REFLECTIONS ON THE UNIVERSAL DECLARATION OF HUMAN RIGHTS OVER THE LAST 50 YEARS

FOCUS ON THE UNITED NATIONS ON ITS 50TH ANNIVERSARY

Seminar Report
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INTRODUCTION

UNPO set out to provide a concrete and useful program at the United Nations for representatives of occupied nations, indigenous peoples and minorities who are concerned about human rights in their own regions. This it did in order to commemorate the 50th anniversary of the Universal Declaration of Human Rights. The first part of the program consisted of a briefing session on existing UN human rights treaties, mechanisms and procedures related to the Universal Declaration. The second component was a discussion on the effectiveness, problems and failures of international efforts to protect and promote the human rights promulgated in the Declaration and related instruments.

The level of participation in the program was very good: representatives of more than forty indigenous peoples, minorities and other non-self-governing peoples took an active part in the day's events. All together close to a hundred people participated. They came from all continents and, for the most part, were people who were sufficiently senior within their own movements and organizations to be in a position to exercise some influence and to effectively use the lessons learned at the seminar within their own communities.

The briefing session, at which experienced persons from within the United Nations Human Rights Centre and from human rights organizations that work within the UN system shared their knowledge and experience with participants, generated an unexpected amount of enthusiasm from participants. Many participants, for example, met with Cecilia Thompson, who presented the work of the Working Group on Minorities, in order to further discuss with her how they could participate in future sessions of that Working Group. Similar enthusiasm was expressed with respect to other UN mechanisms about which many of the participants had never heard in detail before. All participants were encouraged to inform their constituencies in their own countries and to distribute information materials there about the available bodies and mechanisms of the United Nations dealing with Human Rights. UNPO's Secretariat offered supporting services for those who wished to organise seminars or training in their own regions.

The afternoon discussion was lively and focused. The speakers were inspiring and stimulated discussion. A deep sense of disappointment was expressed by many of the participants at the lack of consistent application of the fundamental principles of the Universal Declaration by states but also by the United Nations as an organisation. Speakers pointed to double standards applied by the organisation and its member states; and its inability to enforce the Declaration and also the many human rights treaties ratified by most UN member states.

Attention was also drawn to the importance of recognising the importance of collective rights of peoples and minorities in relation to human rights. The root causes of many of today's conflicts are related to violations of the right to self-determination of peoples in all its forms and to the suppression of cultural, religious or linguistic rights of entire communities. In those cases, individual human rights violations are often only symptoms of a deeper form of oppression and conflict. The statement, which was released by the Chairman of UNPO at the end of the conference accurately reflected the sense of the participants.
The UNPO/Centre for the Promotion of Human Rights and Protection of Nature event can be called a success. It achieved the principal aims, which the organisers had set out to accomplish. It should be recognised that the afternoon discussion could have been deeper and more beneficial had the session lasted a day or so longer. Time was too limited for such important topics. Despite this, the discussion provided an opportunity to analyse the current state of human rights protection from the unique perspective of the affected peoples and minorities. Their input, and the statement which they endorsed, is an important contribution to the overall debate and evaluation which is taking place this year on the occasion of the 50th anniversary of the Universal declaration.
SUMMARY OF THE DISCUSSION

Affirming the assertion that human rights should not be considered the internal affairs of sovereign states, UNPO Members called upon the United Nations to take an active role in encouraging and exercising intervention to protect the rights guaranteed by international law. The appeal was part of a Statement from UNPO Chairman of the General Assembly, Mr. Seif Sharif Hamad, in summary of a seminar entitled Reflections on the Universal Declaration of Human Rights over the last 50 years held in Geneva on 16 March. Planned to coincide with the Extraordinary Session of the UNPO General Assembly and the commencement of the 54th session of the United Nations Commission on Human Rights commenced, the seminar provided UNPO members and others the opportunity to discuss the UN mechanisms and instruments available to unrepresented nations and peoples, and evaluate the Universal Declaration of Human Rights (UDHR) on its 50th anniversary. UNPO and the International Federation organized the seminar for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, who were indispensable in providing Members with UN accreditation.

Intended for those people in senior leadership positions who may not otherwise have access to such training, the seminar was designed to provide understanding and insight into UN human rights mechanisms and instruments available to indigenous peoples and minorities, as well as the chance to learn about UN activities in relation to human rights. Divided into two parts, the seminar began with a half day training course on existing UN human rights treaties, instruments, mechanisms and procedures. Emphasis was placed on how procedures could be used in pursuing recognition of Members' situations. The afternoon session was devoted to a discussion on the effectiveness, problems and failures of international efforts to promote respect for the provisions of the UDHR. While the training course was restricted to UNPO Membership, the discussion was open to all delegates to the Commission on Human Rights, UN officials, representatives and experts from human rights NGOs, and representatives from permanent missions to the UN in Geneva.

In summary, the seminar delegates agreed that there has been more space created in the UN system for unrepresented peoples in the past half century, and the opportunities for Members to make use of this was discussed. However, there was overall disappointment that not more had been achieved by the UN on behalf of the unrepresented. The reality of the UN as a state-centred organization means that the implementation of existing rights is impossible to enforce. According to the Chairman, "the effectiveness of... instruments and mechanisms [established within the framework of the United Nations... to monitor and respond to the violations of human rights] is... seriously undermined by the repeated failure of governments to intervene in time."

The seminar was opened by Chairman Mr Seif Sharif Hamad, who prefaced his remarks with a brief history of the UDHR. Adopted as resolution 217 A (III) on 10 December 1948, the Declaration was meant to be a common standard for all individuals, not confined to national jurisdictions. Despite the attempt to promote a universal dimension to human rights, there remain wide differences in how countries interpret basic human rights. The Chairman, the UDHR's success has been confined to developing countries where democracy prevails.Proposing an implicit connection between human rights and democracy, Mr. Hamad believes that "the articles of the Declaration shall remain unworkable, as long as there is an absence of good governance, rule of law and political uprightness in third world nations."
Mr. Hamad further lamented the fact that the democratic nations have failed, in their capacity as UN Members, to uphold universal standards by creating viable mechanisms with international jurisdiction to enforce, strict measures on offenders of the articles of the Declaration. Confirming the need for new impetus on the enforcement of the UDHR, the Chairman expressed his doubt whether states would ever be able to balance their interest in their internal affairs with the need to give the UN the necessary muscle to uphold the Declaration.

This message was strongly seconded by Dr. Parris Chang, President of the UNPO Steering Committee, who provided an overview of the achievements of the UDHR since 1948. Dividing the UN's human rights efforts into four stages, Dr. Chang followed the progress of human rights initiatives from the initial period of legislation and the development of norms within the UN Charter, to the institutionalisation in the form of Conventions. Based on this foundation, from 1967 to 1988 the UN began to target specific countries. Using the case of South Africa, for example, Dr. Chang related the development of significant changes in the operation of the UN in international affairs. Although the UN is forbidden from interfering in domestic affairs, the General Assembly concluded that apartheid could be considered a threat to international peace and security, and imposed sanctions against South Africa. Therefore, by the end of the 1980s there was a consensus that "how a state treats its citizens [was] no longer exclusively that state's domestic jurisdiction, and no state [could] use the pretext of internal matters to avoid intervention by outside forces."

Despite the tremendous progress since 1948, and the positive contribution of individuals, NGOs and some states' foreign policies, many countries continue unimpeded to violate the standards of the UDHR. Using the example of the People's Republic of China (PRC), Dr. Chang described how the UN is powerless to act regardless of widespread evidence of human rights abuses. Relating to the Chairman's regret at the lack of democracy in the third world, Dr. Chang exposed how such countries abuse the democratic arena of the UN by mutually supporting each other in the face of human rights allegations: third world Members of the UN regularly support the PRC at the yearly UN Commission on Human Rights by blocking resolutions against it. More recently, the power of the PRC to influence UN Members has extended to the European Union, which has discontinued its long-standing support for a resolution on China. According to Dr. Chang, the next 50 years of the UDHR should be focused on the "decolonization ... of colonial empires" established by "third world states, which practice their [own] version of ...imperialism."

The first half of the day proceeded with the discussion of the existing UN human rights bodies, which are open to participation by non-state actors, such as the various Working Groups and the treaty bodies. The Secretary of the Working Group on Minorities (WGM), Cecilia Thompson, explained that the WGM provides a forum for dialogue between governments and minorities, where the latter can draw attention to their situations. However, she acceded that the issue of self-determination is avoided in that forum. Because the WGM cannot function without the participation and cooperation of states, who fear that self-determination endangers their territorial integrity, the issue of self-determination is left an internal matter.
While admitting that the WGM provides minorities with the possibility to present their problems at the UN, Menelaos Tzelios (General Secretary, International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and other Minorities) added that it is a very slow process requiring much time, financial resources, dedication and persistence. Moreover, Mr. Tzelios emphasised that the rights of minorities should not be seen as separate from the rights of all citizens of a particular state. According to their studies, his organization has found that "the rights of minorities suffer the most in states where [the] human rights of all citizens are violated."

Although the UN Charter fails to make any provisions to minorities, Mr. Tzelios concurred that there are sufficient regional and international instruments and convenants to adequately protect these groups. Unfortunately, the power of these instruments is limited to "urging" or "encouraging" governments to respect and promote minorities' rights.'

There are no consequences for states which ignore or violate these covenants. We do not need more instruments to promote and protect the rights of the minorities. What we need is a body with power to enforce the various resolutions and UN declarations.

Nevertheless, newly elected UNPO General Secretary Helen Corbett stressed that the Working Group on Indigenous Populations (WGIP) provides indigenous peoples the opportunity to be included in formal reports, and to present international standards for institutionalisation, for example in the Draft Declaration on the Rights of Indigenous People. She emphasised the strict rules governing situation reports, and the training required to participate in the information complaints committee: if rules are not followed, intervention can be pushed aside.

While agreeing with the points made by Ms. Corbett, Julian Burger, Secretary of the WGIP, added that the space made for indigenous peoples via the WGIP was at the lowest level possible within the UN system. Indeed, there are only two conventions in which indigenous peoples' rights are mentioned: the Convention on the Rights of the Child and the Convention on Biodiversity. The WGIP provided the first opportunity for open dialogue between states and indigenous peoples, which interaction has been instrumental to the proposal to establish a Permanent Forum for Indigenous Peoples, as well as the creation of the Draft Declaration on the Rights of Indigenous People.

Elucidating the various rights enshrined in the Draft Declaration, including the right to self-determination, Mr. Burger emphasised the fact that these rights were not of interest to states responsible for their implementation. The only existing standards on indigenous peoples in the UN system is provided for in the ILO conventions of 1957 and 1989. However Chandra Roy (expert at the ILO) explained that, like the WGIP, these standards were at the lowest possible level. Moreover, she made clear that political issues such as self-determination were not covered.

The speakers agreed that the opportunity provided by the UN to speak at the same level as and negotiate directly with states had made the Unrepresented a force to be reckoned with. Indeed, Ms. Roy said that the mobilisation of indigenous peoples themselves had led the ILO to change its policy. The UN's initiative to improve the equilibrium between unrepresented peoples and states had sent a clear message that the unrepresented are part of the modern world and deserve their rightful place. Mr.
Burger affirmed that dignity had been given to the Unrepresented, and that it had been an education process for states.

The group encouraged Members to make more use of treaty bodies, where no ECOSOC status is required, because they offer the opportunity to challenge states' reports. In this regard, both Dr. Michael van Walt (UNPO Counselor of Political Affairs) and Mr. Miloon Kothari (UN Rep. Habitat International Coalition) urged Members to develop good relations with NGOs, governments and UN personnel: if relationships of trust can be cultivated through knowledge about Members and their situations, Members could increase their influence. Ms. Corbett added the importance of unrepresented peoples themselves learning about each others' situations.

Despite the words of encouragement, several of the morning speakers did mention the difficulty of implementing the far-ranging rights provided for by the UDHR. Mr. Burger confided that while many states recognise these rights, they do not necessarily respect them. This theme was carried into the second part of the seminar, in which the UDHR was evaluated with respect to unrepresented nations and peoples. Kasur Lodi Gyari (Tibet) said he felt disappointed by the UN based on the fact that millions of people in the world are still deprived of their rights. According to him, the accomplishments that have been booked in the last 50 years have been achieved by the hard work of the people themselves. "Those who win their rights do so on their own, as the UN has no mechanism to enforce [the Declaration]."

In this regard, Dr. Aslambek Kadiev (Chechen Republic Ichkeria) explained the existence of double standards at the UN by using the example of the failure of the CHR to pass a resolution on Russia although everyone agreed that they had been responsible for serious human rights violations. Using his own similar experiences at the CHR, where no resolution on China has been passed since 1992, Kasur Gyari commented: "We are not going to change the attitude or the tremendous leverage [powerful states] can exercise. We have to start with ourselves and use our strength.... We have to determine how to collectively use our energy, despite the double standards."

Expressing his disbelief that resolutions were not passed despite awareness of existing human rights violations, Reynaldo Mariqueo (Mapuche) voiced his disappointment in the progress on human rights for unrepresented peoples within the UN. Seconding this statement, Ms. Inaria Kaisiepo (West Papua) added that treaty bodies offered limited options due to the fact that the state in question has to have ratified the appropriate convention.

With reference to the numerous states violating the UDHR, Mr. Erkin Alptekin (Eastern Turkestan) explained that many peoples resort to violence out of frustration and hopelessness when they see that peaceful means, such as the UN, are ineffective. Agreeing with Kasur Gyari that the UN was sometimes an instrument used to deny rights, Dr. Kadiev asked how the UN could help solve the problems of unrepresented peoples and nations when they often declared such situations "internal conflicts", as in the case of Chechenia, among others. Indeed, the Chairman's Statement declared UNPO's alarm "to see that today the United Nations increasingly restricts the participation of affected peoples and minorities in its human rights bodies, rather than
encouraging dialogue and understanding.... This restriction is bound to increase the violations of human rights and to promote the outbreak of violent conflict."

Summing up the opinions of those present, Mr. Hamad said that while the UDHR is a good document, it remains a "white elephant": "we cannot depend on the UN system to implement the UDHR because of national interests."

However, Mr. Hamad called on members to rise to the challenges specified by the speakers. There was much agreement with the views of Dr. Latif Rashid (Kurds of Iraq) and Mr. Ravi Nair (Executive Director, South Asian Human Rights Documentation Centre) that the UN was like an exclusive club, where the unrepresented are forgotten. For this reason, it is important to make Members situations known, by using all mechanisms possible and bringing their stories to the public. As an example, Ms. Kaisiepo explained how West Papua had used the WGIP to set up a network to publicise their cause within the unrepresented community worldwide, which led to increased contacts within their own community. In addition to West Papua, other UNPO Members, such as Tibet and East Timor, have also been successful in getting their issues raised at the UN.

Mr. Mariqueo stressed the need for training and other support from UNPO to help Members to use the UN to their best ability. Mr. Nair said that "as a collective body of nations and peoples, you need to make collective policy decisions." He stressed that Members should not depend entirely on UNPO, but should be actively engaged if they want change.
THE OPENING SPEECH BY SEIF SHARIFF HAMAD, CHAIRMAN OF UNPO GENERAL ASSEMBLY 16 MARCH 1998 GENEVA

Dear Participants, Distinguished Invited Guests, Ladies and Gentlemen.

Firstly, allow me to express my sincere thanks and profound appreciation to the organisers for affording me the honour to open this esteemed seminar.

Secondly, may I take this opportunity, on behalf of the organisers of the seminar to officially welcome participants to the seminar. It is my sincere hope that your stay has been comfortable and your contributions to the seminar will be of vital importance to the development of a proper concept of human rights. Therefore, I should like to open my remarks by revisiting in brief, the history of this Universal Declaration.

History has shown that, the concern for the protection of human rights found expression almost exclusively at the national or domestic level in accordance with the varying notions of changing times. That is true even in the national spheres, that prevailing power structures in many countries resisted acceptance, beyond metaphysical or philosophical, of the notion of the human rights, the dignity of human person and the humanity of man.

In the cause of history, violations have occurred and were wide ranging and the end result was that, great popular upheavals took place and gave birth to charters in some states - for instance, Magna Carta, French Declaration of the Right Man and the Citizen of 1789, followed two years later by American Bill of Rights.

These instruments were modern standards, undeniably limited in content and focus and were not perceived as being of universal application, though they undoubtedly inspired and influenced reform in many countries in the field of human rights.

At the International level before the turn of this century, notions of human rights were no more than selective extensions of certain rights which powerful nations wanted for their own nationals to enjoy elsewhere and hence their justification for certain annexations wars, upon expansion of international commerce.

After the First World War, however, the beginnings of universality, though still restricted in content and scope, began to emerge. This was in great measure, due to the founding of the League of Nations and the imposition of certain safeguards in peace treaties in the treatment of minorities. But it was not until the aftermath of the Second World War that the international community became dramatically convinced of the real and pressing need to protect and promote human rights.

The promotion and protection of human rights were seen as an integral and essential element of the preservation of world peace and co-operation operation, not only within the confines of particular states but universally. To achieve this end, the need was also felt to create the necessary mechanisms to deal with the highly complex questions that would inevitably arise in the systematic quest for generally acceptable norms and their implementation within all national jurisdictions.

The Universal Declaration of Human Rights was adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948. The main objective of
this International Bill of human rights was meant to be a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights, freedom and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the people and Member States themselves and among people of territories under their jurisdiction.

If I may mention the successes of this international covenant of human rights, I would honestly, say that there are gains attained in the implementation of the articles of this Declaration since its inception. But these successes are mainly confined in developed countries where democracy has taken firm roots and flourished. For it appears that the articles were probably formulated to commensurate with the social and political conditions of the developed West. Literally, the articles as they are emphasise on democracy, and hence those articles can only attain the required successes in developed Democratic societies.

In fact, I am with those who belong to the school of thought that asserts that the society of human beings can not have freedom without democracy and that democracy is about respecting the fundamental human rights of all human beings. Our brethren in developed west have highly developed democracy, and thus, logically the fundamental human rights are respected, as the international human rights norms require.

However, in most third world countries there is little success, if there is any at all, on the awareness, functions and implementation of this Declaration. It is most unfortunate, that this Declaration has not registered many positive gains in many third world country. This is probably because of contradictions involved in the historical formulation of the articles and the political realism of post independence third world countries.

Most of the developing nations did attain their political independence twenty years after the Declaration was proclaimed and adopted. I should assert that the articles of the Declaration did not, by any political standards, conform with the social and political conditions of newly independent states. For the new states have different perception of human rights norms.

The mere fact that the phenomenon of the Universal Declaration of human rights entailed democratic system and the fact that the new states in under developed world had adopted unitary political system of governance, one would arrive at the conclusion, that the Declaration is not compatible with authoritarian system.

The essence of the Universal Declaration of Human Rights, is a compound of democratic values and ethics, which have been specifically addressed to embrace a democratic governance in a democratic society. This Declaration has not fared well in third world nations. The articles of the Declaration shall remain unworkable, as long as there is an absence of good governance, rule of law and political uprightness in third world nations.

Dear Participants, the subject of human rights is so wide and has numerous ideological and religious intricacies, some of which are in contradiction with each other as emerges now and then at different world for which we meet to discuss and to deliberate on human rights issues. Human rights phenomenon is yet to be given an
appropriate definition. Each country assumes different interpretation of human rights concept. The conceptualisation of human rights framework is yet to be predicated. Failure to have a common and universally accepted definition of the human right concept may aggravate conflicts in conceptualisation of the human right phenomenon.

Dear Participants, my own observation on performance in implementing the articles of this Declaration within a half century of its inception, is that the United Nation has failure to create a viable mechanism that has an international jurisdiction to enforce strict measures to offenders of the articles of the Declaration.

Dear Participants, our civilised Technological world has made tremendous scientific and technological advances, from appalling cyberspace technology to incredible genetic engineering, but it is true that the same civilised world has failed miserably to eradicate all forms of human sufferings and degradation, brought about by outrageous human right violations. Human beings continue to suffer in the hands of fellow human beings, who hold and abuse political and military power.

It is my considered opinion that the root causes of today's political uprisings and carnage in many parts of the world, and especially in the third world, are the direct result of the failure of the international systems to check the human and civil rights abuses. The despotic leaders are arrogant and remain heedless to international covenant on human rights as they continue with their atrocities. Member states of the United Nations not only fail to abide by the universal human rights accord, but some of them are even known to have gone far a field in insisting the oppressive regimes to maim or even murder the innocent people. This is indeed a horrible situation in a world which boasts itself of Scientific and Technological advances.

The Universal Declarations of Human Rights and other continental charters on human rights need to be given new impetus. The United Nations must now rethink seriously on the enforcement of its human right charter. The United Nation has to develop a mechanism that shall have jurisdiction, powers and capacity to respond urgently to situations, where any unruly ruler of a member states breaches human rights charters.

The idea here is that the UN should have the muscle that will ensure that member states comply with international norms on human rights. The question is can the UN in its present structure have such a muscle when states are more concerned with protection of their- national interests?

THANK YOU ALL.
Achievement of Shortcomings of the United Nations Human Rights Efforts Since 1948: An overview

by Parris H Chang, Ph.D.
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An overview

50 years have elapsed since the adoption in 1948 of the Universal Declaration on Human Rights. This is an opportune moment to review the achievements as well as the shortcomings of the human rights efforts of the UN system, and to explore the new strategies/approaches to enhance protection of human rights.

For purpose of analysis and comparison, we can divide the human rights efforts of the UN into 4 stages. In the first stage, from 1947 to 1954, the efforts at the UN focused on the legislation, codification of norms and elaboration of UN charter provisions on human rights. The second stage, from about 1954 to around 1967, saw the adoption of two major human rights conventions, International covenant on Civil and Political Rights, and International Covenant on Economic, Social and Cultural Rights, and the gradual formulation of a UN action plan on human rights - largely through seminars and publications of various studies on human rights problems in general.

A Third stage, from 1967 to 1988, was a period of intensive actions in which an International Bill of Rights and a global regime on human rights had emerged. The UN first targeted selective protection of rights in specific countries like South Africa, Israel and Chile, then broadened its concern to other targets. By the end of the Cold War, these efforts at protection and enhancement became almost global, especially after the two major covenants on human rights came into legal force in 1976. Most countries were not exempted from some type of UN supervision of their sight record.

Several significant developments during this stage should be noted. The human rights diplomacy of the US, launched by president Jimmy Carter in 1977 and continued by Pres. Ronald Reagan in the 1980's, gave the human rights efforts a big push. The Helsinki Final Act of 1975 was, likewise, significant in its long-term impact, through this agreement, the USSR and its East European allies could no longer hide behind the cover of "internal affairs", and their human rights conditions and abuses were subjected to close scrutinising by external organizations.

The campaign against apartheid of South Africa by the UN has had the far-reaching effect, not only for the protection of human rights in South Africa and elsewhere, but also for the changes in international relations and the operation of the UN. In spite of Article 2 :7 of the UN charter, which prohibits the UN from intervening in matters within the domestic jurisdiction of its members, the western member-states in the UN found themselves compelled to admit that the issue of apartheid (a domestic system of racial segregation in SA) could be considered in the UN, and subsequently accepted the contention that it posed a threat to international peace and security, and finally went along with sanctions against SA while mandatory sanctions ordered by the Security Council only banned the sale of military equipment, most western countries,
with the exception of Great Britain, took voluntary measures to restrict economic ties as well. It is important to point out that by the end of 1980's, there is a world-wide consensus that how a state treats its citizens is no longer exclusively that state's domestic jurisdiction, and no state can use the pretext of internal matters to avoid intervention by outside forces.

With the end of the Cold War in 1989, a fourth stage began. When Communist China's troops massacred the democracy demonstrators in Tiananmen Square on June 4, 1989, the world condemned the PRC brutality and gross violation of human rights. Many governments did not hesitate to impose diplomatic and economic sanctions on such a major power and a permanent member of the UN Security Council.

The characters of this post-cold War stage are still evolving and taking shape, but it seems obvious that the struggle for human rights is less coloured by East-West confrontation as it used to be, and there has been a marked change in the treatment of human rights at the UN, as member-states for a variety of reasons give greater attention to the subject. Especially noteworthy is world opinion is less inclined to turn a blind eye on violations of human rights in Third World countries, including the PRC, Indonesia, India, Burma and Nigeria, to name only a few. The founding of Unrepresented Nations and Peoples Organization (UNPO), an international human rights organization in 1991, represents new efforts to address the protection of human rights in countries like the PRC, Indonesia, Burma, India, Nigeria and Russia.

The Reasons

What are the reasons/forces behind the progress on human rights. We can identify the following:

(1) States' Foreign Policy.
Scandinavian States and several western European states have consistently uphold high standards in the promotion of human rights around the world. Since 1977, the US launched its human rights campaign, and became a forceful champion of the human rights in the world stage. For different reasons, some Third World States and even the Soviet Bloc feel compelled to support human rights.

(2) NGOs
Efforts of Amnesty International (AI), the International Commission of Jurists and others have been essential. They provide information on human rights abuses, publicity, and keep pressure on states and the UN to implement international human rights standards.

(3) Individuals.
Mrs Elenor Roosevelt, Nobel Peace Award have recognised, many prominent individuals for their contribution to the enhancement of human rights. There are others, especially those on the Subcommission and the Human Rights Committee, and many such groups who have not received adequate attention for their work, should be given credit for contributing to better protection of human rights.

(4) UN Organisation, including the Secretariat.

(5) World public opinion has generated over time pressure for the states to live up to the international human rights standards.
Even governments with poor record on human rights find it politically expedient to pay lip service to democracy and individual freedom. Under constant criticism by western nations, the PRC announced on March 12, 1998, that it would sign the international covenant on political and civil rights, even though those rights have been closely circumscribed in China.

What can be done?

But more need to be done. If we only take a casual look at the AI annual report on Human Rights conditions in the world, we would notice the widespread violations by so many states.

Chief among them is the PRC, which has been the target of criticism by the UN Human Rights Commission in Geneva in recent years. Although the PRC Foreign Ministry signed the International Covenant on Economic Social, and Cultural Rights in October 1997, the National People's congress, China's rubber stamp legislation, has yet to ratify it. Despite such a gesture, AI said in a report in March 1998 that little had changed in practice in China, thousands of Chinese had been detained without trial. Trials were "grossly unfair" and torture was widespread in police cells. In Washington, House and Senate committees approved a non-binding resolution on March 11 urging the Clinton Administration to condemn "serious human rights abuses in China at the meeting of the UN Human Rights Commission.

PRC leaders used to pay lip service to national liberation, but PRC is one of the world's few remaining colonial empires in the 1990's, as it continues to oppress the peoples of Tibet, East Turkestan and Inner Mongolia, and other national minorities who seek national self-determination. The PRC also claims Taiwan to be its territory, although it never governed Taiwan for a minute since the PRC was established 1949, and has used all means to isolate Taiwan diplomatically and deny Taiwan's participation in the UN and other international organization's. In March 1996, when Taiwan was engaged in a first ever direct presidential election, the PRC resorted to military force to disrupt Taiwan's democratic process and intimidate its people.

For the UN to submit to PRC pressure and deny Taiwan's membership in the UN is an outright violation of the human rights of Taiwan's 21 million people. Worse, China's military action was a direct threat to international peace and security and thus a serious violation of the UN Charter. Most regrettably, the UN Security Council failed to take up the matter in its deliberation.

The UN human rights efforts have suffered from the double standards, hypocrisy and political expediency as displayed in the cases cited above. The problem lies not only in the US and the western states, the Third World States should bear the primary responsibility. In recent years the Third World States have provided bulk of the support to the PRC to block passage of an resolution critical of Beijing at the UN Human Rights Commission in Geneva. However, European states have gradually caved into Beijing's pressure and economic rewards, and the European Union recently decided to drop its support for the resolution, making a mockery of its commitment to western liberal values.
It is a fact that violations of human rights in the Third World countries are widespread and systemic, and the Third World states also practice their yellow and black version of colonialism and imperialism. In the past 50 years, the world has made considerable progress in human rights and in decolonization against the white man and the western powers. In the next 50 years, the world must turn its attention to the protection of human rights in the Third World and in the decolonization of the yellow, black and brown colonial empires.
To commemorate the 50th Anniversary of the Universal Declaration of Human Rights

Geneva 14th to 17th March 1998

Dr A L Rashid

The Declaration of Human Rights with all the 30 articles, which include that:
• All human beings are born free and equal in dignity and rights.

• Everyone is entitled to all rights and freedom, rights to life, liberty and security.

• No-one should be subjected to torture or to cruelty.

• All are equal before the law.

• No one should be subjected to arbitrary arrest, detention or exile.

• Everyone is entitled to fair and public hearing.

• Everyone has a right to freedom or movement and to reside within the border of each state.

• Everyone has the right to leave any country and return to his country.

• Everyone has the right to own property.

• No one shall be arbitrary deprived of his property.

These and many other noble phases are included in the recognition of the human rights declaration.

Without any doubt this declaration has been one of the most important of mankind's achievements.

The importance and the great need of this declaration should not be undermined whatsoever. In large areas of the world this declaration has improved the way of life, with a much healthier environment and there has been positive consequences related to the implementation of this declaration.

To make an assessment of the achievements in the field of human rights since the adaptation of this declaration, one has to consider the overall global picture and the results.

In many areas all over the five continents there has been tremendous improvements in the field of human rights. Human rights have become the virtue of our day to day living.

Having stated the above I would like to draw your attention to certain countries and areas in the world which unfortunately are still covered by a dark cloud of human abuses and repression. Specifically I would like to concentrate on the Kurdish situation and in particular the Kurdish Human Rights issues mainly Kurds in Iraq.

No one could go near the burial area because of the curfew. All those who were shot were innocent Kurds, their crimes were that they were good and successful in their
skills and professions. They include the cities best known teachers, sportsman, artists, etc.

The government committed this crime and announced that this was to teach the Kurds a lesson.

The successive behaviour of the Iraqi Regime reached a policy of genocide against the Kurdish people during the present dictatorship in Iraq.

Allow me to point out the nature of repression against the Kurds in Iraq.

**Executions and Mass Executions**

The death sentence applies to all those who leave Iraq and do not return; desert from the army; flee to foreign country; apply asylum in a foreign country; join an opposition (illegal) political party; own a typewriter without the permission of the government; betray government secrets (including reports on torture), and for insulting publicly the President.

The list of people who have been executed runs into tens of thousands.

**Massacres**

Mass liquidation of families and communities and again victims of these crimes Mass liquidation of Kurdish civilians. Mass graves are being uncovered in various parts of Iraqi Kurdistan and evidence proved that as many as 182,000 Kurds departed to the South after 1988 were simply murdered in the ANFAL campaign which took place in stages.

ANFAL is the name of a Koranic Sura "The spoils or infidel " a government's religious justification for the crime: Ali Hassan Majeed who was in charge of Iraqi Kurdistan wrote to the Defence Minister: "Yes, I'll certainly look after (the Kurds), I'll do it by burying them with bulldozers. That's how I'll do it.

There are unlimited examples on the massacres.

**Disappearances**

In one case over 8,000 Barzani Kurds disappeared, individual and group disappearances became a pattern of life in Iraqi Kurdistan.

**Imprisonment and Deportation of Family Members**

To threaten family members for the political behaviour of their relatives.

The overall Kurdish population is estimated between 25 to 30 million, divided between a number of countries, Turkey, Iran, Iraq, Syria, Russia and many other states. It is still the largest nation in the world without a state or national recognition. The Kurds are persecuted everywhere and unless a political solution is found based on the implementation of the human rights declaration and the International Convention on civil and political rights of the UN, peace and security will not be achieved in the region where the Kurds live.
Article 1 of the International Convention on Civil and Political Rights of the UN states. All people have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 27 states: In those states, in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

The Iraqi Government was first organised in 1920 and in December 1923 the British Government issued a pronouncement, which stated

"His Britannic Majesty's government, and the government of the Iraq, recognise the rights of the Kurds living within the boundaries of Iraq, to set up a Kurdish government within these boundaries, and hope that the different Kurdish elements will, as soon as possible, arrive at an agreement between themselves, as to the form which they wish that government should take, and the boundaries within which they wish it to extend, and will send responsible delegates to Baghdad to discuss their economic and political relations with his Britannic Majesty's government and the government of Iraq." Nothing came of this offer.

Since the formation of Iraq successive Iraqi governments have given numerous promises (unfortunately on paper only). The Kurdish conditions have gone from bad to worse and it reached the climax of brutality during Saddam's regime.

Despite political, national and economic deprivation, the undemocratic regimes in Iraq have conducted a continuous military operation against the Kurds of Iraq.

During the monarchy, repression methods were much milder but still the Kurds were not allowed to enjoy their national rights or celebrate their national day. A lot of Kurds were imprisoned for political reasons.

After the 14th July 1958 revolution, for a short period of time the Kurds were treated as equal citizens, but soon that changed and a military campaign started against the Kurds in 1961.

When the Baath party and the military junta came to power in 1963, repression in Iraq became very vicious and to give an account: In the city of Sulaimaniyah in June 1963 over a hundred civilians and professional Kurds were shot and buried, some of them were still alive.

Poisonings and Assassinations

To terrorise and eliminate opposition to the regime. These actions have been carried out inside and outside Iraq. Large numbers of prominent Kurds have been poisoned or assassinated by the Regime.

Deportations
Between 1971 to 1972 the regime drove out 40,000 Faili Kurds. Large number of villages in a strip 30 kilometres wide and 1,200 kilometre long was depopulated for security reasons. Areas in the city of Kirkuk and surrounding areas have been depopulated at various stages and this process is taken place at present time. Recently 1,500 families were deported and the Iraqi regime had issued a decree in January 1998 to carry out depopulation of the Kurds in the area. This policy is nothing but ethnic cleansing.

The number of deportations and displaced persons has reached around half a million and perhaps two million people have been moved from villages and towns.

Destruction of Villages

More than 4,000 villages have been destroyed and razed to the ground. At one stage before the creation of the 'Safe Haven' for the Kurds after the Gulf war, there were no villages left in Kurdistan. Every village, including some that dated back to almost the beginning of civilisation, had been dynamited and bulldozed. Large parts of Kurdistan have been made uninhabitable by the regime's mine laying operations.

Poison Gas and Chemical Weapons

The regime started using poison gas against the Kurds as from 1987 on a number of locations. On the 17th March 1988 the Iraqi Air Force carried out an extensive chemical bombing of the town of Halabja with a population of 70,000 and the nearby villages which lasted 48 hours.

As a result 5,000 innocent people of Halabja lost their lives and over 7,000 more were maimed. According to a TV crew with medical experts who have come back from Halabja recently, the effect of the Chemical bombing on Halabja is permanent on the population.

Professor Godsden of Medical Genetics recently quoted "Halabja, 10 years on: is still poisoned in body and spirit'. She goes on "Halabja was bombed, and the chemical agents used were a cocktail of mustard gas, (which affects, skin, eyes, and the membranes of the nose, throat and lungs) and the nerve agents SARIN, TABUN, and VX

"10 years after the attack the people are still suffering a wide spectrum of effects, all of which are attributed to long term damage to DNA. The terrible images of the people of Halabja and their situation recur in my nightmares and disturb my waking thoughts. Perhaps these thoughts persist so vividly as a reminder that the major task is to try to get help for these people".

Crimes Against Humanity

Article 6 of the charter of the Nuremburg Tribunal defines crimes against humanity as murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population.
The genocide convention defines genocide as meaning, "any of the following acts committed with intent to destroy, in whole or in part, a national, ethical, racial or religious groups as such as

a) Killing members of the group.

b) Causing serious bodily or mental harm to members of the group.

Iraq's conduct in Kurdistan definitely has many characteristics of genocide. The answer to the Kurdish problem in Iraq and for that matter in the region is the establishment of a Federal Democratic government, which respects national and human rights for the Kurds. The Kurds in the region should have the right to enjoy all political, national and human rights in all the countries where they live.

All the articles of the Human Rights charter must be treated as benchmarks for the behaviour of states and governments. Diplomatic political and economic relations between states must be based on the human rights records and all military assistants should be conditional to the human rights behaviour and serious consequences should be directed to the states that carry out internal repression.
REFLECTION ON THE UNIVERSAL DECLARATION OF HUMAN RIGHTS OVER THE LAST 50 YEARS

PROTECTION OF MINORITIES AND THE UN

Presented by: MENELAOS G. TZELIOS, Gen. Secretary
March 1998
Geneva

On the 10th of March of last year, Jose Ayala-Lasso, the then High Commissioner for Human Rights, communicated a message to "Governments, United Nations agencies and programmes, international and regional organisations, national institutions, academic institutions and non-governmental organisations, as well as other parts of civil society, including the media and private enterprise," asking them to commence "preparations for the commemoration of the 50th Anniversary of the adoption of the Universal Declaration of Human Rights." The International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities and The Unrepresented Nations and Peoples Organisation have organised this seminar in order to reflect on the Universal Declaration of Human Rights over the Last 50 years, to examine the influence this Declaration had in improving the lives of the peoples around the world and to draw the necessary conclusions for future actions.

Although The United Nations failed to make a reference in its Charter or to include a specific article for the protection of minorities in the Universal Declaration of Human Rights, there are more than enough international instruments and convenants that if implemented by all states it will not be necessary for additional safeguards. Article 1, Par. 1, of The International Convenant on Economic, Social and Cultural Rights, for example, states that "All people have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. "Apparently this article applies to all people except the minorities. Unfortunately many governments still treat the minorities as enemies of the state and with suspicion, even when there is no threat to the territorial integrity of the state or any evidence of sessionist movements.

The rights of minorities cannot be isolated or separated from the rights of all citizens in the state where they live and could only be understood or protected if examined in relation to the general environment of the state. The respect of the human rights of all citizens in the state is very important. Our studies have shown that the rights of the minorities suffer the most in the states where human rights of all citizens are violated.

Although there are many UN as well as European or regional convenants which can adequately protect the minorities, the international community is seeking additional instruments to guarantee the rights of minorities. The appointment of a UN High Commissioner on Human Rights, the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and the establishment of the Working Group on Minorities are just a few fairly new instruments which emphasize
the important role that the UN can play, or at least is trying to play, to 'promote and encourage respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion."

I could very easily take the time that's allocated for my presentation today to list all documents, declarations and articles in various Convenants under which the rights of minorities are promoted and protected. Since the international community is caring so much for the minorities and has adopted so many declarations and convenants to protect the rights of the people belonging to minorities, the question then is, why minorities are persecuted, harassed, assimilated by the policies of governments around the world? Why even the most basic human rights of people belonging to minorities are violated to the extend that if these policies continue a larger number of minorities may not be around to celebrate the second fifty-year anniversary of the Universal Declaration on Human Rights. The answer is simple: All these instruments and declarations have one thing in common, they "urge" or "encourage" the governments to respect and promote the ethnic, religious, linguistic or cultural rights of the people belonging to minorities.

Article 8, Par. 1, for example, of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities states: "In particular States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties."

Mr Eide, a distinguished professor, member of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities and Chairman of the Working Group on Minorities, in his article about the work of the subcommittee published by Claredon Press Oxford, referring to the Article 27 of the Convenant on Civil and Political Rights, which deals with people belonging to minorities, writes: "This (Article 27) was a substantially weaker approach than the one taken by the Sub-Commission at its first session, in two regards. First, the right was vested in individuals, not groups, and second it imposed a purely passive obligation on States.

"The Vienna Declaration and Programme of Action of the World Conference on Human Rights also "urges States and the international community to promote and protect the rights of people belonging to national or ethnic, religious and linguistic minorities in accordance with the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities." And in his working paper submitted to the Working Group on Minorities, May 1997, Mr Guillaume Siemienzci, Programme Consultant at the Foundation on Inter-Ethnic Relations, Government of Canada, commenting on The Hague Recommendations on the Educational Rights of the Minorities, observes: "The international instruments relating to the education rights of minorities which do address the issue, do so in general terms, " and goes on listing all major instruments on minorities and concludes: "...the formulation of these standards can give rise to a wide range of interpretation."

The fact remains that there is not a single body, agency or authority within the UN system responsible to enforce the implementation of the various resolutions or declarations protecting the rights of the minorities. And there are no consequences for the States, which ignore or violate these convenants. We do not need more instruments
to promote and protect the rights of the minorities. What we need is a body with powers to enforce the various resolutions and UN declarations.

The minority issues are dealt superficially by the state governments simply because there are no incentives or consequences to do otherwise. The UN Sub-Commission on Prevention of Discrimination and Protection of Minorities is the only UN body close to the problems and concerns of minorities. The establishment of the Working Group on Minorities makes it possible for the people themselves to present their problems to the UN machinery. We have to realise though, that this is an extremely slow process which requires enormous amount of time, financial resources and most of all dedication and persistence.

For the last fifteen years I follow the proceedings of the Sub-Commission and the Commission on Human Rights. I have seen the members of the Sub-Commission struggling trying to find the right formula for the resolutions which could serve a useful purpose without offending any government which have the last word on the actions taken by the Sub-Commission.

During the cold war the forums on the UN were used for propaganda purposes to a large extend by the opposing camps. With the collapse of the Soviet Union we had hoped and expected that things might be much better. Unfortunately minority groups have not benefited from these changes. In most cases their situation has been deteriorated.

The Albanians in Macedonia who are treated constitutionally as a minority although they represent the largest ethnic group within the state-are deprived even the most basic human rights. Higher education is denied in their mother tongue. Unemployment is extremely high and a large number of Albanians are seeking refuge and employment in many parts of Europe.

The Greeks minority in Albania has been persecuted and harassed by the government and Sali Berisha from 1992 to 1997 more systematically than the previous fifty years under communist control. Greek schools were closed, members of the Greek minority were forced out of the military and civil service jobs and their leaders were jailed under fabricated and unsubstantiated charges. The above examples are not isolated cases. People belonging to national or ethnic, religious and linguistic minorities are constantly persecuted. Population transfers, intimidation, lack of security and deprivation of education in their mother tongue are practised by many governments today against the minorities in their state.

I hope that some day soon governments will realise that minorities have an important place in their society and they could make a positive contribution towards the welfare, culture and the general environment of the state and the region. Lets all work harder and more indeligently and make it possible for all people in the world to celebrate the next fifty-year anniversary of the Universal Declaration on Human Rights.
SPEECH

by

Anton Niculescu

Hungarians worldwide are celebrating these days not only 50 years since the Universal Declaration of Human Rights was adopted but also 150 years from the Hungarian Revolution erupted on March 15, 1848. One year later, in 1849, 13 generals were executed by the Austrian army for having participated in the revolution on behalf of the Hungarian army. 11 of them didn't speak Hungarian, since they belonged to other nations. This example is relevant for the fact that freedom bears no ethnic borders: one cannot provide for with freedom for some while forbidding it for others;

This experience repeated itself in Romania in December 1989 when Hungarian, Germans and Rome have fight along with Romanians for abolishing Ceausescu's dictatorship. Moreover, in November 1996, the democratic opposition took the power. As a result, the legitimate representatives of the Hungarian minority entered government, after being side by side with its coalition partners for seven years;

The fact that the Democratic Alliance of Hungarians in Romania is part of the Government does not and cannot lead to the immediate radical change of the situation of ethnic minorities living in Romania. However, it is producing significant shifts in the majority's attitude towards minorities and vice versa. Hungarians have now the opportunity to prove that besides following their specific interests they are doing their best in helping for the general development of our country. Sociologists should work on spotting how these changes have affected the sub conscience of both majority and minority: diminishing stereotypes, demolishing prejudices, eliminating superiority and inferiority complexes. For the moment, government has adopted two normative acts amending the laws on local public administration and education in order to, on one hand decentralise the system and, on the other, to allow ethnic minorities to use their mother tongue in public and in school, at every level and in subject. As a result, minorities can address public institutions in their language both orally and in written, may install multilingual inscriptions, road signs, and are allowed to establish - among other cultural, professional and educational institutions - their own, self-standing state-sponsored universities, including denominational schools.

I would like to add that parliament has still to cast its vote so that these laws will be enforce, and that unfortunately we are already witnessing strong reluctance amongst MPs in this respect, for nationalism proves to be at stake, especially under difficult social and political circumstances. It is also important to stress that although being in government, Hungarians are left out from several key-ministries, such as internal and external affairs, intelligence services, defense which means that there is still a long way to go till ethnic minorities will fully enjoy equal opportunities. Nevertheless, on the whole, my story is a happy one. I am confident that the democratic forces acting in Romania will find the way towards accommodating ethnic, religious and linguistic differences and serve as an example for the region in this respect.
LIST OF PARTICIPANTS

Unrepresented Nations and Peoples Organization

Office of the General Secretary

To Commemorate the
50th Anniversary of the Universal Declaration of Human Rights

International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities

and

Unrepresented Nations and Peoples Organization

offer a seminar entitled

Reflections on the Universal Declaration of Human Rights Over the Last 50 Years

Provisional Program for Seminar 16 March 1998

10:00-10:15 Opening: Senator Parris Chang, President Steering Committee, UNPO

10:15-11:00 Issue 1: Overview of United Nations Human Rights bodies: Commission, Subcommission, Special Rapporteurs and Special Procedures
Speaker: Dr. M.C. van Walt van Praag, Counsellor Political Affairs ZINPO

11:00-11:45 Issue 2: Protection of Minorities and the UN
Speakers: Ms. Cecilia Thompson, Secretary of the Working Group on Minorities, and Mr. Menelaos Tzelios, General Secretary, International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and other Minorities
11:45-12:00 break

12:00-12:45 Issue 3: Protection of Indigenous Peoples and the UN
Speakers: Mr. Julian Burger, Secretary
of the Working Group on Indigenous Populations
and Ms Helen Corbett

12:45-13:30  Issue 4: The Role of Treaty Bodies and UN Agencies in the Protection of Human Rights
Speakers: Mr. Miloon Kothari, UN Representative for Habitat International Coalition, and Ms. Chandra K. Roy, Expert, Project on Indigenous and Tribal Peoples, ILO

13:30-14:30  lunch break

14:30-14:45  Opening: Mr. Seif Sharif Hamad, Chairman of the General Assembly, UNPO

14:45-16:00  Panel 1: An assessment of the achievements in the field of human rights since and as a result of the adoption of the Universal Declaration of Human Rights and an analysis of the present interpretations and compliance with the Universal Declaration and related instruments (including the effects of the Vienna World Conference, the Beijing Women's Rights Conference and other major human rights conferences)
Speakers: Mr. Reed Brody, Director of Advocacy, Watch Committees (to be confirmed); Dr. Latif Rashid, Representative of the Patriotic Union of Kurdistan; Mr. Akhyad Idigov, Chairman of the Foreign Affairs Committee, Parliament of the Chechen Republic Ichkeria

16:00-16:15  break

16:15-17:30  Panel 2: An evaluation of the effectiveness of the Declaration and related instruments in the protection especially of the rights of minorities and indigenous peoples and specific recommendations for the future directed not only to governments and the United Nations, but also to minority and indigenous peoples themselves.
Speakers: Kasur Lodi Gyari, Special Envoy to His Holiness the Dalai Lama; Ms. Edita Tahiri, Foreign Affairs Secretary, Democratic League of Kosova; Mr. Ravi Nair, Executive Director, South Asia Human Rights Documentation Centre

17:30-18:00  Closing statements

18:00  Reception
UNPRESENTED Nations and Peoples Organization

STATEMENT Or THE CHAIRMAN of the General Assembly of UNPO following its extraordinary General Assembly and the Conference "REFLECTIONS ON THE UNIVERSAL DECLARATION OF HUMAN RIGHTS OVER THE LAST 50 YEARS" in Geneva on 15 and 16 March 1998

Having heard the presentations and views of the participants, the Unrepresented Nations and Peoples Organization (UNPO) makes this statement by the nations, peoples and minorities who themselves experience the effects of human rights violations. The UNPO recognises the importance of the adoption of the Universal Declaration of Human Rights and of the treaties and declarations which are designed to protect those rights from abuse. It notes today’s announcement of the UN Secretary General to bring human rights into the mainstream of the work of the UN. UNPO also recognises the value of the mechanisms established within the framework of the United Nations put in place in order to monitor and respond to the violations of human rights. The effectiveness of these instruments and mechanisms is, however, seriously undermined by the repeated failure of governments to intervene in time.

The UNPO insists on the need to respect international law of which human rights treaties and declarations are an integral part. It is the duty and responsibility of States to enforce the existing treaties and declarations and to intervene with whatever means may be required when the rights which are supposed to be protected by these treaties and declarations are violated by the governments of any State. The assertion that human rights is the internal affairs of sovereign States is not valid. The United Nations itself should take an active role in encouraging and exercising intervention.

The UNPO is alarmed to see that today the United Nations increasingly restricts the participation of affected peoples and minorities in its human rights bodies, rather than encouraging dialogue and understanding on the issues of human rights, including the fundamental right to self-determination of peoples. This restriction is bound to increase the violations of human rights and to promote the outbreak of violent conflict. Emphasis should be on prevention of human rights violations and conflict.

The UNPO calls on the United Nations and its Member States to start dealing seriously with the root causes of human rights violations and conflict, which include, in particular, the violation of the right of peoples to self-determination, ethnic and cultural genocide, suppression of religion and language, contemporary forms of colonialism, population transfers, impunity -- both of government authorities and transnational corporations -and all other forms of oppression of nations, peoples and minorities.
The UNPO is deeply concerned about the continuing grave violations of the rights of those represented at this conference and of other nations, peoples and minorities around the world. It urgently calls on the United Nations and other international organizations, as well as governments of democratic states, to actively and effectively intervene to protect all of these communities, including the people of Kosova, and to ensure the free exercise of their right to self-determination. The UNPO urges the international community to insist on the immediate lift of the total blockade of the Chechen Republic Ichkeria and Abkhazia. It is appalled that the European Union and the United States did not decide to sponsor a resolution on China's gross violations of human rights, especially those of the Tibetan and East Turkestan peoples. Where cease fire or peace agreements have been concluded, such as those with Bougainville, Chittagong Hill Tracts and Nagaland, the UNPO calls on all parties to fully abide by the terms and the spirit of those agreements.

The UNPO urges the UN Commission of Human Rights to address these issues during its fifty-fourth session, as well as the continuing violations of human rights in all UNPO regions.

Abkhazia
Acheh/Sumatra
Assyria
B atw a
Buryada
Chechen Republic-Ichkeria
Circassians
Eastern Turkestan
Hawaii
Ingushetia
Iraqi Turkman
Kumyk
Mapuche
Nagaland
Scania
Taiwan
Tibet
Zanzibar
Aboriginals of Australia Acheh/Sumatra
Albanians in Macedonia
Bashkortostan
Bougainville
Cabinda
Chittagong Hill Tracts
East Timor
Greeks in Albania
Hungarians in Romania
Inkeri
Karenni
Kurdistan
Mon
Ogoni
Shan State
Tatarstan
West Papua
Unrepresented Nations and Peoples Organization
News Release, For Immediate Release,
The Hague, March 5, 1998

UN PO Members Meet in UN Heartland for Seminar & Elections

UNPO, often referred to as "an alternative UN" will meet in Geneva, Switzerland on March 15 for an Extraordinary Session of its General Assembly. A seminar open to the media and the public will follow on March 16 at the UN after which several members are expected to raise critical issues at the upcoming session of the 3rd Commission on Human Rights. High-ranking UNPO Member representatives travelling to Geneva include those from Kosova, ~goniland, Zanzibar, Tibet, Chechenia, Batwa (Rwanda), Eastern Turkistan, Sanjak and Mapuche. The General Assembly is meeting to elect a new General Secretary for UNDO.

The seminar will reflect on the 50th Anniversary of the Universal Declaration of Human Rights. Members and experts will assess and evaluate the achievements of the declaration and its related instruments. Among those questioning its effectiveness will be speakers from Kurdistan, Chechenia, Kosova and Tibet. Specific recommendations culminating from the seminar will be directed towards the international community. The first part of the seminar is aimed especially at top-level representatives of indigenous peoples and minorities participating at the United Nations for the first time: an overview of UN bodies and procedures will be given.

Reflections on the Universal Declaration of Human Rights over the last 50 Years - a full day seminar organized by the International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities and UNPO, begins 10.00 am, March 16, 1998, at the United Nations in Geneva, Room 21, followed by a reception at 1800

The results of the election for General Secretary will be made public following the General Assembly. The five candidates, two from within UNPO's membership and three non-members, are Mr Davin Bremner, Adjunct Professor at the Institute for Conflict Analysis and Resolution at the George Mason University, Ms Helen Corbett, of the Indigenous Women Aboriginal Corporation and former UNPO Assistant General Secretary for Asia and Pacific, Dr. Aslambek Kadiiev, European Representative of the Government of the Chechen Republic-Ickheria, Mr Chris Mullen, Consultant to UNPO, former economic advisor with the US Peace Corp, and Mr Tskhovrebov Zelim, Scholar, Raoul Wallenberg Institute of Human Rights and International law. The General Secretary is the chief executive officer of the
organisation and entrusted with carrying out the policy decisions of the General Assembly. A record turn-out of Member delegates are expected to take part in the elections.

UNPO is an international organization of nations, peoples and minorities, who are not represented in international fora such as the UN. For more information including a program of the Seminar contact UNPO's Media and Information Centre, Javalaat 40A, 2585 AP, The Hague, The Netherlands. tel.: +31-70-360 3318, fax:+31-70-360 3346, mobile phone for media - 316 53515316 (only for following time period 9.3.98 - 18.3.98), - UNPO in Geneva 079 6309109 mail: unpo@unpo.nl - homepage www.unpo.org (AUCT1998NR)