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Chairperson: Ms. AL-HAJJAJI (Libyan Arab Jamahiriya)

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The meeting was called to order at 3.05 p.m.

STATEMENT BY THE SPECIAL SECRETARY ON HUMAN RIGHTS OF BRAZIL

1. Mr. MIRANDA (Brazil) said that the tenth anniversary of the World Conference on Human Rights was an opportunity to reflect on the human rights achievements of the decade, including the establishment of the International Criminal Court, of which Brazil was proud to be a founder member. Other achievements had been the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the adoption of an Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Also worthy of attention were the Fourth World Conference on Women, the World Summit for Social Development, the second United Nations Conference on Human Settlements (Habitat II) and the World Summit on Sustainable Development, which had seen the adoption of the Kyoto Protocol, an instrument that could, despite strong objections, substantially improve the quality of life throughout the world.
2. Despite such achievements, however, there had also been setbacks in the cause of human rights. The results of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, for example, had not been adequately implemented. Another area of concern was the excessively strong legislation introduced in some cases to combat terrorist atrocities such as the detention of suspects without charge for prolonged periods of time, which represented a real threat to the legal guarantees of international law. The renewed conflict in Israel and occupied Palestine also gave cause for concern. The peace process must be resumed as soon as possible and the policy of collective punishment imposed on the civilian population of the occupied territories must cease.
3. After a hesitant start, the international community had, however, established some legal and moral parameters to ensure that the global struggle against terrorism was in harmony with democratic principles. The Sub-Commission had found ways of reconciling policies to ensure security against international terrorism with minimum standards of respect for civil liberties while, in the inter-American context, a study had been approved in December 2002 reaffirming the obligation of the State not only to protect its citizens against terrorist acts but also to ensure that its action was conducted in a legal framework.
4. There was a danger that the debate at the Commission's current session would be monopolized by the question of the imminent outbreak of war or, more specifically, by the concepts of the "just war" or "preventive war", waged in the name of human rights or combating terrorism, and that the discussion of other aspects of human rights policies would be overshadowed.
5. The terrorist attacks against the United States on 11 September 2001 had created fertile ground for the encouragement of racism and xenophobia, in both the entertainment industry and the academic world. His country, which had welcomed immigrants from places as disparate as Japan, Angola, Syria and Italy, felt obliged to reject the thesis that a "conflict of civilizations" was inevitable. Such an approach, by accentuating cultural and religious differences rather than the common features of human societies, tended to legitimize so-called "just" wars and could

lead to a return to the cold war and increased polarization. The only “just war” recognized by his Government was that waged against hunger and poverty; the only “preventive war” was that against AIDS, especially in Africa.

6. On taking office on 1 January 2003, the new President of Brazil had declared war on hunger. The “Zero Hunger” programme was designed to involve all aspects of government and civil society in the ambitious objective of guaranteeing every Brazilian the basic right to food, without which other human rights made little or no sense. The goal was to provide the approximately 20 million Brazilians below the poverty line with the right to eat three meals a day.

7. In his concern for other aspects of human rights, the President had established the Ministry for Cities, which would oversee the provision of housing and health services for the most vulnerable sectors of society. The Ministry of Social Welfare had been instructed to look into the concept of comprehensive protection for families. The National Plan to Eradicate Slave Labour had been launched, with substantial help from the International Labour Organization (ILO), with a view to tackling the harsh reality of the lives of 25,000 Brazilians in rural parts of the country. Another instance of the international cooperation without which his Government could do little to combat extreme poverty was the assistance it had received from the Food and Agriculture Organization of the United Nations (FAO).

8. The President had further argued the case for combating poverty at the World Economic Forum, proposing the establishment by the G-7 countries of an international fund to combat hunger in the developing world. It was only fair that those who had benefited from financial liberalization in the developing countries should take some responsibility for the development of economic, social and cultural rights that had been damaged by the excessive volatility of international flows of speculative capital. The Bretton Woods institutions should, as a matter of urgency, revive the agenda of the International Conference on Financing for Development and ensure that repeated crises were avoided. The President had suggested that his proposed fund should be organized along the lines of the Global Fund to Fight AIDS, Tuberculosis and Malaria.

9. Moreover, to ensure universal access to health services, the Government of Brazil aimed to implement in full the World Trade Organization (WTO) Declaration on the TRIPS Agreement and Public Health. The development dimension included in the current round of negotiations of the multilateral trade system could favour the implementation of economic, social and cultural rights. It was therefore essential that the current impasse should be resolved. His Government likewise looked forward to the full accomplishment of his mandate by the newly appointed Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

10. In the area of civil and political rights, his Government continued to affirm the incompatibility of democracy and racism.

STATEMENT BY THE MINISTER FOR SOCIAL INTEGRATION OF LATVIA

11. Mr. MUIŽNIEKS (Latvia) said that the Commission’s continued relevance as one of the most important forums for debate on human rights standards was attested to by

the ever-increasing number of participants in its sessions, including non-governmental organizations (NGOs) and national human rights institutions. The Commission could not, however, stand alone: close cooperation among States and international organizations was essential. The situation in Europe exemplified that approach: the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE), the Council of the Baltic Sea States and the European Union itself all contained mechanisms that made up a dense network of human rights bodies. In that context, his Government strongly supported the organization of a conference within the framework of OSCE on anti-Semitism as a threat to security. On the other hand, overlapping mandates could lead to inconsistency and confusion, as evidenced by a recent case in which the Human Rights Committee, the European Court of Human Rights and OSCE had all made different evaluations of a particular human rights issue in his country.

12. One of the Commission's most valuable tools was the periodic examination of State reports on the implementation of human rights instruments. The treaty bodies currently faced many difficulties, however, largely owing to the failure by many States to honour their reporting obligations. That was compounded by delays in the work of the various committees and all parties should implement the proposals put forward at the first inter-committee meeting of the human rights treaty bodies in June 2002. There should be continued dialogue with non-reporting States in order to identify and overcome existing obstacles. The Office of the High Commissioner for Human Rights (OHCHR) should consider providing technical assistance to countries that lacked institutional capacity. The proposals regarding focused periodic reports or consolidated reports merited further discussion.

13. His Government had carried out a number of reforms to strengthen its reporting capacity. Responsibility for drafting reports had been given to a single unit under the auspices of the Ministry of Foreign Affairs, so as to ensure consistency. Moreover, all reports were made available to NGOs and independent researchers for comments and criticism, which were then often incorporated into the reports. As one who had previously worked as the director of a human rights NGO, he knew the usefulness of such a dialogue between the Government and civil society.

14. Since the end of half a century of Soviet occupation, Latvia had actively cooperated with international human rights organizations. In the mid-1990s, the United Nations Development Programme (UNDP) had provided technical assistance, and helped mobilize donor resources in developing a long-term national programme designed to assist Russian-speaking settlers to learn Latvian and integrate into Latvian society. The programme had been most successful. Meanwhile, in a rare example of cooperation between the United Nations, OSCE and the Council of Europe, a joint high-level mission had promoted the creation of the country's independent National Human Rights Institution. OSCE, the Council of Europe and the European Union had helped Latvia throughout the 1990s in reforming legislation in the two sensitive areas of citizenship and language policy, which were currently acknowledged as complying with international human rights standards.

15. His post as Minister for Social Integration - which had also been established with assistance from UNDP - could be described as the Ministry for NGOs, minorities and dialogue. The Government was committed to strengthening NGOs and his task was to ensure their financial sustainability after foreign funding programmes ceased and to enhance their role in

Government decision-making. An autonomous Government body, the Social Integration Foundation, with which his office worked closely, would disperse some €2.35 million from the Government and the European Union for projects to strengthen civil society and enhance social cohesion. Funding decisions were made by a governing board consisting of representatives of the President, ministers, representatives of municipal government and NGOs.

16. His Ministry also coordinated support for cultural activities by minorities and the indigenous people of Latvia, the Livs. He had organized a large conference on racism and intolerance in Latvia, to be held in April 2003 in cooperation with the Council of Europe. The conference would be the first step in a process of dialogue leading to a national action plan on the issue. In preparing for the conference, he had wanted to examine the best practices of other countries but had discovered that very few action plans existed. His Government would be ready to share its experience with others.

17. As a country that had benefited greatly from the assistance of United Nations institutions, Latvia had made several voluntary contributions to the OHCHR Voluntary Fund for Technical Cooperation. He was therefore surprised to learn that less than half of the members of the Commission had contributed to OHCHR programmes. Membership of the Commission entailed responsibility to be a model for other States in cooperating with the Commission and supporting United Nations human rights activities.

STATEMENT BY THE ALTERNATE MINISTER FOR FOREIGN AFFAIRS OF GREECE

18. Mr. GIANNITSIS (Greece), speaking on behalf of the European Union and the acceding countries of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia and the associated countries of Bulgaria, Romania and Turkey, expressed their condemnation of the cowardly assassination of Mr. Zoran Djindjic, Prime Minister of Serbia. His tragic loss emphasized the dangers to democracy and human rights posed by all forms of political extremism and organized crime in the region. The Union fully backed the reform forces in Serbia and Montenegro and urged them not to let that tragic event deflect them from their objectives.

19. Although much progress had been achieved in the promotion and protection of human rights, it was important not to become complacent. Human rights continued to be violated in many parts of the world and, with the benefit of global access to information, such violations had become more difficult to hide. The protection of human rights contributed significantly to peace, security, stability and sustainable social and economic development. Legal instruments and monitoring mechanisms were therefore a necessity rather than a luxury. The Union thus renewed its commitment to strengthening the United Nations human rights system, particularly through greater cooperation by all States with OHCHR, the treaty monitoring bodies and the Commission's special procedures, which must be provided with the necessary resources and time to carry out their tasks. The Union welcomed the role of NGOs in the Commission's work and in shaping policies more closely related to people's aspirations.

20. The Union had made great efforts to improve its own human rights mechanisms. It had developed programmes and taken steps to combat scourges in its own societies such as intolerance, racial discrimination and trafficking in human beings. In the effort to develop a

common policy on asylum and immigration, it paid particular attention to humanitarian aspects and fully respected international human rights standards. Human rights had been a cornerstone of the Union's enlargement process, which had recently led to the conclusion of negotiations for the accession of 10 new member States.

21. Action must also be taken to ensure that human rights were respected worldwide, particularly where States had freely undertaken specific obligations under the many international instruments in the field. Those responsible for violations must be held accountable, for impunity would simply fuel new violations. The Union was convinced that the recently inaugurated International Criminal Court would play a cardinal role in ending impunity.

22. All human rights formed an intrinsic part of human dignity, yet there were wide disparities in the realization of individuals' economic, social and cultural rights. All human rights must be implemented in parallel: the international community must eradicate poverty, prevent torture, promote the enjoyment of the highest attainable standards of physical and mental health, guarantee freedom of religion, eliminate hunger, fight discrimination, promote development and strengthen democracy, the rule of law and good governance. That meant it must be ready to respond to new challenges. Thus, for example, globalization provided opportunities for social and economic development but also entailed the risk of exploitation, pauperization and exclusion. Action should be taken to tackle such phenomena.

23. Acts of terrorism, which were always criminal and unjustifiable, must be countered through the concerted action of the whole international community. That action had to be consonant with human rights and the principles of the rule of law and democracy, because enhancing respect for human rights was an essential component of any effective anti-terrorist strategy; terrorism often thrived in environments where human rights were systematically violated.

24. More had to be done to give less advantaged groups the special protection they required and to end discrimination in its many guises. Gender equality had to be achieved and it was high time to create a world fit for children. No effort should be spared to implement the Durban Declaration and Programme of Action against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Plan of Action of the Second World Assembly on Ageing. It was also to be hoped that the Ad Hoc Committee on a Convention on the Rights and Dignity of Persons with Disabilities would make substantial progress in 2003, the European Year of People with Disabilities.

25. The Union was striving to obtain the universal abolition of the death penalty, especially in the case of minors and mentally disabled persons, to secure moratoria on executions and to ensure respect for due legal process. Since all countries were under an obligation to comply with the unconditional prohibition of all forms of torture, the formal adoption by the General Assembly of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was to be welcomed, as was the elaboration of a legally binding instrument for the protection of all persons from enforced disappearance.

STATEMENT BY THE STATE SECRETARY AT THE MINISTRY OF FOREIGN AFFAIRS
OF UKRAINE

26. Mr. YELCHENKO (Ukraine) said that the Commission on Human Rights played a key role in the international protection of human rights. Election to the Commission therefore brought with it great responsibility for fostering human rights and fundamental freedoms and ensuring the effectiveness of that unique human rights forum.
27. As terrorist attacks were an assault on the values enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, international terrorism was the worst challenge facing human society. His country unequivocally condemned such terrorism in all its forms and manifestations and had become a party to the full range of universal conventions and protocols on the subject. Yet, while it was necessary to consolidate efforts to prevent and counteract terrorism, States should ensure that any measure adopted to that end was in keeping with international humanitarian law. His Government therefore supported consideration at the current session of a resolution on the protection of human rights and fundamental freedoms while countering terrorism.
28. The year 2003 was the seventieth anniversary of the great famine in Ukraine, which had been induced and then carefully concealed by the totalitarian Soviet regime. Honouring the memory of its victims might help to avert other acts of genocide in the future. In that context, the entry into force of the Rome Statute and the inauguration of the International Criminal Court were to be hailed as valuable steps towards strengthening the rule of law, eliminating impunity and securing accountability for aggression, genocide and crimes against humanity.
29. Given that national institutions played a substantial role in the advancement of human rights, encouraging the introduction of national protection systems should be one of the principal objectives of the United Nations. The work being done by OHCHR was thus highly appreciated and his Government supported the Secretary-General's proposals to that end. His country did its utmost to ensure the correct implementation of the rule of law and to create the right conditions for the efficient functioning of democratic institutions. It had already abolished the death penalty and ratified Protocol No. 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms. It was also committed to preventing and prohibiting torture and was in favour of protecting the rights of the disabled.
30. Much had still to be done to improve women's lives and health and to ensure the proper protection of children's rights. Care of the younger generation was receiving special attention in Ukraine, where the focus was particularly on health, as almost 2 million children were suffering from the aftermath of the Chernobyl disaster. His Government also supported activities to stamp out the sale of children, child prostitution and child pornography.
31. The efforts of the High Commissioner to strengthen and coordinate human rights activities throughout the United Nations system were commendable. Human rights deserved more financial support and, since OHCHR could not be expected to rely on voluntary contributions to cover most of its needs, the Member States should see to it that a larger share of the United Nations regular budget was devoted to human rights.

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF PARAGUAY

32. Mr. MORENO RUFFINELLI (Paraguay) said that his Government was committed to the protection and promotion of human rights. Universal respect for those rights called for cooperation and solidarity among States at a time when looming conflicts threatened world peace and security. His Government unwaveringly supported the peaceful settlement of disputes through dialogue, mutual comprehension, international law and the observance of fundamental rights and freedoms.

33. Terrorism, drug trafficking, transnational organized crime and corruption undermined human rights and the foundations of democracy. For that reason, his Government had responded immediately to the resolutions of the United Nations Security Council and the Organization of American States (OAS) on combating international terrorism, but, in so doing, the security forces and courts of Paraguay had carefully abided by the standards of international human rights law and had strictly applied the rules of due legal process.

34. Extreme poverty, huge social disparities and the lack of social justice jeopardized democratic stability and development and fuelled discrimination and intolerance. For that reason, States and United Nations agencies should devote more resources and efforts to eliminating those scourges along with protectionism and the distortions of trade aggravated by globalization which hampered the full implementation of the right to development. Greater commitment should be shown towards matching progress in the field of civil and political rights with advances towards the full achievement of economic, social and cultural rights. An optional protocol to the International Covenant on Economic, Social and Cultural Rights might provide an effective mechanism in that regard.

35. Human rights and the foundations of democratic society were inseparably linked and consolidation of the democratic, political and institutional process was thus a fundamental and never-ending task. Free and fair general elections were an essential means of legitimizing that process. The run-up to elections in Paraguay in April 2003 was proceeding quite normally under the supervision of the independent Higher Electoral Justice Board and international observers would be present during the polling.

36. His Government had directed its foreign policy towards bringing about universal compliance with international human rights instruments and international humanitarian law. Paraguay was a party to most of the principal treaties and conventions on the subjects and promoted the access of individuals to the treaty-monitoring bodies. It applauded the entry into force of the Rome Statute and the inauguration of the International Criminal Court. If that Court were to function effectively, however, it must have universal jurisdiction. He therefore called upon all the States that had not yet done so to sign and ratify the international human rights and humanitarian law instruments and to accept the jurisdiction of international and regional courts without reservations.

37. At the domestic level, a constant effort was being made to improve human rights standards. The deficit in economic, social and cultural rights was due in part to the harmful impact of regional financial crises and international trade worries and in part to a weak

infrastructure and a lack of financial resources. To address those issues, his Government would have to improve its management capacity, combat corruption and impunity by strengthening the judicial system and channel more resources into the implementation of those rights.

38. International cooperation, the exchange of information and experience and technical assistance were vital to a more effective application of the standards of international human rights law. A meeting with the High Commissioner for Human Rights to discuss such cooperation in Latin America and the Caribbean had been a source of great satisfaction and a joint declaration on the subject would be signed on 19 March 2003. Despite budgetary restrictions, OHCHR was doing outstanding work, which would be all the more successful if the Member States contributed to the voluntary fund.

39. His Government invited all United Nations special rapporteurs, representatives, experts and other mechanisms concerned with human rights to visit Paraguay, where they would be given full cooperation and support by the authorities, as the strengthening of links with the United Nations would be of benefit to the country, the region and the entire international human rights system.

STATEMENT BY THE SECRETARY-GENERAL FOR FOREIGN AFFAIRS OF AUSTRIA

40. Mr. KYRLE (Austria), speaking also on behalf of Canada, Chile, Greece, Ireland, Jordan, Mali, the Netherlands, Norway, Slovenia, Switzerland, Thailand and South Africa which, with his own country, constituted the Human Security Network, said that the Network had been launched in 1999, following the landmines campaign. Its vision was a human world where people could live in security and dignity, free from violent threats such as conflict or disaster, and from poverty, marginalization, discrimination and disease. In that spirit, the Network pursued diverse but interlinked activities in areas such as human rights education, the protection of children affected by armed conflict, control of small arms and light weapons, the universalization of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, the struggle against HIV/AIDS, issues of international humanitarian law and conflict prevention.

41. Human security was people-centred, focusing on individuals and their communities and emphasizing equal opportunity to develop the human potential fully. It was the emphasis on human beings that distinguished the Network's concept of security from the more traditional approach, concerned mainly with protecting State territories. Human rights were central to that approach and provided the framework on which human security must be built and implemented: indeed, human security and human rights were mutually reinforcing.

42. The Network's people-centred approach took the form of direct dialogue between Ministers and civil society, and it therefore considered that the role of NGOs in the Commission should be maintained and further developed.

43. The Commission had an important part to play in building human security by promoting the universal culture of human rights and protecting human rights by addressing violations and

abuses worldwide. It was that spirit that informed the Network's own work programme and its desire to contribute to the work of the Commission. In that regard, its interregional character had a unique potential.

44. A human rights and security approach to progressive poverty reduction, for example, included recognition of the international human rights framework, accountability, non-discrimination, equality and participation. There was no global security without the effective means and political will to fight poverty. A human security perspective would therefore encourage sustainable development.

45. On the occasion of the tenth anniversary of the World Conference on Human Rights and the fifty-fifth anniversary of the Universal Declaration of Human Rights, it was important to recall the principle that all human rights were universal, indivisible, interdependent and interrelated and to redouble efforts to put that principle into practice. The Human Security Network was prepared to help in that regard.

46. One logical consequence of Governments' implementation of a human security-oriented policy was that they would actively support the promotion of human rights, the fight against impunity, processes of democratization and the consolidation of the rule of law - in short, good governance, aimed at the progressive realization of a comprehensive culture of human rights in society and at the individual level.

47. Security, political safety and access to resources in equitable societies required a genuine culture of understanding human rights. One of the Network's two priority themes for 2002/03 would therefore be human rights education, which, by transferring knowledge, building skills and shaping attitudes, raised awareness of the common interest in protecting human dignity and human security. At their meeting planned for May 2003, the Ministers of the Human Security Network would be considering a declaration of principles on human rights education that would form part of a manual on understanding human rights. That combination of concepts was intended to provide a guiding framework for all Network partners and assist the High Commissioner in coordinating human rights education and information programmes, as well as encouraging further efforts beyond the United Nations Decade for Human Rights Education.

48. The Network's other priority theme would be children affected by armed conflict. The overall aim of the initiatives under consideration was to bridge the gaps between universal human rights standards and their implementation, between information and action, and between programmatic concepts and systematic response on the ground. The Network wished to address critical situations in cooperation with relevant intergovernmental and non-governmental organizations, and Ministers would be considering a support strategy for children affected by armed conflict that would establish a set of operative principles covering monitoring, reporting and training, an alarm function in cases of violations of children's rights, efforts to combat impunity - recognizing the fundamental role of the International Criminal Court - and protection of children, taking account of the special needs of the girl child. A model children's rights training curriculum had been developed as a concrete contribution to the political strategy.

49. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which was the cornerstone for the protection of war-affected children, had been signed by 117 countries and ratified by 46, but serious violations still continued. One particularly alarming situation involved the abduction of boys and girls in northern Uganda, reportedly by the Lord's Resistance Army, for use in combat or as sex slaves. The Network was currently conducting consultations on how best to assist the Government of Uganda and the other parties in the region to facilitate the amnesty, reconciliation and rehabilitation, including the return and resettlement, of abducted children and child members of the Lord's Resistance Army.

50. Speaking on behalf of Austria, he said that his own Government felt it would be helpful if the Commission, in its traditional resolution on the abduction of children from northern Uganda, would ask the Secretary-General to appoint a special representative acceptable to all parties to the conflict, to assist in ongoing peace talks between the Lord's Resistance Army and the Ugandan Government, with the aim of obtaining the safe release of all persons under the age of 18 abducted by the Lord's Resistance Army, and to seek an end to future abductions. The mandate of such a special representative should include reporting to the Commission at its next session and submitting recommendations on measures to be taken with regard to the demobilization, disarmament, rehabilitation and reintegration of the child victims.

51. Putting human rights at the heart of conflict resolution was more important than ever. The Commission's role complemented that of the Security Council insofar as it ensured that the international community struck the right balance between security and human rights. Its work could make a real difference to people's lives by promoting the rights and freedoms that formed the vital core of human activities and abilities.

STATEMENT BY THE VICE-PRESIDENT OF COLOMBIA

52. Mr. SANTOS CALDERÓN (Colombia) said that his Government hoped that the Commission's fifty-ninth session would help to establish human rights as a firm foundation for the dignity of individuals and democratic coexistence. Growing public awareness had given human rights a prominent place on the international community's agenda and new questions were beginning to arise, concerning, for example, the reconciliation of individual freedoms with collective security needs, and the international community's duty to guarantee and protect human rights.

53. His Government wished to raise the issue of responsibility for human rights violations. It questioned the thesis that only States could be said to violate human rights. The situation in his country was a direct challenge to that traditional position: the whole world had witnessed the repeated, systematic practice by subversive groups and irregular self-defence units of summary executions, torture and kidnapping, as well as violations of the rights to freedom of movement, opinion, thought, residence and organization.

54. The issue of whether it was possible for bodies other than States to violate human rights was not a new one. It had been discussed by the Sub-Commission on the Promotion and Protection of Human Rights at its fifty-fourth session and, in a report to the Commission itself at its forty-seventh session, the Special Rapporteur on the question of the use of mercenaries as a

means of violating human rights and impeding the exercise of the right of peoples to self-determination had suggested that irregular armed groups or gangs of drug traffickers or mercenaries should be branded as violators of human rights (E/CN.4/1991/14, para. 158).

55. A vital choice had to be made: either to maintain the purely legal perspective on human rights doctrine or to include an ethical and political dimension as well. The victims of violations hoped that the Commission would refine its approach, inter alia by defining the scope of article 30 of the Universal Declaration of Human Rights.

56. The transnational nature of the threats to individual rights and democratic institutions, and of their funding and impact, necessarily raised a further question: how far did the international community's obligations extend? All Governments were well aware that one of the main sources of funding for terrorist activities was the drugs trade, that terrorists' funds passed through international banks, that terrorists' weapons and explosives were produced in developed countries and obtained through the global arms market, and that terrorists' activities were a threat to other nations.

57. Colombia, too, was afflicted by the scourge of terrorism. Irregular armed groups attempted, deliberately and systematically, to wreak havoc and sow terror within the population, destroy the country's economic infrastructure and undermine the democratic institutions established by the sovereign will of the people. In 2002, for every member of the police and armed forces killed, at least six civilians had been murdered by irregular armed groups, and for every soldier or police officer taken hostage, 43 civilians had been abducted; power stations, communications masts, bridges and aqueducts had been blown up; and the revenues of insurgent and irregular self-defence groups were said to exceed US\$ 800 million per year, mainly the proceeds of drugs trafficking. At the same time, more than one and a half million Colombians had been displaced from their homes.

58. In the view of the Colombian State and Colombian society, the international community should ensure that its view of the irregular armed groups was an accurate one. To claim that they were waging a political struggle for social justice was to ignore Colombian democracy and the impoverishment suffered by the Colombian people as a result of the constant violence. Their use of car bombs, explosive tanks, kidnappings, death threats against civil servants, displacements, massacres and extrajudicial executions made it clearer by the day that the purpose of their actions was to cause terror.

59. Under such circumstances, a series of questions arose: could, or should, the international community do more to deal with attacks on civilians and on democracy in Colombia? Was it enough to condemn terrorism or was it necessary to defend the rule of law? Was it possible for the international community to cooperate more closely with the Colombian State in order to protect civilians and legitimate institutions? Was it only Colombian society that could demand that the irregular armed groups should observe international humanitarian law? His Government was hoping for creative and innovative responses to its concerns.

60. The Colombian State had spared no effort to comply with its obligations. The President was taking the lead in implementing the democratic security policy, whose aim was to guarantee to all Colombians all rights and freedoms throughout the territory. The policy had been

implemented in accordance with Colombia's international obligations under the International Covenant on Civil and Political Rights, the Inter-American Convention on Human Rights, and the national Constitution and legislation. The police and armed forces had been given clear instructions to respect human rights fully: security was not to be obtained at the expense of legitimacy, and the confidence of the people was essential if the effort was to succeed.

61. The policy was directed against all irregular armed groups and aimed at protecting all citizens. It required citizens to demonstrate solidarity and a willingness to participate, and made use of existing legislation in order to attain the common goal of security for all. Its detractors claimed that it compelled civilians to become involved in the conflict, but such people failed to appreciate the inspiration and the background to the approach. "Peasant soldiers", a concept enshrined in Colombian law since 1993, underwent the same training as all members of Colombia's armed forces and were subject to the same rules and command structure: they were deployed in areas where the State had no significant presence and were backed up by regular troops operating in those areas. His Government could not understand how it was possible to demand guarantees of security for all and at the same time object to the efforts the Government was making to provide such guarantees. Only a State presence throughout the territory could protect the population and its rights.

62. Asking members of the public to provide information was common practice in all democracies and was, indeed, a civic duty of the kind referred to in article 29 of the Universal Declaration of Human Rights. Informant networks were not armed and took no part in judicial or police proceedings.

63. No miracles could be expected in such a short time, but it was clear that the Government was on the right track from the broad popular support for its security policy, and from the results obtained thus far in terms of the explosives seized, the plummeting murder and kidnapping rates, and the fact that it had been possible to reclaim the highways during the Christmas season, thereby enabling family members to celebrate together.

64. The democratic security policy was not a mere whim of the Government but a necessity for the country, a riposte to the arrogance and blind obstinacy of the irregular armed groups. The doors of dialogue were open. The Government asked for an end to violence against civilians, an acceptance of international participation and discussions in good faith - minimum conditions that would underpin any negotiations, a process to which the Colombian State had never been opposed.

65. Referring to other initiatives to strengthen human rights in his country, he said that his Government had continued Colombia's tradition of working closely with other countries, multilateral organizations and NGOs. It repeated its invitation to the High Commissioner for Human Rights to visit Colombia and extended a similar invitation to all the United Nations human rights mechanisms.

66. Colombia hoped the international community would assist it in its efforts to strengthen democracy and human rights and remedy the disastrous humanitarian situation, and he called on countries to refuse to give refuge to terrorists, their money or their arms, to cooperate in protecting civilians and democracy from attack and to demand that the irregular armed groups

should observe international humanitarian law. His Government, for its part, was open to constructive criticism in its efforts to bring about the far-reaching changes that were required, but the members of the international community could be certain that, as President Uribe had put it, Colombia's determination to eradicate terrorism was equalled only by its commitment to the establishment of the rule of human rights.

67. Mr. GAKWANDI (Uganda), speaking in exercise of the right of reply, referred to the statement by the Secretary-General for Foreign Affairs of Austria, who had called upon the Commission to recommend that the United Nations Secretary-General appoint a special representative to address the problem of the abduction of children in Uganda.

68. The Human Security Network, on behalf of which that statement had been made, was a new organization, whose mandate and operations were not yet clear to his Government. It had approached the Government and offered support for its efforts to put a stop to abductions by the Lord's Resistance Army. The Government of Uganda had received that offer with an open mind and had begun considering the form such support could take and how it could be channelled either to the Government itself or to NGOs operating in the area.

69. The activities of the Lord's Resistance Army were well known to the Commission, which had denounced them in recent resolutions and recommended steps to be taken to put an end to them. A mission had been sent to the area and had submitted a report. The Special Representative of the Secretary-General on internally displaced persons was also due to visit the area and was expected to submit a report.

70. His Government did not think that the situation would be helped by further reports. What was needed was action and support for solutions based on the existing reports. Consequently, it would not endorse any recommendation that the Secretary-General should appoint a special representative to write yet another report on the situation.

The meeting rose at 5 p.m.