UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/86
23 April 1993

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Fourth session
Geneva, 19-30 April 1993
Agenda item 6

REPORT ON OTHER MEETINGS AND ACTIVITIES

Note by the Secretary-General

Contribution from the Canadian Satellite Meeting of the World Conference on Human Rights

1. The General Assembly, in its resolution 46/116, requested the Secretary-General to report to the Preparatory Committee on progress made on meetings that had been organized under the auspices of the United Nations programme pursuant to General Assembly resolution 45/155.

2. The attention of the Preparatory Committee is drawn to the attached Recommendations for the United Nations and Member States of the Canadian Satellite Meeting of the World Conference on Human Rights, which was held at Ottawa from 21-23 March 1993.

3. The purpose of the meeting was to articulate the position of Canadian non-governmental organizations for the World Conference on Human Rights, in view of the fact that no Regional Meeting was planned for the North American region. The final recommendations focus on the following aspects: democracy, development and human rights; indigenous peoples' rights; international human rights mechanisms; women's rights as human rights and the universality and indivisibility of human rights.

GE.93-13064

THE CANADIAN NGO SATELLITE MEETING OF THE WORLD CONFERENCE ON HUMAN RIGHTS

Ottawa, 21-23 March 1993

RECOMMENDATIONS FOR THE UNITED NATIONS AND MEMBER STATES

Introductory Statement to Recommendations developed at the Canadian Satellite Meeting of the World Conference on Human Rights (Ottawa, 21-23 March 1993)

The Canadian Satellite Meeting of the World Conference on Human Rights (Ottawa, 21-23 March 1993), convinced that this represents a rare opportunity

to review progress in the international promotion and protection of human rights,

to reaffirm commitment to those standards contained in existing human rights instruments, and

to establish new and effective initiatives to ensure the global observance of universal human rights,

presents the following recommendations to the UN and the member states.

We are acutely aware that, whatever progress has been made, today's world scene is one which demands urgent and immediate attention and indicates a failure of the world community to demonstrate in real terms a serious and genuine commitment to the promotion and protection of human rights. It is with this in mind that the Canadian Satellite Meeting has defined its priority concerns in five key areas:

* Universality and Indivisibility
* Development, Democracy and Human Rights
* Women's Rights
* International Mechanisms
* Rights of Indigenous Peoples

We ask that the recommendations contained in this document form the nucleus of discussion at the World Conference. We expect that governments will take the lead in ensuring that the World Conference is a success, both in terms of the conclusions reached and in the provision of mechanisms and resources necessary to allow for full and speedy implementation. Such resources should be found through, for example, reallocation of military expenditures of member states and not through cuts in other reciprocal areas. We further expect governments to demonstrate clearly their own commitment in this regard in a tangible and visible manner.

The Canadian Satellite Meeting makes note of and emphasizes the following:

* that there is an urgent need that a Special Rapporteur, Committee, or other mechanism, be established to determine how best to integrate the right to a healthy and life-supporting environment for current and future generations into all human rights documents;

* that peace and security for all without distinction of race, sex, language, disability or religion are an essential condition for the enjoyment of human rights;

* that the abolition of war through disarmament and demilitarization is a necessary precondition for the peace and security required for the full realization of human rights;

* that the World Conference on Human Rights coincides with the International Year of the World's Indigenous Peoples and that the connection between indigenous rights and human rights should be articulated in the proceedings and the reports of the World Conference on Human Rights;

* that the World Conference needs to acknowledge that patriarchy establishes a hierarchy of rights in direct contradiction to the principle of universality of human rights, and that the Conference needs to direct the UN to study the links between patriarchy, racism, sexism and colonialism;

* that the World Conference on Human Rights has an obligation to acknowledge the priority of integrating women's rights into all components of the UN system, ensuring their full respect and observance;

* that 1992 marked the end of the Decade of Disabled Persons and that, there being few tangible results from this attention, it is necessary to develop and adopt an international convention that will guarantee equality of opportunities and ensure the benefit and fulfilment of fundamental human rights of disabled persons with the goal of their full integration into society.

* that the UN must further address in a consistent and vigorous manner the fundamental rights of all sectors of human society that are particularly vulnerable to abuse, including (but not limited to) children, those belonging to ethnic and linguistic minorities, other visible minority groups, members of the gay/lesbian communities, the economically disadvantaged, etc.;

* that human rights education is fundamental to the respect for human rights and that the World Conference on Human Rights must accord the highest priority to a global program designed to develop and enhance human rights education in all parts of the world; and, further, that education or systems which promote attitudes which are inconsistent with the principles expressed in international human rights instruments must be eradicated;

* that NGOs play a key role in the promotion and protection of human rights through human rights education, through development work, disarmament and support for self-empowerment, and through their role in relation to the UN system as a whole, and that

consequently all necessary provisions and resources must be found to ensure the adequate continuation of these functions within member states.

We wish to record our dissatisfaction at the process by which the World Conference on Human Rights itself has been established and the limitations placed on the involvement and role of NGOs, both in the planning and the conduct of the World Conference itself.

We believe that there needs to be a genuinely consultative relationship between NGOs and member states which incorporates, among other things, a transparency of funding processes and full accountability with respect to human rights policy.

We urge member states to ensure that the World Conference on Human Rights is a means and not an end in itself, that there be no trade-offs or bartering process on these fundamental matters, and that there be full commitment to real accountability under the UN process of all UN member states for any failings to protect and promote the human rights of all peoples.

CANADIAN NGO SATELLITE MEETING OF THE WORLD CONFERENCE ON HUMAN RIGHTS

Recommendations on Democracy, Development and Human Rights
30 March 1993

The participants at this Canadian Satellite Meeting reached the following conclusions with respect to Democracy, Development and Human Rights.

INTRODUCTION

The rights and responsibilities associated with protecting and promoting civil, political, economic, social and cultural rights are profoundly connected with issues of democracy and development.

The role of the United Nations in humanitarian assistance, international intervention and peacekeeping needs to be assessed in light of its positive and negative impacts on promoting democracy and development. In the same way, the role of member states in creating and supporting international policies and conditions which impact on democratic development or on economic, social and cultural development should be addressed in the light of international human rights standards.

We expect member states to maintain consistency between the international standards they supports in United Nations fora and the standards they apply in their domestic affairs. Questions regarding such consistency have been raised with respect to policies and practices on indigenous peoples, women, disabled people, popular participation, refugees, the environment, etc.

1) Democracy and Popular Participation

The notion of "democratic development" should reflect the NGO view that the debate should not focus on models of democracy, but affirm that people's participation and peoples' empowerment -- particularly in the self-determination of their development which is itself a human right -- are the essential ingredients of democracy. Particular attention needs to be paid to the rights of freedom of association and freedom of expression.

2) The Role of International and Multilateral Institutions

International Financial Institutions (IFIs) such as the World Bank, the IMF, regional development banks, and many United Nations organizations, play an increasingly important role in establishing domestic and international conditions which have impact on democratic

development, economic, social and cultural development, and human rights. Concern was expressed that these powerful institutions function outside of international mechanisms which monitor the impact of their policies and programs with respect to promoting or violating fundamental human rights.

We recommend that member states support initiatives, within a program of action, which assure that the mandate of the Working Group on the Right to Development established at the 49th session of the UNCHR include:

> i) the development of mechanisms to ensure that international organizations and IFIs establish and follow procedures which assess the impact of their programs and policies on the capacity of nations to implement the right to development.
>
> ii) an assessment of support provided by nations to international institutions to determine the degree to which they are consistent with their commitment to promoting civil, political, economic, social and cultural rights.

3) National Agencies and Organizations and the Rights to Development.

Governmental and non-governmental organizations have a significant impact, positively or negatively, on the right to development. It is important that all governmental agencies, government-funded organizations, and non-governmental development and human rights organizations involved in international development rigorously assess the degree to which they promote human rights.

It is important that mechanisms, measures and procedures be established which allow for transparent assessment of the role of national agencies and organizations in promoting human rights.

4) Economic, Social and Cultural Rights

The promotion of economic, social and cultural rights is vital to establishing global conditions which respect fundamental human rights, democratic development and economic, social and cultural development.

While member states have affirmed the indivisibility of all human rights, it is imperative that they take action which underscores their commitment to promoting economic, social and cultural rights.

Specifically, we recommend that member states:

i) support initiatives to develop an Optional Protocol to the Covenant on Economic, Social and Cultural Rights;

ii) urge all nations, particularly OECD countries, to ratify and/or remove reservations with respect to the Covenant on Economic, Social and Cultural Rights,

iii) support an initiative to advance international standards beyond the Declaration on the Right to Development by drafting a Covenant on the Right to Development.

5) Economic, Social and Cultural Rights and the Existence of "Vulnerable Groups"

The failure of states to respect economic, social and cultural rights has a profound impact on certain communities or sectors of society.

This impact is felt severely by children. Human rights violations of children, in particular sexual exploitation, child labour and the neglect or persecution of street children, are unacceptable. The degree to which nations respect economic, social and cultural rights can be measured by examining the human rights situations of indigenous peoples, women, disabled people and migrants.

We recommend that work being undertaken to promote economic, social and cultural rights be conducted with particular reference to those communities identified as most vulnerable.

CANADIAN NGO SATELLITE MEETING OF THE WORLD CONFERENCE ON HUMAN RIGHTS

Recommendations on Indigenous Peoples' Rights
30 March 1993

The participants at this Canadian satellite meeting reached the following conclusions with respect to indigenous peoples' rights.

1. That, with respect to the principles of universality and indivisibility of human rights, it is also recognized that indigenous peoples have unique and significant contributions to make to the definition of human rights, the implementation of human rights, and to the development of human rights theory and practice.

2. That, in recognition of the International Year of the World's Indigenous People, the World Conference respect the terminology used by indigenous peoples to identify themselves in the international community: namely the use of the terms "indigenous peoples" rather than indigenous people, or "populations."

3. In recognition of the failure of Western governments to convene a regional meeting for Europe and North America, we recommend that a recommendation at the fourth PrepCom be sponsored supporting the "direct" participation of indigenous peoples regardless of whether or not they have consultative status with ECOSOC. At the regional meeting for Latin America and the Caribbean, time was set aside for indigenous representatives to address the meeting and to meet with the drafting committee of the conference. A similar policy should be adopted for the fourth PrepCom and the World Conference.

4. Action taken by the UN and individual states, and recommendations of the World Conference should be substantive and address the concerns and priorities of indigenous peoples, and the recommendations of the World Conference on Human Rights be specific and be accompanied by plans of action. In particular, the World Conference should advance the human rights concerns of indigenous peoples, including their right to self-determination.

5. The World Conference on Human Rights, the UN and its agencies, and individual states, must demonstrate a genuine commitment to the theme of the International Year of the World's Indigenous Peoples: namely the development of new partnerships with indigenous peoples. Taking into account the priorities expressed by: indigenous peoples at the regional meeting for Latin/America and the Caribbean; the 49th session of the UNCHR; the opening day ceremonies for the international year, and countless other occasions, we support the following previously made recommendations as recommendations that should be adopted by the World Conference:

i) a permanent UN advisory body on indigenous issues to promote and increase knowledge and awareness of indigenous issues and priorities, and to act as an expert source of information on indigenous peoples.

ii) the rules of the ECOSOC be revised to include a new item in chapter 12 between articles 70 and 71, entitled "participation of the representatives of indigenous peoples" that would provide a mechanism for direct and continued access to the UN by indigenous peoples similar to the access (as observers) afforded to other peoples' organizations.

iii) The inclusion of a formal permanent item titled "the rights of indigenous peoples" on the agenda of the Commission on Human Rights.

iv) That member states support the current draft Declaration on the Rights of Indigenous Peoples and that they will not seek to amend the declaration without the consent of indigenous peoples in their own territories; and that they recognize that indigenous rights are human rights, and that indigenous rights are intimately connected to fundamental issues of identity, human dignity and equality of all peoples.

v) That the World Conference recommend that in commemoration of the International Year, the UN General Assembly consider the draft Declaration on Indigenous Rights in it's fall/93 session and ensure its wide dissemination, taking into consideration the further review of the draft Declaration by the Commission Human Rights in its 50th session.

vi) That in relation to the development of international standards on indigenous rights, there is an urgent need for standards and mechanisms to address conflict ensuing or that may ensue from human rights violations that can no longer be tolerated.

6. That the World Conference recognize that the military and commercial use of indigenous territories and air space, including the dumping of hazardous and toxic waste, (chemical and radio active), without the free and informed consent of the peoples affected constitutes a violation of the human rights of all peoples.

7. That the 4th PrepCom include an agenda item for the World Conference entitled "Rights of the Child" in recognition of children's rights and consistent with the definition of genocide within Article II of the Convention on the Prevention and Punishment of the Crime of Genocide," which includes "forcibly transferring children of the groups to another group."

8. In reference to Madame Erica Daes' efforts toward the protection of cultural property rights, we emphasize the need for protection against desecration (legal and illegal), as well as restoration, including the repatriation of all these sacred items.

CANADIAN NGO SATELLITE MEETING OF THE WORLD CONFERENCE ON HUMAN RIGHTS

Recommendations on International Human Rights Mechanisms
30 March 1993

The participants at this Canadian Satellite Meeting reached the following conclusions with respect to international human rights mechanisms.

I. UPWARD HARMONIZATION OF MECHANISMS

The effective implementation of international human rights standards requires effective mechanisms. All UN human rights mechanisms -- whether thematic, country, or treaty-based bodies -- should be brought up to the highest level of effectiveness, not reduced to the lowest common denominator. The best working methods and techniques of each should be adopted by all.

In determining the effectiveness of UN human rights mechanisms, the following principles should be applied:

A. Composition:

1. Those responsible for examining, investigating, and reporting on human rights violations should be trained and experienced.
2. The mechanisms must be independent from government.
3. Fact-finding should be totally impartial and objective. Those who staff the mechanisms should base their findings solely on the evidence revealed by their investigations.
4. Membership on these bodies should take adequate account of geographical representation, ethnic balance, and gender balance.

B. Mobilization:

1. Individuals should have the right to petition UN human rights mechanisms. These bodies should not be restricted to cases or issues referred to them by governments or intergovernmental bodies.
2. The mechanisms should be free to initiate investigations, even in individual cases, and even without specific requests or complaints, as long as evidence of violations within its mandate has come to its attention.
3. NGOs should be allowed to initiate complaints, to submit information and recommendations, and to intervene in the determination of individual complaints.

C. Powers:

1. UN human rights bodies should have the power to consider individual cases and not be restricted to dealing with general situations.
2. They should have the power to make general recommendations, including recommendations on country situations, on how violations within their mandate can be avoided in the future, on the need for elaboration of standards, and on their own effectiveness.
3. They should have the power to take the initiative to search out witnesses and documents and to follow the trail of evidence wherever it may lead.
4. They should not be restricted to reporting back to the United Nations, but should have the power to contact governments directly, both for the purpose of collecting information, and for the purpose of remedying violations within their mandates.
5. They should have the power to make on-site visits. Governments should accept in advance the principle that unannounced on-site visits are acceptable for the purpose of investigating allegations of human rights abuses and for making direct contacts with governments. Governments should be prepared to offer open and standing invitations to all mechanisms for these purposes.
6. They should have the power to engage in urgent actions, and not be restricted to reacting only during scheduled sessions.

D. Reporting

1. The mechanisms should not be restricted to making confidential reports. Publicity itself can be a remedy for violations. The decision on publicity should be at the sole discretion of the mechanism. The only criterion that should be used in deciding on publicity, should be its effectiveness in removing or remedying the violation.
2. Reports should be comprehensive and detailed. They should contain statistical and analytical information. They should report on what the mechanism has done, what the responses of government has been, and provide information about individual cases considered.
3. Petitioners -- whether they are victims, family members or non-governmental organizations -- should be informed of the results of the investigation that is undertaken. There should be direct contact with complainants whether the complaint is dealt within a public report or not.
4. The mechanisms should follow-up on their initial reports and contacts about violations. They must not leave any investigation until the violation is remedied or resolved in a manner they deem satisfactory. There must be continuity of coverage on the issues. The mechanisms should follow up undertakings made by governments, in a timely manner.
5. The UN system should produce a consolidated annual human rights report combining the reports of all the mechanisms.

E. Funding

1. All human rights mechanisms should have funding adequate for them to effectively carry out their functions, from the core UN budget.
2. Funding should not depend upon voluntary contributions.
3. For treaty based bodies, funding should not depend upon the signatories to the treaty.
4. The Centre for Human Rights should have adequate funding to service the human rights mechanisms, including funding to computerize the work of the Centre itself, and to computerize the work of the treaty-bodies and other mechanisms.
5. Funds provided from Advisory Services administered by the UN Centre should be available to NGOs as well as governments.

II. EXPANDED COVERAGE

The UN human rights mechanisms should be expanded to be comprehensive. In particular, they should cover effectively rights of women, rights of indigenous people, rights of refugees, rights of disabled persons, rights of human rights activists, and the right to development.

1. All of the mechanisms must be sensitive to the rights of women as they come within the jurisdiction of the mechanisms. They should provide gender disaggregated information and analysis.
2. A permanent advisory body to the UN on rights of Indigenous Peoples should be established, and provision should be made for direct participation of representatives of Indigenous Peoples in the UN system.
3. All mechanisms should be as sensitive to the plight of refugees, the internally displaced, the forcibly expelled, and aliens generally. The mechanisms must recognize the linkages between human rights abuses and mass forced movements of people. They must pay special attention to the plight of persons who flee gender based persecution, whether they fall within the conventional refugee definition or not.
4. There should be an ombudsman for the disabled within the UN system to receive, investigate and act on well-founded complaints. There should be a convention on discrimination against disabled persons.
5. In their reports, UN human rights bodies should provide disaggregated information and analysis on the plight of human rights activists. In their activities, the mechanisms must show particular sensitivity to the plight of human rights activists.
6. As a means of promoting the right to development, in their reports, UN human rights bodies should include recommendations about technical assistance for building the infrastructure necessary to halt future violations of all human rights.

III. SPECIAL COMMISSIONER ON HUMAN RIGHTS

1. A Special Commissioner on Human Rights should be established.

2. Such a Special Commissioner should not do the work of individual mechanisms, but help in the coordination of their work.
3. There is a need for increased coordination between human rights and peacemaking, human rights and development, human rights and humanitarian relief, human rights and early warning, and human rights and the UN refugee system. A Special Commissioner should provide that coordination throughout the UN system.
4. The Special Commissioner would have the power to deal with human rights violations that overlap mechanisms, thus emphasizing and responding to -- rather than downplaying or ignoring -- the cumulative effect of violations.
5. The Special Commissioner should also have the responsibility of ensuring government compliance with mechanism requests. It would not fall to each individual mechanism to ensure that its attempts to contact governments are acknowledged, that its requests for visits are accepted, that its recommendations are implemented. The responsibility would fall on the higher level, higher profile of the Special Commissioner.
6. The human rights mechanisms system is overlapping, fragmented, and lacking universal coverage. A Special Commissioner should be responsible for rationalizing and coordinating the system itself, including consolidating or streamlining the reporting obligations of states.

IV. EDUCATION

1. There needs to be better education about the working of the mechanisms, internationally by the UN, and domestically in each country by the government of that country. Governments should inform NGOs and the public generally about the existence of the mechanisms and the remedies they offer.
2. Government reports to treaty-bodies should be done in as public a way as possible; copies of these reports, of the summary records of the discussion with governments, and of recommendations or comments by the committees should be widely disseminated. Reports should be considered by parliaments after preparation by administrations in order to give them a high profile.
3. There should be public participation in the preparation of government reports to treaty-bodies. NGOs should be invited to make presentations to governments and parliaments before reports are submitted to the UN system. NGOs and individuals should also be invited to contact directly the treaty-bodies that are considering governmental reports, before consideration is given.

V. WORLD CRIMINAL COURT

1. The World Conference should reaffirm the commitment of the UN to the establishment of an international criminal court, and stress the urgency of the need to have such a court established. It should underline the importance both of the ad hoc war

crimes tribunal for crimes committed in the territories of former Yugoslavia and a more general world criminal court.

2. Because the most recent cause for delay in the establishment of a world criminal court has been the difficulty in agreeing upon a code of offenses over which the court would have jurisdiction, the world criminal court should be established in the advance of any agreement on a code of offenses. The court should have jurisdiction over those offenses that are already accepted generally by the community of nations as crimes under international law.

3. The court should have jurisdiction over any person for whom there is probable cause to believe that he or she has committed an international crime. Neither the consent of the state of nationality of the perpetrator, nor the state of nationality of the victim, nor the state that is the locus of the crime should be necessary.

4. The court should have jurisdiction over all international crimes from the time that they became crimes under international law, or were criminal according to the general principles of law recognized by the community of nations. The court should not be restricted to crimes committed after its creation. There should be no statute of limitations for international crimes.

5. The court should have the jurisdiction to award civil remedies as well as to impose criminal sanctions.

6. In the short term, an ad-hoc War Crimes Tribunal should be established to adjudicate atrocities, including rape and forced pregnancy being committed in Yugoslavia and in other parts of the world. Such a tribunal should have jurisdiction over crimes committed by United Nations personnel as well as by State officials and individuals.

CANADIAN NGO SATELLITE MEETING OF THE
WORLD CONFERENCE ON HUMAN RIGHTS

Recommendations on Women's Rights as Human Rights
30 March 1993

The participants at this Canadian Satellite meeting reached the following conclusions with respect to women's rights as human rights.

We call on the World Conference on Human Rights to acknowledge that patriarchy establishes a hierarchy of rights in direct contradiction to the principle of universality of human rights, and to direct the UN to study the links between patriarchy, racism, sexism and colonialism.

1. Call for the abolition of Patriarchy

We call for the abolition of war through disarmament and demilitarization as preconditions for peace and security necessary for the full realization of human rights.

Demands expressed in the petition -- Women's Rights are Human Rights -- should be reinforced: specifically, the 1993 United Nations World Conference on Human Rights should comprehensively address women's human rights at every level of its proceedings.

2. Gender Based Violence

Considering that gender based violence against women and girl-children is a grave violation of women's human rights, we urge that:

1. The member states present a resolution for the adoption of the draft Declaration on violence against women at the UN Commission on Human Rights Commission (UNCHR).

2. The member states urge UNCHR to appoint a special rapporteur on gender discrimination and violence against women.

3. The member states encourage the UN and its specialized agencies to consult with women's rights organizations and ensure that gender-based violence be addressed in all areas that fall within the broad mandate of the UNCHR.

4. The Rapporteur be authorized to receive and report on information from governments, non-governmental organizations and inter-governmental institutions; to respond

effectively to allegations of violations against women; and to recommend measures to prevent continuing violations. The Rapporteur should also report to the Commission on the Status of Women to assist their policy-making function.

3. Integration of women's rights in all UN structures

A) In preparation for the World Conference, we urge the UN to:

1. Ensure broad, regionally diverse NGO participation in the UN World Conference proceedings. Non-consultative status NGO's whose work is relevant to human rights, should be permitted to attend as observers, make written and oral interventions and receive the documentation provided to the delegations before and during the Conference. [Women's rights NGOs must be fully recognized as human rights NGOs]

2. Encourage fair and effective [equal] participation of women and men in official government delegations and the inclusion in each delegation of persons with an in-depth understanding of a gender-perspective on human rights.

3. Call on all governments to prepare a report on the state of human rights in their country and to include gender-specific information and analysis in background documentation prepared for the 1993 World Conference.

4. Urge the UN Human Rights Centre to incorporate and emphasize gender-specific information and analysis in all the background studies prepared for the World Conference.

5. Create formal procedures for communication between NGO delegation meetings and the official World Conference. Such procedures may include briefings by the Secretariat before and after consideration of major agenda items and the distribution of written statements by governments and by NGOs.

B) In addressing violations of women's human rights, we urge the UN to:

1. Ensure that UN treaty committees, thematic and country rapporteur and working groups, independent experts and all bodies entrusted with protecting human rights address violations of women's human rights, including gender-specific abuses, in the areas that fall within their mandate (through advisory services and training programs, reporting, monitoring and complaints procedures, etc.). Measures necessary to effectively carry out this charge include:

* Support training for all UN personnel and independent experts to ensure that they will address the full range of human rights abuses specific to women and carry out their work without gender-bias.

* Enable the Program on Advisory Services in Human Rights to assist in the integration of a gender-perspective in all this work.

* Ensure periodic evaluations of the effectiveness of the UN monitoring, reporting and complaints procedures, as well as its advisory services and training programs, in addressing and devising more effective responses to violations of women's human rights.

* Call upon each body to prepare a report on the effectiveness of these initiatives for the 1995 World Conference on Women.

2. Strengthen the implementation of human rights and the inter-relationship and indivisibility of economic, social, cultural, civil and political rights by ensuring that gender-specific information and analysis be included in consideration of all human rights, and of the means for advancing the equal realization of economic, social, cultural, civil and political rights.

3. Put forward an inclusive representation of the human rights of all women, particularly of women who have suffered social and historic disadvantage; racial and ethnic minority women; stateless women; indigenous women; women with disabilities; lesbians; refugee women and migrant women; economically disadvantaged women; young and aging women; women living with HIV/Aids, and other disadvantaged women; and that the international position reflect the understanding that human rights violations such as racism, sexism and colonialism do not operate independently of one another, and are not always experienced independently of one another;

4. Ensure the effective contribution to the advancement of human rights of the specialized agencies of the UN (such as UNESCO and WHO), as well as other branches of the UN (such as UNDP), whose work bears upon the implementation of women's human rights:

* Consider measures to integrate gender-specific information and analysis in the work of specialized agencies, including training for relevant personnel.

* Develop effective mechanisms for dialogue and information exchange between the specialized bodies and the international and regional human rights bodies.

* Develop the mechanisms for oversight and periodic evaluation of the effectiveness of these procedures.

* Prepare a report on the effectiveness of these initiatives for the 1995 World Conference on Women.

* Ensure the provision of adequate financial and human resources for these purposes.

C) Effective Implementation. We urge the UN to:

1. Strengthen the implementation procedures under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW):

* Call upon governments who have not yet ratified CEDAW to do so before 1995.

* Encourage governments to withdraw those reservations to the Convention which are obstacles to its effective implementation.

* Establish an expeditious process for reviewing the compatibility of reservations with CEDAW and removing those reservations determined to be incompatible with the principles and spirit of the Convention.

* Establish a working group in the Commission on the Status of Women to outline procedures for drafting an optional protocol, establishing an individual complaints procedure under the Convention, and support the adoption of such an optional protocol.

* Expand the resources of CEDAW which is charged with overseeing the governmental implementation of the Convention. In order to carry out its mandate effectively CEDAW urgently needs extended meeting sessions, more support staff, and other forms of financial and structural support.

Call upon states to effectively implement CEDAW through the elimination of discriminatory laws, policies, practices and customs and through the implementation of positive measures necessary to advance the equality of women, as called for in the Convention.

2. Consider implementation procedures for socio-economic rights such as an optional protocol allowing for individual complaints to the UN Covenant on Economic, Social and Cultural Rights (ICESCR) and ensuring the accountability of States to undertake affirmative measures to guarantee these rights.

3. Call upon the appropriate UN bodies to simplify the prerequisites for the exhaustion of national remedies so that the time, cost, and inconvenience of pursuing internal remedies no longer presents an obstacle to the effective enforcement of human rights.

D) Equal Representation of Women in the UN Structures. There is a need to:

1. Secure equal representation of women on all UN treaty committees and among the special rapporteur and working groups established by the UN Commission on Human

Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and under the Program on Advisory Services in Human Rights.

2. Develop procedures to expand access of NGO's with expertise in the field of the human rights of women to all UN structures and activities relating to human rights including the work of the specialized agencies and other bodies.

4. Economic, Social and Cultural Rights.

Recognizing the indivisibility of all human rights and the importance of their recognition and implementation in the achievement of women's equality, it is recommended that the government and NGO Human Rights bodies call for reform of the international institutions, regulating trade, finance and aid with a goal of reducing disparities between rich and poor states, along with adequate mechanisms for monitoring, investigation and enforcement. In particular, we **urge that these institutions be accountable to the UN.**

We call on the UN to reiterate that states, groups and individuals adhere to the principle of universality of Human Rights. Culture, religion and other particularities should not be used to deny women the enjoyment of human rights, in particular their reproductive rights, and their right to physical and sexual integrity.

Under the UN's ongoing "Human Rights Scientific and Technological Development," we ask the UN to give particular attention to the growing concerns around genetic engineering and its use in eugenics. Specific attention should be paid to their potential for negative impact on women's reproductive rights, and to their potential for discrimination against other vulnerable groups on the basis of disability, race and gender bias.

5. Women Refugees

The World Conference should recommend that the human rights conventions and the international convention relating to refugees, be amended to include gender persecution as grounds for recognition of refugee status.

6. Lesbian and Gay Rights

Because millions of Lesbians and Gay Men worldwide suffer daily overt and subtle forms of oppression and violence, because this violence, systematic and repetitive, crosses all political, racial, social, religious and economic boundaries, and in light of this highlight of the provisional agenda:

Consideration of contemporary trends in and new challenges to the full realization of women and men, including those of persons belonging to vulnerable groups.

We suggest that the question of Lesbian and Gay rights is consistent with issues that will be raised in Vienna.

We ask the World Conference to take seriously the request that "in light of growing intolerance and persecution of Lesbians and Gay Men, we recommend that the UN Human Rights commission appoint a special rapporteur to investigate the violence and discrimination against persons based on sexual orientation."

CANADIAN NGO SATELLITE MEETING OF THE WORLD CONFERENCE ON HUMAN RIGHTS

Recommendations on the Universality and Indivisibility of Human Rights
30 March 1993

The participants at this Canadian Satellite Meeting reached the following conclusions with respect to the universality and indivisibility of human rights.

1.1 We reaffirm the universality of fundamental human rights as adopted in the International Bill of Human Rights.

1.2 While we acknowledge the importance of respecting human diversity and recognizing local political considerations, we believe that the protection and promotion of universal human rights is the responsibility of all States, regardless of their political, economic, or cultural systems or circumstances. Universal human rights should not be violated on any ground.

1.3 States have a responsibility to harmonize national approaches with universal standards of fundamental human rights.

2.1 There is no established hierarchy among universal human rights.

2.2 We reaffirm that fundamental civil and political rights and fundamental economic, social and cultural rights are interdependent and indivisible. States cannot and must not ignore any of these rights under the pretext that the full enjoyment of other rights has not been attained.

2.3 Cultural differences must not be used to justify violations of human rights. In particular, cultural differences must not be used to justify violations of the rights of women or religious minorities. Human rights values are universal. They are not values that are particular to any one region or culture.

2.4 The pursuit of economic, social or cultural rights must not be used to justify violations of civil or political rights. The indivisibility of human rights means that respect for all human rights must be pursued with equal vigour.

3.1 Everyone has the right to know about and promote universal human rights.

3.2 Everyone has the right to learn about, to share information concerning, and to seek the realization and safeguarding of the fundamental human rights adopted in the International Bill

of Human Rights. In this regard, States should quickly adopt a UN Declaration on the rights of human rights defenders.

3.3 States should begin working on a Convention on the rights of human rights defenders that includes appropriate monitoring mechanisms and does not include inappropriate restrictions on activities of human rights defenders.

3.4 To facilitate the activities of NGOs in the field of international human rights, UN monitoring mechanisms should be made more accessible to NGOs. There should be secure funding and support services to assist NGOs to participate more fully and equitably in the human rights work of the United Nations.

3.5 The United Nations should commit adequate resources to permit UN monitoring bodies to respond adequately to and accommodate enhanced NGO participation.

4.1 Bearing in mind the principles of universality and indivisibility, UN mechanisms for monitoring economic, social and cultural rights should be strengthened through the provision of adequate resources and meeting time for supervisory bodies.

4.2 This should not come at the expense of mechanisms supporting the implementation of civil and political rights, which also need enhancement in terms of resources and procedures.

4.3 Additional mechanisms to ensure a less selective and more inclusive application of universal human rights standards for disadvantaged groups and individuals are also needed. Among these should be instruments -- such as a Convention and an ombuds office -- designed in partnership with disabled people to promote and defend their rights.

4.4 While acknowledging that some grave violations of human rights in countries of the South are not being adequately dealt with by the international community, there should be an effort to ensure that human rights monitoring also focuses on areas in which countries of the North are not living up to their international human rights obligations. These include the rights of racial, ethnocultural, and religious minorities, and the right to freedom of expression.

5.1 Member states should demonstrate more consistency between their verbal commitments to human rights and their actions.

5.2 The fundamental human rights in all articles of the Universal Declaration should be reflected and respected in national constitutions, laws and practices.

5.3 In their efforts to promote human rights internationally, States should attempt to place equal emphasis on economic, social and cultural rights, and civil and political rights.

5.4 Just as universal human rights should be reflected and respected nationally, indivisibility of universal human rights requires that there be consistency among different elements of the foreign policy and practice of States. Policies on trade, the environment and military matters, as well as those dealing with aid and with international financial institutions should be supportive of human rights promotion, rather than being "neutral".