dismayed, however, at the slow and reluctant pace with which the follow-up to Durban is being undertaken.

Days after the closure of the Durban Conference, the terrible terrorist attack of 11 September 2001 happened in the United States. As the Vienna Declaration states, acts of terrorism are aimed at the destruction of human rights, fundamental freedoms and democracy. It was therefore desirable, in the context of the tragic events of 11 September, to give a higher profile to the issue of terrorism and to the need for international and national cooperation in the prevention and repression of those heinous acts.

But it would defeat the purposes of democratic nations if, in the name of that goal, we should derogate essential rights and diminish the central role of judicial guarantees and norms related to the rights of people under detention. Under the International Covenant on Civil and Political Rights, Governments have the legitimate right to temporarily revoke certain guarantees and procedures under specific emergency situations that threaten the life of the nation. There are, however, rights that cannot be suspended in any circumstances. Among these irrevocable rights fall the

right of everyone to recognition as a person before the law and the prohibition of torture and ill treatment.

Actual progress in human rights depends very much on action at the national level and requires, besides Governments' engagement, the participation of all levels of society. In our integrated world, international recognition and endorsement of human rights is essential to encourage Governments and societies to make progress towards guaranteeing those rights at the national level. And it is undeniably the responsibility of the international community as a whole to ensure the achievement of a social and international order in which the rights and freedoms set forth in human rights standards can be fully realized. The Vienna Declaration and Programme of Action added its contribution to that goal, but all of us — Governments, non-governmental organizations and concerned individuals — must continue the struggle to ensure that human rights become reality.

Mr. Akasha (Sudan) (*spoke in Arabic*): At the outset, my delegation would like to congratulate the winners of the United Nations human rights awards for 2003.

On this occasion, I pay tribute to Mr. Sergio Vieira de Mello, the High Commissioner for Human Rights, who in the prime of life lost his life defending and protecting human rights.

As a member of the international community, the Sudan is a firm believer in the universality, interdependence and indivisibility of human rights. It also believes that the international community is legally bound to follow up situations concerning human rights throughout the world, without discrimination. Similarly, we stress the need to depoliticize human rights and to reject selectivity and double standards.

The fifty-fifth anniversary of the adoption of the Universal Declaration of Human Rights and tenth anniversary of the adoption of the Vienna Declaration and Programme of Action fall as we find ourselves in pressing need of emphasizing the universality of human rights. The Vienna Declaration and Programme of Action underscores the interdependent, inalienable nature and indivisibility of human rights. The right to development is a legitimate right of the developing countries. It should therefore be accorded further attention and support by the international community in

fulfilment of international obligations and appeals for global cooperation.

We must stress that the true and decisive test in that regard lies in the earnest and sincere attempts of States to consolidate the genuine enjoyment by their citizens of their human rights and fundamental freedoms and to ensure due respect for the cultural and civilizational diversity of nations in the guarantee of human rights, without disparagement of specific cultures or the imposition of the values and concepts of other cultures.

Achieving that goal will convince us that the protection of human rights is a noble goal that all States will hasten to realize, uphold and cherish.

Mr. Requeijo Gual (Cuba) (*spoke in Spanish*): Fifty-five years ago, when two thirds of humankind remained under the colonial yoke, this Assembly adopted by vote the Universal Declaration of Human Rights, which became the basis for the subsequent development and codification of human rights. Despite its many limitations, the Declaration was an important milestone, as it set forth a vision of human rights that was progressive for its time and was designed to secure human dignity and equal rights for all human beings. However, for the broad majority of the countries in the South, subject at that time to colonial domination, the Declaration did not respond to their demands, needs and primary wishes, namely, self-determination and development, without which no human right can be fully realized. Self-determination made headway in subsequent decades only by means of lengthy and bloody battles.

The Declaration became an abstract ideal of rights, which did not address the real situation required for their enjoyment and realization, since it artificially separated rights and duties and ignored the rights of peoples. Solidarity, in particular, was thus relegated to an unfavourable position, a situation that persists to this day. International reality demonstrates that we are, today, further than ever from having human rights enjoyed by everyone.

Which human rights can we refer to, when 10 children starve to death every seven seconds, when there are 850 million starving, when more than 500 million will not reach the age of 40, when there are 876 million illiterate adults and 115 million children without access to school, mostly in the developing countries. Twenty per cent of the world's population

consumes only 1 per cent of the wealth of humankind and 1.2 billion persons are living on less than one dollar a day.

In 1993, 45 years after the adoption of the Universal Declaration of Human Rights, we convened in Vienna a World Conference on Human Rights, an extremely important event in the development and codification of human rights, which endeavoured to correct many of the imperfections and omissions in the Declaration. Recognition of the right to development as a universal and inalienable right and an integral part of fundamental human rights may have been the Conference's greatest achievement.

By means of the Vienna Declaration and Programme of Action, we also recognized the universal, indivisible, interdependent and interrelated nature of all human rights, the importance of specific national and regional characteristics and the diversity of historic, cultural, religious and political heritage. Universality was emphasized, taking into account the importance of respect for diversity. In Vienna, we issued a resounding appeal for strengthening international cooperation in human rights, also reaffirming in this context the importance of ensuring objectivity, non-selectivity and impartiality when examining human rights issues.

Another of the important results of the Vienna conference was the establishment of the post of High Commissioner for Human Rights, which was endorsed by the General Assembly in resolution 48/141. This is a good time to remember the recently departed Sergio Vieira de Mello, who did outstanding work in that post. We would also like to express our recognition for the prize that was just awarded to Mr. de Mello posthumously and the awards presented to the other individuals and organizations this morning.

For the delegation of Cuba, this plenary meeting should have provided an opportunity — as is the case with other five-year review processes at other important international summits and conferences — to reflect deeply upon, to evaluate and to breathe new life into the commitments couched in the final documents of Vienna. This, unfortunately, did not happen.

In our view, many of the core elements of the Vienna Programme of Action remain unimplemented. Today, for example, far from streamlining and simplifying United Nations machinery on human rights, it continues to become increasingly complex

and, even worse, it remains politicized. The functioning of United Nations agencies and mechanisms in this area strays even further from the ideal of cooperation, due to the distortion caused by manipulation, selectivity, double standards, punitive approaches and selfish unilateral interpretations of human rights which a group of developed nations attempts to impose. This has led to uncontrollable and harmful confrontation.

Despite what had been agreed in Vienna, international cooperation over recent years in human rights has been weakened by selective, arbitrary and inquisition-like approaches practiced by powerful countries which are using this issue to achieve their own political objectives. Economic, social and cultural rights remain the truly invisible part of United Nations human rights machinery. Those rights are relegated to an inferior category and are considered to be unrealistic and merely a dream for the future. We have witnessed this recently in the context of the work of the Third Committee.

In this connection, human rights activities require that we move towards full and unconditional implementation of the right to development. Industrialized countries must stop trying to question, add conditions and reformulate the contents and scope of that right, as reaffirmed in the Vienna Declaration and proclaimed in the 1986 Declaration on the Right to Development. It is unacceptable that the very definition of the substance of this right is being questioned. The Vienna Conference also asked that States refrain from adopting unilateral measures, in contravention of international law and the United Nations Charter, that impede trade relations between States and the enjoyment of the rights laid down in the Universal Declaration of Human Rights. In particular, these include the right of every individual to an appropriate standard of living for their own health and well-being, including access to food, healthcare, housing and the necessary social services. We must still implement concrete and decisive measures through human rights mechanisms to encourage the fulfilment of this demand.

Strengthening the legislative basis that is applicable to international cooperation in the sphere of human rights cannot replace renewed genuine political will for dialogue and mutual respect between the countries of the North and the South, a will where the

principles of universality, objectivity, impartiality and non-selectivity are the cornerstones.

In the context of a globalized and interdependent world, one cannot continue to promote individualism over common interests and values shared by humankind. Human solidarity is no longer an altruistic option, but a condition for the very survival of humankind. The creation of a social and international order in which rights and fundamental freedoms are truly realized is not merely a right proclaimed in the Universal Declaration of Human Rights, but truly a *sine qua non*.

The Vienna Declaration and Programme of Action remains fully in force as the most inclusive document adopted by consensus, with the broadest participation of the international community, for securing international cooperation in promoting and protecting human rights. Today the greatest challenge in human rights is its speedy, full and effective implementation. We will not be judged by history and future generations on the basis of our documents and words, but by what we actually do to give them a world in which justice, humanism, peace, dignity, solidarity and equality truly reign.

Mr. Baikadamov (Kazakhstan) (*spoke in Russian*): At the outset I would like to hail the observance of the fifty-fifth anniversary of the Universal Declaration of Human Rights at the United Nations. As an ombudsman, it is a pleasure for me to see that the United Nations General Assembly is dedicating this special meeting to the anniversary of such an important human rights instrument. In so doing, the international community is reaffirming and demonstrating that it considers human rights and fundamental freedoms its first priority and it highlights their increasing significance as a human values.

As I am also representing Kazakhstan's human rights institutions at today's meeting, I would like to underscore the decisive and inspirational role that the Universal Declaration of Human Rights has played in the development of our State.

Twelve years ago, when Kazakhstan obtained political independence, we began the creation of a new society that was capable of meeting the pressing needs of the people and was responsive to their interests. We had to fashion a State based on the rule of law and stripped of ideology, carry out market reforms in our

economy, democratize our society and guide our people towards an independent and responsible lifestyle.

Over the past years much has been accomplished in our country. Kazakhstan has become a truly independent State, functioning on the principle of the separation of powers with an effective bicameral parliament. The country has seen intense growth in economic development. The process of democratization in Kazakhstan has led to the emergence of a broad range of civil society institutions and favourable conditions for independent mass media.

From the earliest days of its independence, we have relied on the basic United Nations human rights documents. They have become crucial guidelines in our efforts to create a social order in which individuals would not have to face discrimination and their dignity would be protected. The Universal Declaration of Human Rights has taken on new meaning in Kazakhstan: its principles have provided the necessary content and logic for the development of our new life. It is no accident that its principles are enshrined in the text of our Constitution.

We are convinced that to incorporate human rights is to internalize them in our system of values and make them spiritually essential. That is what we have discovered in the Universal Declaration, which seems to us to be a natural grouping of human values.

The Declaration is of paramount importance for the citizens of our country. It reflects centuries of mankind's experience in creating the most just relations among people based on the recognition of the dignity and the inalienable rights of each person. The Universal Declaration is a reflection, imbued with universal principles, of the process of coming into being of a free person. That is evident in looking at the history of the world and, now, in looking at the history of Kazakhstan.

Over the past 12 years our country has been liberalizing its social, political and economic life. It is open to contact with the outside world and there are more and more economically and socially independent and responsible people. For such people a lawful State, with predictable rules governing the political, economic and public spheres, is vital.

Our country is steadily becoming a party to international treaties in the human rights sector and takes their implementation seriously. We have already

acceded to most United Nations human rights conventions. Last week we took one more step in that direction by signing the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Kazakhstan is constantly striving to refine its national legislation, especially in the area of human rights and freedoms, by aligning it with international standards. Protection of the rights of the mother and child is a priority. There is also continual work being done to improve electoral legislation and laws concerning the mass media and local self-government. Criminal legislation is being made more humane and we are considering the possibility of abolishing the death penalty, while perhaps imposing a moratorium in the interim. In accordance with commitments previously undertaken, Kazakhstan has transferred its penitentiary system to a civil body, namely, the Ministry of Justice.

As a result of Kazakhstan's legal reforms a unified judicial system has been established. Measures have been taken to ensure the independence of judges and a tenure system has been instituted for appointed judges. There is now a process under way to create specialized administrative and economic courts.

Kazakhstan has succeeded in putting in place mechanisms to involve civil society institutions in setting and implementing State policy. Such bodies include the Commission on Human Rights, the Council on Youth, the Council on Relations with Religious Associations, the National Commission on Family and Women, the Public Council on Mass Media under the auspices of the President of the country, as well as a permanent forum for drafting proposals on ways to further democratize and develop civil society, the National Council and the Citizens Forum.

Exactly one year ago, with the assistance of United Nations bodies, the institution of the National Ombudsman was established and its work is carried out in keeping with international standards i.e. the Paris Principles. The office of the National Ombudsman has set the protection of the rights of the most socially vulnerable segments of the population as its priority. In working to protect the rights of citizens, the National Ombudsman has developed educational activities and worked on refining legislation.

In commemorating, together with the international community, the fifty-fifth anniversary of

the United Nations adoption of the Universal Declaration of Human Rights, Kazakhstan will continue to do everything it can to support the work of the Organization implementing the lofty principles of this fundamental human rights document.

Mr. Talbot (Guyana): We have gathered today to mark the fifty- fifth anniversary of the proclamation of the Universal Declaration of Human Rights and to provide fresh recognition and a renewed tribute to the pivotal role and significance of the Universal Declaration in the global effort for the promotion and protection of human rights and fundamental freedoms for all peoples.

Today we also mark the tenth anniversary of the adoption by consensus of the Vienna Declaration and Programme of Action as a major outcome of the World Conference on Human Rights. The unanimous acclaim of the Universal Declaration of Human Rights is attributable to its remarkable success in codifying a core of values that the entire international community would agree to accept as common benchmarks of achievement. Its success in transcending religious, cultural and political traditions and orientations to unite peoples and nations was certainly a significant triumph. It is essentially that aspect of commonality, in spite of difference, that is the true source of the enduring value and power of the Declaration and it is that perspective that is at the heart of recognition for human rights at every level of society.

As we observe the fifty-fifth anniversary of the proclamation of the Universal Declaration, we bear a collective responsibility to uphold its hard-earned stature in the international sphere. Given the indivisible nature of human rights — civil, political, economic, social and cultural — it is imperative to bolster collaboration at all levels in order to consolidate prospects for more concrete achievements.

Against that background, approaches premised primarily on national considerations, such as those based on geographical, economic or social difference, pose a special challenge to international cooperation and progress in the field of human rights. At the same time, my delegation believes that, as we increasingly raise our voices — and rightly so — in defence of the individual victims of human rights abuses, the international community should also remain fully seized of the plight of the teeming millions in

developing countries for whom the right to development remains a dream unfulfilled.

Over the past decade we have witnessed the emergence of a plethora of developments that test our cherished perceptions of universal human rights. Those developments now compel an appraisal of our joint progress in extending the frontiers of human rights, while simultaneously responding to grave challenges.

The greatly amplified tension between the pursuit of a safer and more secure world and the extension of the enjoyment of freedom has perforce preoccupied our interest and energies in large measure. Terrorism, manifested on a hitherto unprecedented scale, has had an indelible impact on the global consciousness. Within that context, the horror of underdevelopment, poverty and disease, including the HIV/AIDS pandemic — which is no less an impediment to global progress on human rights — could be further relegated to the domain of the seemingly commonplace. It is important, therefore, to construct solutions that can target those not unrelated dimensions, while allowing for intensified progress on all fronts.

Notwithstanding those realities, there have been several heartening signs in recent times. At the Millennium Summit, commitments for the advance of global development were crystallized in the form of the Millennium Development Goals. The Monterrey Consensus, which followed, marked an important step forward in the global effort to mobilize the means for achievement of agreed development goals and to promote a more equitable global economic system. Those developments complement, and, indeed, should provide a new impetus, for the endeavours and gains resulting from more than five decades of consistent collaboration by the international community under the aegis of the Universal Declaration.

Accordingly, in marking Human Rights Day 2003, we stand at a juncture of renewed hope. Within our collective grasp is the prospect of the realization of more significant progress than has hitherto been the case. That promise must not be dissipated by prevarication or procrastination in the face of the formidable challenges before us. In that regard, the Vienna Declaration and Programme of Action has proven a useful instrument and should continue to provide the framework for more robust concerted action among actors at the local, national, regional and international levels.

To better guarantee the realization of our common human rights objectives and shared aspirations for equitable and sustainable development, my delegation has in the past advocated the need for the creation of a new global human order. Such an order should be based on a partnership approach that provides the international community with the rationale, motivation and mechanisms to imbue our stated commitment to development with the requisite political determination, as well as with the concrete steps to assure the attainment of the goals to which we subscribed universally.

Guyana holds the promotion and protection of human rights in the highest regard. My Government considers the strengthening of democracy and the safeguarding of human rights of all its citizens as integral to our overall development. Through the collective efforts of the Government, opposition parties and representatives of civil society — and with the support of international community — we have made noticeable progress in expanding my country's regime of rights and freedoms and strengthening the recourse mechanisms for safeguarding those rights. The legal and social framework for eliminating discrimination on the basis of ethnic origin in all spheres of life in the country has been significantly strengthened, as have the rights of women, children and indigenous peoples. That commitment to the promotion of human rights has informed Guyana's ratification of the major human rights conventions and our determination in honouring their attendant obligations.

One day in the life and work of the United Nations seems altogether inadequate to give the

necessary consideration and emphasis to the tremendous work of advancing human rights globally that it so richly deserves. But as the seminal act of the promulgation of the Universal Declaration fifty-five years ago has confirmed, simple acts can inaugurate powerful movements for change and improvement.

This year's United Nations Human Rights Award winners, in their work for the promotion of human rights through disparate means, together richly exemplify the difference simple acts can make. Those undertakings and accomplishments broaden our scope for hope in the future. I would like to take this opportunity on behalf of the delegation of Guyana to extend our congratulations to the Award recipients and to lend our voice and commitment to the goal of the early realization of all human rights for the entire global community. In that context, I also wish to pay tribute to the work of Sergio Vieira de Mello, the late United Nations High Commissioner for Human Rights, whose life of service to humanity was tragically and prematurely truncated in Iraq, but whose example and dedication will not as easily be effaced from our memories.

As we mark Human Rights Day 2003, I wish to urge that we rekindle the flame of understanding, cooperation and positive endeavour that so remarkably characterize the Universal Declaration and its implementation. In so doing, we can hasten the prospect for greater realization and enjoyment of human rights and fundamental freedoms by the entire human family.

The meeting rose at 1.10 p.m.