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COMMISSION ON HUMAN RIGHTS

Sixtieth session

SUMMARY RECORD OF THE 8th MEETING

Held at the Palais des Nations, Geneva,  
on Wednesday, 17 March 2004, at 3 p.m.

Chairperson: Mr. SMITH (Australia)

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The meeting was called to order at 3 p.m.

STATEMENT BY THE MINISTER FOR PRESIDENTIAL AFFAIRS AND  
PUBLIC ADMINISTRATION OF BOTSWANA

1. Mr. KWELAGOBE (Botswana) expressed his sorrow at the death of the High Commissioner for Human Rights, Mr. Sergio Vieira de Mello, who had perished in a terrorist attack against the premises of the United Nations in Iraq seven months earlier; it was both sad and ironic that a man of his international stature, who had devoted his life to the defence of human rights and international peace and security, should have met such a tragic and violent death, whilst doing something he really cared about. The best way to honour his memory was to follow in his footsteps. The Botswana delegation also expressed its condolences to the Government and people of Spain following the attacks in Madrid the previous week. Acts of terrorism must be condemned unreservedly whenever and wherever they occurred. In Africa, memories were still fresh of the attacks in Nairobi and Dar-es-Salaam in 1998, and of the attacks more recently in Mombasa, which had caused even greater loss of life and destruction of property.
2. The Commission on Human Rights remained one of the most important of the organs established under the Charter of the United Nations and played a pivotal role as a watchdog for human rights and for universal norms and values. While his delegation had faith in the work of the Commission and in its historic mission, it considered that there was room for improvement in the methods of work of the Commission and of its subsidiary bodies. While he respected the special rapporteurs' mandates and call of duty, he had reservations about some of their methods of operation. States should not have to prove their innocence or credibility in the face of unverified reports whose sources could not be revealed and, when there were allegations of human rights violations, States should be afforded ample opportunity to investigate in order to be able to respond adequately and fully.
3. The Government of Botswana attached great importance to reporting and other obligations under the international human rights instruments to which it was a party. It was in the process of finalizing its report to the Human Rights Committee, which would be submitted soon, and was working on its response to the Committee on the Elimination of Racial Discrimination, which was due to be submitted in March 2005.
4. Botswana rejected racial discrimination. The Bill of Rights component of the Constitution and the Penal Code not only proscribed racial discrimination but also made it a punishable offence. The Constitution also protected freedom of opinion, expression and thought. Botswana could boast that there had been no political prisoners or political refugees in the 38 years of its independence. Botswana continued to provide sanctuary for political refugees from Africa and elsewhere. During his recent visit to African Union headquarters, President Mogae had called on the African Union to put the issue of refugees and internally displaced persons high on its agenda. It was normal in Botswana for members of civil society to participate in exchanges on various issues of national concern, in various forums, including by giving evidence before bodies of the Commission, which was evidence of Botswana's respect for freedom of association and freedom of speech.

5. On 21 March 2004, President Mogae would open the Civicus World Assembly on the theme "Acting together for a just world", which was expected to draw over 300 delegates from all over the world: a range of topics would be on the agenda, including human rights and humanitarian issues.

6. Since the Fourth World Conference on Women, held in Beijing in 1995, Botswana had continued to implement its national plan of action on gender, the main focus of which was the education and health rights of the girl child, as well as the participation of women in all sectors of the economy and in decision-making. Interventions to combat HIV/AIDS, rape counselling and family education were also targeted at helping women and girls.

7. Botswana remained fully committed to the protection of fundamental human rights and freedoms, as enshrined in the Constitution. The existence of an independent judiciary and of other bodies such as the Ombudsman's Office was evidence of the Government's policy of maintaining a credible and independent complaints procedure. Aggrieved individuals seeking redress could turn to the courts, to the elected representatives, and to tried and tested traditional leadership structures, such as the customary law courts. Other institutions which reinforced the processes of good governance, transparency and accountability were: the Independent Electoral Commission, the Directorate on Corruption and Economic Crimes, the Auditor General's Office and the Parliament.

8. Botswana had faith in the vitality of the Commission on Human Rights as an instrument for the protection of democracy, respect for human rights and the rule of law and hoped that the Commission would go from strength to strength.

#### STATEMENT BY THE MINISTER OF JUSTICE OF RWANDA

9. Ms. MUKABAGWIZA (Rwanda) said that 2004 marked the tenth anniversary of the genocide in Rwanda. The United Nations General Assembly had declared 7 April 2004 the International Day of Reflection on the 1994 Genocide in Rwanda. She invited all Member States at the sixtieth session of the Commission on Human Rights to reflect in depth, with Rwanda, on four basic questions.

10. First was the question of political will. She wondered whether, in 2004, States and the international community would intervene to prevent and stop a genocide of the kind that Rwanda had seen in 1994. In 1999, an independent United Nations commission had concluded that, confronted with the situation in Rwanda, there had been an obligation of protection that had not been fulfilled, and that that failure had been due essentially to lack of political will on the part of Member States. Given that observation, the question arose as to the priorities and above all the primary mission of the Commission on Human Rights, which was to protect human rights everywhere in the world. In his address to the Stockholm International Forum on 26 January 2004, the Secretary-General of the United Nations had condemned the international community's lack of political will to prevent the appalling events that had taken place in Rwanda and had expressed his fervent wish that the world would react in a timely and effective manner should a similar situation recur. The failure to protect humanity and human dignity for want of political will was completely at odds with the very *raison d'être* of the Commission on Human Rights.

11. Secondly, there was the question of justice in connection with genocide. Rwanda welcomed the appointment, at the end of 2003, of a full-time prosecutor at the International Criminal Tribunal for Rwanda (ICTR), which should improve the Tribunal's performance. She recalled that, 10 years on, most of those who had planned the genocide enjoyed asylum in various African and Western countries, which were members of the Commission, thus evading justice. She urged those States to cooperate actively with Rwanda and with ICTR in the fight against impunity, because the seeds for the crime of genocide could be found in impunity. With regard to national justice, she said that the "gacaca" tribunals that had been in place since 2002 allowed fairer justice than the ordinary courts could dispense in the post-genocide situation. The tribunals helped to establish the truth, and to cement national unity and reconciliation. In 2004, they would become nationwide in scope. The international community must support that crucial process.

12. Thirdly, thought needed to be given to what action should be taken on the consequences of the genocide. The responsibility for reconstruction was not Rwanda's alone but belonged to all States. For its part, Rwanda had managed, in recent years, to restore peace and security; to reinstate all the institutions which guaranteed good governance; and to implement a political programme based on the unity and reconciliation of the entire Rwandan people, the foundation of democracy and development, and had done so while respecting the human rights that had long been flouted and denied. Although Rwanda wished to thank all the States that had offered support, such efforts remained insufficient. Despite the 5 per cent of the national budget that was channelled into an assistance fund for victims and survivors of the genocide, its consequences were of a magnitude that meant most Rwandans still did not live in the decent conditions that would allow them to regain their humanity. Among particularly vulnerable groups were women and girls who had been the victims of systematic rape, some of whom had been infected with HIV/AIDS. For all the women who continued to die from the effects of such extreme violence, the genocide had still not come to an end. It was important therefore to take action and to show solidarity towards victims and survivors. The excellent initiative to combat violence against women that had just been launched by the Swiss Minister for Foreign Affairs, with which she had associated herself, was a step in that direction.

13. Lastly, there was the question of responsibilities with regard to prevention. For the Rwandan people and all those who were combating genocidal ideology, 2004 was an opportunity to take stock of responsibilities in the planning and execution of the genocide. The people who were most heavily implicated still denied their participation. That denial of the truth bordered on revisionism, in order to avoid having to face up to the consequences of the genocide. Rwanda called on the international community to join the Rwandan people in its vigorous condemnation of all manifestations or campaigns of revisionism with respect to the 1994 genocide.

14. The year 2003 had marked the end of the political transition that had begun in July 1994. The Rwandan people had adopted, via a referendum, a new Constitution which had entered into force on 4 June 2003. The highly progressive text of the Constitution placed great emphasis on individual rights. In the Constitution, the Rwandan people reaffirmed their commitment to individual human rights as defined, in particular, in the Charter of the United Nations and in the other international instruments ratified by Rwanda. On 25 August 2003, the country had proceeded, calmly and quietly, to its first election by universal suffrage of a President of the Republic, in the person of Mr. Paul Kagame. For President Kagame, true democracy stemmed from respect for the choice expressed by the sovereign people. The presidential elections had

been followed, from 29 September to 2 October 2003, by the legislative elections, which had chosen a bicameral Parliament in which women, as in all the national decision-making bodies, occupied almost 50 per cent of seats. The members of Parliament came from several different legal political groupings.

15. The Government that had been appointed included a Secretary of State for good governance, who followed the principle of decentralization. Rwandan experience showed that it was possible to integrate and effectively apply the decisions and provisions taken with basic administrative units. Rwanda would have achieved its objective entirely when every official was able to understand that he or she was in the service of the people, and not the opposite. One of the mechanisms used to protect the State and individuals against the major societal ills of corruption, discrimination and mismanagement of public assets had been the creation of the Office of the Ombudsman. Rwanda was determined to establish a State based on the rule of law, respect for human rights and fundamental freedoms, tolerance and the resolution of problems through dialogue. Rwanda was committed to continuing its efforts to promote human rights and in particular the rights of the most vulnerable groups. The Government realized that a healthy justice system, which was swift, impartial, effective and accessible to all, constituted the best protection for fundamental rights and freedoms. It was in that perspective that far-reaching reforms of the judicial system had been launched. By May 2004, the reforms should cover the tribunals and courts of justice, most judges, the public prosecutor's office, the regulations pertaining to judicial personnel and legislative texts.

16. In order to attain its objectives with regard to the respect and promotion of human rights and, specifically, in order to eradicate any kind of division within the country, Rwanda had no choice but to undertake the necessary reforms. Mechanisms which had already achieved good results included raising awareness among the population, training public and private agents, the education of officials in the administrative and judicial authorities and, most importantly, the creation of frameworks for consultation, reflection and self-assessment for the country's leaders. However, the international community in general, and the United Nations in particular, must remember that no effort must be spared in helping Rwanda to recover its social and economic balance, fully regain its place among nations, ensure peace, national unity and reconciliation, and improve its rate of economic growth: that was what was needed for a lasting peace.

#### STATEMENT BY THE DEPUTY PRIME MINISTER AND MINISTER FOR FOREIGN AFFAIRS OF THE CZECH REPUBLIC

17. Mr. SVOBODA (Czech Republic) expressed the sympathy of the Czech people with the Spanish people following the attacks in Madrid; the perpetrators of those barbaric acts had again demonstrated their disrespect for human life and dignity. He also expressed the hope that the sixtieth session of the Commission on Human Rights would contribute to the promotion of human rights and the strengthening of human rights protection worldwide.

18. If the universal protection of human rights was to be of a high standard, all countries would have to give it as much priority as economic interests, and the mechanisms used by international organizations for the purpose would need to be effective. If the twenty-first century was to be less inhuman than the twentieth century, which had been the harshest in the history of the human race, countries - in the framework of human rights dialogue, which external circumstances often made difficult - would have to attach the same importance to the terms used

and not only make their point of view heard, but also listen to the views of others, so as to try to understand and accept them. Given that cultural diversity was compatible with the universality of human rights and fundamental freedoms, the Czech Republic was committed to respecting cultural diversity and to promoting human rights, while attempting to strike a balance between civil and political rights, on the one hand, and cultural and social rights, on the other - which it saw as indivisible. In that context, he expressed his country's concern about the human rights situations in Cuba and Myanmar.

19. Recalling the irreplaceable role that the Commission played in protecting human rights, he noted that the Commission could only continue in that role if it cooperated sufficiently with the regional human rights protection mechanisms, which was not yet the case. In recognizing that some bodies were better placed to protect certain rights, the Commission would consequently also need to review its priorities. The effective operation of the human rights protection mechanisms required close links between the various mechanisms, regular exchanges of information with country teams and other United Nations bodies, and coordination of effort between the human rights protection mechanisms of the Commission and the treaty bodies. It would also be judicious to strengthen exchanges of information and of comments, which would help to overcome overlaps in the various bodies' mandates.

20. National protection systems were crucial for the realization of human rights protection objectives. States which protected the interests of individuals under their jurisdiction were the best qualified to encourage the adoption of instruments and the establishment of relevant international mechanisms. The interconnection of national and international mechanisms of human rights protection was assured, among other ways, by the special procedures system, which the Czech Republic would endeavour to strengthen by expanding the general scope of the resolution that it traditionally submitted on human rights and special procedures.

21. Attention should be paid to the proposal of the late High Commissioner for Human Rights, Mr. Sergio Vieira de Mello, which had been supported by the Secretary-General, to establish guidelines on the conduct of applicants for Commission membership. Moreover, information about the human rights situation in a specific country should be taken into account in decisions about the provision of advisory services and technical assistance.

22. In that regard, he wondered how much trust could be placed in States which, when they voted, failed to take a position on a particular problem, regardless of how important it might be for human rights, but merely aligned themselves with a group with which they had common interests in completely different fields. Although the Commission had quite clearly been designed to be a political body, that trait must not be allowed to predominate over the protection of human rights. The Commission could only be effective if it enjoyed the sincere cooperation of States.

23. He welcomed the special attention that the issue of women's rights was receiving at the sixtieth session, which was fully in line with his country's position. The Czech Republic was determined to change mentalities. Women had long been associated with the preservation of the values of society, a role that was often undervalued and that, consequently, helped to keep women in a weaker position.

24. The protection of the rights of the child and of the disabled was also a priority in Czech foreign policy, as his country's active participation in the discussions on that issue would reflect. His delegation had been encouraged by the progress made in preparing a new international convention that would guarantee disabled persons full and complete enjoyment - on an equal basis with able-bodied people - of their fundamental rights, and welcomed the submission of the resolution on the rights of the child based on the Convention of the same name, even if it would be difficult to ensure that those rights were respected everywhere, particularly in war zones.

25. In conclusion, he said he was convinced that the sixtieth session of the Commission would contribute to implementing the concept of a world based on communication and a willingness to adopt the universal values on which human society rested.

#### STATEMENT BY THE PRESIDENT OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS

26. Mr. KELLENBERGER (International Committee of the Red Cross - ICRC) said that for centuries, international law had been concerned only with relations among States, and not between individuals. Certainly, international humanitarian law, while it primarily established the duties of the parties to an armed conflict, also aimed to spare individuals from the ravages of war. However, it was international human rights instruments that gave normative expression to the notion that a State's treatment of the persons on its territory was not only a matter of its internal affairs. By allowing international scrutiny of the way in which a State treated individuals, the various human rights mechanisms had made individuals into subjects of international law.

27. International humanitarian and human rights law were distinct but complementary bodies of law, as was evidenced, among other things, by their common purpose, which was to protect the life, health and dignity of the individual. On the one hand, that meant the protection of persons affected by armed conflict and, in particular, of those who found themselves in enemy hands, while on the other it meant regulating the relationship between States and individuals. In either case, however, the guiding principle was that individuals had the right to be protected from arbitrary action and abuse.

28. That similarity of purpose was mirrored in the similar, albeit not identical, content of many of their norms, such as the fundamental judicial guarantees, which were a cornerstone of protection in peacetime and during armed conflict. However, there were also important differences stemming from their distinct scope of application. The exceptional circumstances constituted by armed conflicts could not admit of any derogation, which was in contrast to certain rules of human rights law. Just as importantly, international humanitarian law was binding on the parties to armed conflict, which had equal rights and obligations, whether they were regular armies or non-State armed groups.

29. He expressed his deepest sympathy with the Spanish people following the terrorist attacks in Madrid, and said that such acts were evidence of the destructive potential of individuals or groups willing and able to kill in the most brutal manner. Such circumstances made it necessary to reiterate and enforce the legal rules that prohibited deliberate attacks against civilians and civilian property under any circumstances. That prohibition was based, during



armed conflicts, on humanitarian law and, in peacetime, on national and international criminal law; States must do their utmost to prevent such acts, and punish them when prevention had failed.

30. The international community had at its disposal the tools necessary to protect both States and individuals against such threats. It was true that the fight against terrorism required a difficult re-examination of the proper balance between State security and individual freedom. It was imperative that terrorism be fought without lowering the international standards of protection for the rights and freedoms of individuals set down in international humanitarian and human rights law, since that would be self-defeating.

31. Turning to the issue of missing persons in the context of armed conflicts or internal violence, and particularly to the right of families to know what had happened to their relatives, he observed that thousands of families who were in that situation were not able to mourn their loved ones and were often marginalized, which had important consequences for society, and hampered peace and reconciliation. ICRC aimed to prevent disappearances, to restore family ties when they had been broken and to ascertain the whereabouts of people whose families had received no news of them.

32. With that objective, ICRC had launched a consultative process two years previously that had culminated in an international conference of experts held in February 2003; various recommendations made at that conference had been included in the Agenda for Humanitarian Action adopted by the 28th International Conference of the Red Cross and Red Crescent in December 2003. It was necessary to ensure that detailed regulations to prevent persons from going missing were incorporated into domestic legislation, applied, and respected during conflicts. In that regard, ICRC regarded as essential the work of the intersessional open-ended working group to elaborate a draft legally binding normative instrument for the protection of all persons from enforced disappearance.

33. Preventing disappearances required practical measures, such as the adoption of best practice with regard to the exchange of information about families; providing means of identification to members of armed and security forces and organized armed groups; the handling of information on vulnerable groups; and dealing properly with human remains.

34. When prevention failed, affected families and communities must be supported: they needed to be given information about the events that had led to their relatives' disappearance and to know that the perpetrators would be held accountable. Often they also had material, financial, psychological, legal and administrative needs, making other measures and complementary mechanisms necessary.

35. Lastly, it had to be noted that the majority of those who remained unaccounted for were men, which left women behind to bear the emotional and economic burden of their disappearance on their own. The fate of those women could be further complicated by the fact that, not knowing the fate of their missing spouse, they often found themselves in a legal vacuum that denied them a pension or similar entitlements.

36. ICRC had already incorporated into its operational instructions the recommendations and best practices adopted at the conferences he had mentioned and would spare no effort in

promoting those best practices among concerned parties. It would also, whenever possible, streamline its traditional activities and would participate, within the bounds of its mandate, in any mechanism designed to address those issues effectively.

STATEMENT BY THE MINISTER OF JUSTICE, SECURITY AND HUMAN RIGHTS  
OF ARGENTINA

37. Mr. BELIZ (Argentina) said that the Argentine Government, under President Kirchner, had put human rights protection at the heart of its new political agenda. Respect for human diversity, the fight against impunity, past or present, and extension of the scope of human rights to include the right to development were the fundamental principles of his Government, taking into account what had occurred in past decades and the unprecedented economic and social crisis from which his country was beginning to emerge.

38. Respecting human life and integrity was fundamental in a peaceful democracy. That was why Argentina strongly condemned acts of terrorism such as those that had just plunged into mourning the Spanish people, with whom the Argentine Government and people wished to, once again, express their solidarity. Argentina had not been spared from terrorism itself: on 17 March 1992, an attack had taken place against the Israeli embassy in Buenos Aires, and on 18 July 1994 the Asociación Mutual Israelita Argentina (AMIA) had also been the victim of a deadly attack. The Ministry of Justice, Security and Human Rights had set up a special unit to investigate that most recent attack, which was working in collaboration with the judicial institutions. Argentina was determined to fight against the barbarity of terrorism without sacrificing human rights and fundamental freedoms and without renouncing the rule of law or the international standards in force.

39. Two months after taking office, President Kirchner had signed Decree 420/03, which authorized the extradition of individuals facing charges before foreign courts for crimes against humanity committed during the years of military dictatorship. Furthermore, the National Congress had repealed the amnesty laws that had effectively ensured the impunity of the perpetrators of such crimes. By virtue of those decisions, the judicial authority had reopened serious cases, had issued preventive custody orders and had relaunched investigations into thousands of incidents related to the State terrorism practised by the military dictatorship, in particular enforced disappearances, acts of torture, rapes, and summary executions. Many of those cases had been shelved by virtue of unconstitutional provisions. With regard to enforced disappearances, the available information indicated that 320 children had suffered that fate. The Grandmothers of the Plaza de Mayo had already managed to trace 77 of them. However, there were thought to be close to 500 victims of that particularly abhorrent practice. Under a policy of reparation, the Government had decided to extend for one year the payment of compensation to the families of the victims of serious violations of human rights, such as enforced disappearances, summary executions and unlawful or arbitrary detentions.

40. In December 2003, the executive authority had decided to set up “national memory archives” in order to compile information about such violations. There were also plans to set up a national museum of remembrance in the former Naval Engineering College in Buenos Aires, which had served as a detention centre for more than 5,000 people, the vast majority of whom had disappeared.

41. The initiatives taken by the Government did not only concern human rights violations committed during the recent military dictatorship. A programme to fight against impunity had also been launched, in order to combat abuses committed by the police and to help the victims to have recourse to justice. Furthermore, Argentina was taking determined action against corruption, as was evidenced by the programmes of the office in the Ministry of Justice, Security and Human Rights in charge of the issue.

42. Such were the manifold tasks that faced Argentina after a political, economic and social crisis had plunged close to half the inhabitants of the country into poverty - a crisis that constituted, as in many of the so-called developing countries, a kind of "social genocide". The foreign debt and the structural adjustment programmes that brought with them poverty and extreme poverty were a massive challenge for the protection of human rights and human development. In order to rise to those challenges, President Kirchner had instructed the Secretary for Human Rights, Mr. Eduardo Luis Duhalde, to monitor closely the particularly acute social conflicts that had implications for both individual and collective rights and, if appropriate, to offer to mediate. That was an example of "best practice" that was beginning to produce positive results.

43. The Secretary for Human Rights had also taken other initiatives, such as developing a national plan for human rights protection, a programme on the rights of the child and a national programme to combat discrimination. There were also plans to set up a human rights observatory and to promote voluntary services in that area. Furthermore, the promotion and defence of the rights of women, the rights of indigenous peoples and of vulnerable groups such as migrant workers and prisoners, and protection against all forms of discrimination, including discrimination on the basis of sexual orientation, were at the centre of the Government's concerns. Lastly, the Argentine State was working more closely with non-governmental organizations (NGOs) in the field of human rights than ever before.

44. The promotion of human rights implied accession to new international human rights instruments and the incorporation of those instruments into national law. In that context, he drew attention to the adoption in Argentina of a new law on immigration to replace the previous legislation, which had been repressive and discriminatory. Furthermore, in the framework of the Inter-American Commission on Human Rights, Argentina was working systematically to reach friendly settlements.

45. After paying tribute to the late High Commissioner for Human Rights, Mr. Sergio Vieira de Mello, a citizen of Brazil, a sister country to Argentina, and to the Acting High Commissioner, Mr. Ramcharan, he expressed his warm wishes to the new High Commissioner, Ms. Louise Arbour, with whom Argentina hoped to pursue fruitful cooperation. That cooperation was already apparent in the standing invitation addressed to the thematic mechanisms of the Commission on Human Rights. A number of the Commission's mandate-holders had already visited Argentina.

46. With regard to the work of the United Nations in general, Argentina supported both the proposal made by the Secretary-General, Mr. Kofi Annan, to set up a committee for the prevention of genocide, and the proposal made by the Acting High Commissioner for Human Rights to create a Special Rapporteur on trafficking in persons, especially women and children. In that area as in others, Argentina did not act alone. At the subregional level,

Argentina took action within the strategic framework of the South American Common Market, MERCOSUR. Furthermore, Argentina would continue, within the Group of Latin American and Caribbean States (GRULAC), to focus its efforts on seeking consensus on human rights issues and on the development of international human rights law. Accordingly, Argentina attached particular importance to the preparation of a universal instrument on enforced disappearances and supported the work being carried out on that issue by the open-ended group presided over by the Ambassador of France, Mr. Bernard Kessedjian.

STATEMENT BY THE MINISTER OF STATE AND MINISTER FOR FOREIGN AFFAIRS  
OF CÔTE D'IVOIRE

47. Mr. MAMADOU (Côte d'Ivoire) paid tribute to the innocent victims of the attack carried out on 11 March 2004 in Madrid and expressed condolences to King Juan Carlos and to the Government and the people of Spain. He also respectfully paid tribute to the memory of Sergio Vieira de Mello.

48. He recalled that, in November 2002, Côte d'Ivoire had taken the initiative of asking the United Nations to send an international inquiry commission with a nationwide mandate. In so doing, his country had wished to demonstrate its firm resolve to allow all visits or investigations to assess human rights violations following the military and political crisis, in particular in order to fight against impunity. Côte d'Ivoire had submitted the matter to the African Commission on Human and Peoples' Rights with the same aim. That Commission had, moreover, sent an initial high-level mission to evaluate the human rights situation in Côte d'Ivoire.

49. In January and February 2004, Côte d'Ivoire had received a visit from the Special Rapporteurs of the United Nations Commission on Human Rights on freedom of opinion and expression and on the elimination of racial discrimination, whose preliminary reports would be submitted at the current session. During their missions to Côte d'Ivoire, the Special Rapporteurs had enjoyed the full and complete cooperation of the national authorities. Lastly, although the visit of the Special Rapporteur on extrajudicial, summary or arbitrary executions had not yet been able to take place, that was solely because of a problem with dates. Furthermore, the Representative of the Secretary-General on internally displaced persons, the Special Rapporteur on the human rights of migrants and the Special Rapporteur on the use of mercenaries were expected in Côte d'Ivoire in the near future.

50. The preliminary reports showed that Côte d'Ivoire was trying to assure a certain balance. Freedom of the press was a reality in Côte d'Ivoire. Its Government was committed to formulating detailed press regulations, and a draft revised text of the law on audiovisual media was being prepared.

51. Côte d'Ivoire was deeply committed to respect human rights, as was evidenced, in particular, by its ratification of almost all the relevant international instruments, by the fact that the Constitution of 1 August 2000 devoted 22 articles to the promotion of human rights and public freedoms and by the establishment of a ministry dedicated exclusively to human rights. Moreover, in accordance with the Marcoussis Accords, a draft law providing for the creation of a national human rights commission had already been adopted by the Government and was to be

examined by Parliament. Lastly, Côte d'Ivoire would approve the creation of an international commission of inquiry into human rights violations which had been provided for in the same accords.

52. The Ministry for Human Rights had undertaken a number of measures, such as setting up a free telephone number that recorded calls, and it condemned unreservedly the human rights violations committed both by the Republican forces and by the Forces Nouvelles. Moreover, the Government had created, in the Ministry responsible for African integration, a monitoring committee that would receive complaints from foreigners who were victims of violations. In so doing, Côte d'Ivoire reaffirmed its commitment to remaining a welcoming and hospitable land, both for people from the subregion and for refugees. With respect to refugees, Côte d'Ivoire did not intend to shirk its responsibilities, despite its financial difficulties, and it had adopted a law that should allow refugees to obtain a residence permit. Moreover, a law on asylum would soon be adopted and a national office for refugees would be set up. In that context, Côte d'Ivoire took the opportunity to reiterate its call for the international community to contribute to sharing the burden of receiving refugees. Around 1 million people, fleeing the front line, had for several months been displaced in the zone that was under the control of Government forces and lived in extremely precarious conditions.

53. Despite the remaining obstacles on the road to peace, progress had already been made since the comprehensive ceasefire agreement, signed in Marcoussis on 3 May 2003. An amnesty law had been approved, which did not, however, mean pardoning crimes and violations under ordinary law, in particular human rights violations. In accordance with the recommendations formulated in the Marcoussis Accord, 15 draft laws were currently under consideration by the Parliament, inter alia, on the Nationality Code, identification of persons and residence of foreigners in Côte d'Ivoire, the organization, responsibilities and operation of the independent electoral commission, and the conditions for candidates for election to the office of President of the Republic. In addition, 17 army barracks had been refurbished, ad hoc roadblocks had been removed, schools were gradually being opened in the zones under the control of the Forces Nouvelles (former rebels) and land and rail routes between Côte d'Ivoire and its neighbouring States, in particular Mali and Burkina Faso, with whom Côte d'Ivoire was trying to re-establish normal relations, had been reopened. Meetings of joint cooperation commissions with Ghana and Burkina Faso were to be held shortly and human rights issues were expected to feature on the agenda. Moreover, within Côte d'Ivoire itself, the disarmament, demobilization and reintegration scheme (DDR) was being pursued.

54. In that context, his delegation welcomed the unanimous adoption by the Security Council, on 27 February 2004, of resolution 1528 (2004) authorizing the dispatch of United Nations troops to Côte d'Ivoire. The resolution invited optimism in that it would facilitate the implementation of the Marcoussis Accords and would allow, in particular, the dialogue between the Government and all the political forces concerned to be speeded up, with a view to fair, open, transparent and safe elections in 2005. That peace-keeping operation would help in securing borders, and in the fight against the proliferation and trafficking of arms, the use of mercenaries and terrorism - all factors that helped to destabilize the subregion. In that context, Côte d'Ivoire would shortly be submitting a draft plan for the stabilization of West Africa at the next meeting of the Economic Community of West African States

(ECOWAS) Mediation and Security Council. Lastly, his delegation reiterated its thanks to the international community, to NGOs and to the various players who were contributing actively to the definitive return of peace in Côte d'Ivoire and in the subregion.

STATEMENT BY THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS OF VIET NAM

55. Mr. DAO VIET TRUNG (Viet Nam) expressed, on behalf of the Vietnamese Government and the people, his deepest condolences to the families of the victims of the terrorist attacks that had occurred in Spain a week earlier.

56. In Viet Nam, thanks to remarkable economic development - the annual growth rate was in excess of 7 per cent - the Government had continued its efforts in the social field, giving priority to poverty reduction, employment, education and health care, in particular in rural and ethnic minority areas. The material improvements in people's living conditions had served to create better conditions for the promotion of their fundamental rights and freedoms. The results that Viet Nam had achieved in poverty reduction, political and social stability and respect for human rights had thus been cited as exemplary by the international community. Viet Nam was working hard to improve its legal framework for human rights, in particular by amending existing laws to reflect the international conventions to which it had acceded.

57. Viet Nam fully shared the notion of universality of human rights and the idea that civil and political rights were indivisible from economic, social and cultural rights. The concept of universality must however take into account the specific and historical conditions of each nation and, in particular, each nation's right to choose the path to development that was best suited to it, without foreign interference. The Vietnamese people had suffered too much not to be aware that, in order to guarantee the full enjoyment of individual rights for every citizen, a nation must above all be able to live in peace, independence and freedom and be able to ensure its development.

58. In an environment where the majority of developing countries were poor and where the benefits of globalization were unfairly distributed, the right to development and the right to be rid of poverty were crucial for developing countries. Unfortunately, driven by lingering cold war mentalities and politicized, the Commission on Human Rights had not paid enough attention to promoting the right to development and economic, social and cultural rights. It was time that the Commission adopted a comprehensive approach to the entire spectrum of human rights, if it wished to regain its credibility in the world community and in particular among developing countries. The Vietnamese delegation was ready to work in good faith with other delegations at the current session. Moreover, in order to make a better contribution to the work of the Commission, Viet Nam had decided to submit its candidacy for membership of the Commission at the elections to be held at the resumed organizational session of the Economic and Social Council in New York in May 2004. The Vietnamese Government looked forward to the support of all Economic and Social Council members.

59. Although it was inevitable that countries should have different views on human rights issues, that should not impede cooperation or dialogue. In that regard, Viet Nam believed that no country had the right to use the cause of human rights as a tool to exert political pressure or impose conditions on other countries in economic and trade relations. It was in that spirit that

Viet Nam had engaged in dialogue on human rights issues with the United States, the European Union, Norway and Australia. Viet Nam intended to continue that dialogue, which had been an opportunity to share each other's experiences.

#### STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF FINLAND

60. Mr. TUOMIOJA (Finland), after expressing his condolences to the people and Government of Spain, condemned the controversies that had often prevented the Commission from concentrating fully on its key responsibilities. It was imperative to overcome such divisions so that the Commission could fulfil the important role it had for the people of the world.

61. He suggested approaching the current state of human rights with the help of two concepts: namely globalization and human security, while emphasizing the gender dimension. The benefits of globalization were clear: the increased wealth that it brought allowed many people to rise out of poverty and for their rights to be better respected. Human rights activists had not failed to make full use of increased flows of information and the subsequent improved transparency. However, the main disadvantage of globalization was also indisputable: not everybody had equal access to its benefits. According to the World Commission on the Social Dimension of Globalization of the International Labour Organization (ILO), which had been co-chaired by the Presidents of Finland and the United Republic of Tanzania, the governance of globalization must be based on universally shared values and respect for human rights. Efforts to achieve fairer globalization must begin at the domestic level, in all sectors of society. Accountability and openness were the key characteristics of good governance, which had to go hand in hand with a functioning and unbiased judicial system.

62. Good governance certainly had a human rights dimension, because it was difficult to see how human rights could be realized in circumstances where corruption was widespread and where individuals did not have access to justice. It was often the most vulnerable who suffered most as a result of corruption, which, along with discriminatory practices, could create obstacles for girls and women to have full access to education and health services. The ILO's World Commission had stated that the social cost of globalization fell disproportionately on women.

63. Finland had been actively engaged in promoting new solutions to global governance problems through the Helsinki Process, which had taken place in December 2002. The Helsinki Conference had provided a forum for an open and inclusive dialogue that aimed to promote democracy and equality internationally and had involved all the major stakeholders, i.e. representatives of civil society, international organizations, and private enterprise. Although governments had the primary responsibility for implementing human rights, the role played by transnational corporations in that regard was becoming increasingly important.

64. The debate on corporate social responsibility had progressed on several fronts, particularly in the context of the Secretary-General's initiative known as the Global Compact. The Sub-Commission on Human Rights had produced draft norms on the responsibilities of transnational corporations. Finland welcomed those initiatives and believed that it was necessary to find practical ways of considering all aspects of the issue, through constructive dialogue with representatives of the business world about ways of improving enjoyment of human rights at the individual level.

65. Security was another important issue that was being examined within the Helsinki Process. Civilian populations, particularly women and children, were increasingly being targeted in conflict situations. Easy access to small arms aggravated the problem. It was necessary to agree on the principles that should govern the arms trade policy, so that it became a matter of course for human rights and humanitarian considerations to be taken into account in the arms trade.

66. Human insecurity was also experienced in societies that were not embroiled in armed conflict. Failed States, or those that were unwilling or unable to protect the rights of their citizens, could constitute a threat to security in their region. The marginalization of minorities and indigenous peoples could also affect stability, as could lack of access to justice and the lack of ways to participate in society, which paved the way to extremism. Violations of children's rights, and in particular the recruitment of child soldiers, could undermine the prospects for stable development for years to come. Often, human rights violations forced people to leave their homes, turning them into internally displaced persons or refugees, who were then even more vulnerable to human rights abuses.

67. Impunity allowed human rights abuses to continue, which was why it was particularly important to prosecute perpetrators of genocide, crimes against humanity and war crimes. He recalled that, while the main responsibility for investigating and prosecuting international crimes continued to fall on States, the International Criminal Court had become operational and that it could come to the aid of States whose judicial systems faced overwhelming problems. As the International Criminal Court could address both international and internal conflicts, it was particularly well placed to tackle the abuses and serious violations which all too often characterized contemporary conflicts.

68. With regard to security, the focus should be on those who were in the weakest position, such as women. Violence against women was the most widespread human rights violation and also the most widely ignored. Violence against women must never be tolerated and all countries must adopt legislation that strongly condemned so-called honour crimes, domestic violence, and all other forms of violence against women, including female genital mutilation. Addressing violence against women, in all its forms, in a comprehensive manner was a credibility issue for the Commission. The commitments made at the Fourth World Conference on Women in Beijing made a good starting point.

69. Trafficking in women and children was a major problem in many parts of the world, particularly in Europe. Each year, millions of people, predominantly women and children, were exploited in a variety of ways. It was vital to protect them, to defend their rights and to help with their rehabilitation. Trafficking in people was still on the increase. Finland called on all countries to respect the relevant international instruments and to adopt effective national counter-measures without delay.

70. The significance of economic, social and cultural rights had increased as a result of globalization, and the notion that human rights were indivisible had gained ground. The open-ended working group established to consider options for the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights had held its first meeting a few weeks earlier. Finland hoped that the sixtieth session of the Commission on Human Rights would help to clarify the content and legal status of those important human rights.



71. Global problems required concerted efforts by the entire international community, and could only be addressed through multilateral cooperation. That was both the *raison d'être* of the Commission on Human Rights and the reason why it was so important.

STATEMENT BY THE SENIOR MINISTER FOR FOREIGN AFFAIRS AND  
COOPERATION OF TIMOR-LESTE

72. Mr. RAMOS-HORTA (Timor-Leste) paid a warm tribute to the memory of Mr. Sergio Vieira de Mello, whom he had known well and whose name would remain forever engraved on the history of Timor-Leste, and of all those who had lost their lives in the Baghdad attack. He expressed his sincere condolences to the people and Government of Spain, who had also been the victims of the barbaric extremists who were bent on undermining democracy, in the West and in the Arab and Muslim world. It was those same forces that had imposed a brutal medieval rule on the Afghan people and who were trying to reverse the democratic transformations that were taking place in Afghanistan and Iraq.

73. The choice was the international community's: it could show weakness and withdraw from Afghanistan and Iraq, thus handing over the helpless populations of those countries to the fanatics, or it could stand up for those who aspired to a free and democratic system of government. As it had done in Timor-Leste, Kosovo and Afghanistan, the United Nations must lead the political transition in Iraq, while the World Bank should take on the task of economic reconstruction.

74. Timor-Leste applauded the energy and resources that had been invested in the fight against terrorism, but hoped that the process would not sacrifice human rights, or overshadow the other battles that must be fought - against poverty, illiteracy and exclusion. It was regrettable that only a handful of rich countries had had the compassion and the vision to devote the recommended 0.7 per cent of GDP to official development assistance, the modest budget for which had steadily shrunk over the years. Moreover, the Cancún talks on international trade, that might have paved the way to correcting imbalances in the international system, had broken down. Access to markets, debt relief, capacity-building and knowledge transfer would go a long way to redressing some of the most glaring injustices that separated North and South.

75. The United Nations Development Programme's Human Development Index placed Timor-Leste among the poorest countries in Asia. Timor-Leste continued to be confronted with significant challenges in health, education, and infrastructure, which resulted in high levels of poverty, mortality, infant malnutrition and illiteracy. In that context, he wished to thank Member States once again for the valuable support that they had given his country, as well as the Office of the High Commissioner for Human Rights for the ongoing technical assistance that it provided.

76. In the course of the long struggle of the people of Timor-Leste, NGOs had been at their side, holding high with dedication and integrity the banner of human rights. NGOs had given the people of Timor-Leste a voice and had been a constant source of hope and encouragement. That was why it was important for NGOs to continue to bring their own perspective to the debate on the state of human rights around the world. Although they were not always right, the same was true of Governments, and it was healthy for Governments to sit back and listen from time to time to those who were, by the very nature of their work, closer to the people.

77. Timor-Leste was committed to making human rights the foundation of its society. He was therefore proud to be able to report on the progress that had been achieved since its statement to the fifty-ninth session of the Commission on Human Rights. In 2003, Timor-Leste had focused on incorporating international human rights standards into national law and policies; building or strengthening national institutions to promote and protect human rights and the rule of law; formulating a national action plan for the promotion and protection of human rights; and promoting a human rights culture. Draft legislation establishing the Office of the Ombudsman had been submitted to Parliament and significant progress had been achieved by the Commission for Reception, Truth and Reconciliation (CAVR) and by the Serious Crimes Unit. Those two bodies had done a great deal to ensure that the perpetrators of the gross violations of human rights and humanitarian law committed in Timor-Leste in 1999 were brought to justice; despite the obstacles, the Serious Crimes Unit had already brought charges against several hundred individuals.

78. Combating violence and discrimination against women, in particular in respect of access to services, remained a priority for his Government. The Government was committed to tackling both trafficking for the purpose of sexual exploitation, and trafficking in and exploitation of migrant workers. Timor-Leste's location, the absence of immigration controls and the presence of a large number of international peacekeepers and other expatriates had made Timor-Leste a target for trafficking operations.

79. The Government of Timor-Leste was working closely with the United Nations Mission of Support in East Timor (UNMISSET) to establish a credible and impartial police service and a competent and independent judiciary. However, the national police of Timor-Leste still lacked equipment and had not received the training needed to carry out its duties properly. The slow progress that had been made with regard to the judiciary was explained by difficulties in recruiting and training qualified jurists.

80. Economically, the Government was overwhelmed by the magnitude of the country's needs. Measures to combat poverty, enhance social development and strengthen law and order and democracy were the foundations of respect for human rights and human dignity. In that context, he asked the Commission whether it was realistic to expect countries with limited resources, which faced innumerable human rights problems, to devote their energy to producing long and detailed reports for the attention of international bodies. In the process of developing its national human rights action plan, the Government intended to undertake a survey to identify strategies to address gaps between international standards and the realities of life in Timor-Leste. Fragmentation, duplication and lack of continuity threatened to render the reporting system, which was universally acknowledged to be in need of far-reaching reform, ineffective. The planned reforms should take into account the ability of States parties to meet their obligations and should provide for assistance to countries that did not have the necessary human and financial resources. Timor-Leste would work closely with the Office of the High Commissioner for Human Rights to pilot a streamlined and more consistent reporting procedure.

81. In conclusion, he wished to refer to two international situations that were of concern to his country. The Government of Timor-Leste had established diplomatic relations with Palestine and accorded the Palestinian representative all the privileges and immunities provided for in the Vienna Convention. It had also established diplomatic relations with the State of Israel, almost two years before. It condemned the killings, whether by Palestinian extremists or Israeli security

forces, and regretted the lives lost. Many people on both sides of the conflict aspired to peace, mutual respect and peaceful coexistence between the two States. They deserved the admiration and support of the international community, since they were the only hope for a lasting peace.

82. The human rights situation in Myanmar continued to be of serious concern. Without wanting to lecture anyone, Timor-Leste wished to express its deep regret for the setback caused to the national dialogue and reconciliation process by the arrest, in May 2003, of Daw Aung San Suu Kyi and a number of her party colleagues.

83. International sanctions did not always produce the intended results: the only certainty was their particularly harmful effect on the poor, and that they were imposed on weak countries more often than on powerful ones. Timor-Leste believed that, in some circumstances, the international community could achieve more through foreign investment, tourism, and cultural and educational initiatives than it could through sanctions.

84. He urged the Myanmar authorities to do more to earn the trust of the international community; the international community ought in turn to be ready to respond to any steps taken in that direction by the Government of Myanmar.

#### STATEMENT BY THE DEPUTY MINISTER FOR FOREIGN AFFAIRS OF POLAND

85. Mr. WOLSKI (Poland) offered his sincere condolences to the Spanish people following the tragic events that had occurred in Madrid the week before.

86. Poland, which would soon be a full member of the European Union, treated the Union's priorities for the sixtieth session of the Commission, as presented by the European Union's presidency, as its own. Those priorities included, in particular: abolition of the death penalty, protection of the rights of the child, the fight against torture, the role of human rights activists, and human rights situations in various parts of the world.

87. In recent years, the United Nations and regional organizations had adopted an impressive body of human rights instruments. However, the system was not yet complete. Gross violations of human rights, sometimes on a mass scale, continued to be committed in many places, the world over. The international community should give priority to prevention, in particular the prevention of genocide: preventing genocide was one of the reasons why the United Nations and more particularly the Commission on Human Rights had been created. For that reason, the members of the Commission must work to bolster its credibility by promoting dialogue, cooperation and technical assistance.

88. Poland hoped that the constructive spirit that had characterized the latest session of the intergovernmental working group on the right to development would also prevail in the negotiations on the draft resolution on the right to development, which was one of the most important issues before the Commission.

89. In respect of the fight against racism, Poland was implementing the decisions of the World Conference against Racism in Durban and was about to finalize a five-year plan (2004-2009) for combating racial discrimination, xenophobia and related intolerance. In that regard, he wished to reiterate that his country condemned anti-Semitism and Islamophobia in all their guises and pledged to take all necessary measures to eradicate them.

90. During the sixtieth session, Poland intended to actively promote the idea of good governance, in international relations as much as in domestic policies. Good governance should be seen as a way to strengthen the rule of law, observance of human rights and democratic principles, which were the only means of bringing about a more peaceful world and the well-being of peoples.

91. Good governance was an objective indicator of Governments' commitment to achieving political, social and economic development. It was both a method and a tool for the implementation of effective and transparent policies, and was a means to counteract, inter alia, human rights abuses, corruption, waste of public funds, organized crime, poverty and epidemics. The principle of good governance was rapidly gaining ground and had been explicitly referred to in the Millennium Declaration.

92. During the sixtieth session, Poland would introduce a draft resolution on good governance, on behalf of its four partners - Australia, the Republic of Korea, South Africa and Chile. It would promote the principle of good governance in the forum of the United Nations and beyond, and would participate actively in the seminar on good governance practices to be held in Seoul in June 2004.

93. As far as the promotion of human rights and fundamental freedoms was concerned, democratic countries should intensify their consultations on issues that concerned the entire international community. The framework of those consultations could be the Democracy Caucus that had been founded at the Millennium Assembly in the wake of the Warsaw Conference of the Community of Democracies.

94. Poland believed that democratic countries should be more assertive in shaping international relations by promoting democratic values. It called on all interested States to join the Democracy Caucus, whose members had participated actively in the meeting of the Convening Group of the Community of Democracies held recently in Geneva.

95. The path to a fairer and safer world was necessarily through multilateralism and support for international organizations. In that context, Poland had proposed, in 2002, that a "new United Nations act" be drafted, which would constitute a real plan for reform that would strengthen the United Nations, streamline its programmes and make its activities more effective; Poland welcomed the Secretary-General's decision to convene a high-level panel on the challenges, threats and changes with which the United Nations was confronted. It hoped that that panel would also reflect on the role of good governance and democracy in international relations, and would give human rights the place they deserved. For its part, Poland was ready to contribute to the work of that group.

Statements in exercise of the right of reply

96. Mr. GONZALEZ-SANZ (Costa Rica) said he would exercise calmly and with determination his right of reply with respect to the gratuitous accusations made that morning by the Minister for Foreign Affairs of Cuba. Costa Rica did not need to defend its human rights record, because the facts spoke for themselves and, given the spirit of openness and transparency that characterized the country, were known to all. The evidence of that could be seen in Costa Rica's history: Costa Rica had not only been the first country to disband its army in 1949, but had also been one of the first countries in the world to definitively abolish, in 1887, the death penalty, the application of which it had tirelessly condemned.

97. The people and the Government of Costa Rica reaffirmed their solidarity and friendship with the Cuban people, who had a right to live in freedom and to exercise all their rights; they were a courageous, noble, worthy and combative people, who were linked to the people of Costa Rica by tradition, culture and history. Costa Rica was happy to share with the Cuban people not only the Spanish language, but also the language of peace, freedom and respect for others, to mention only some common values. It would fight tirelessly for the dignity of that people and for their inalienable right to live freely.

98. As a country that was proud of the peace and liberty that it enjoyed, Costa Rica would never cease condemning human rights violations with determination and in a spirit of transparency, wherever they occurred, and without giving in to intimidation of any kind.

99. Mr. KARKLINS (Latvia) said that he had noted several factual inaccuracies about his country in the statement made by the distinguished representative of the Russian Federation at the previous meeting. The Russian representative had said that the reform undertaken by the Latvian authorities provided for the elimination of the system of secondary education in the Russian language. In fact, the educational reform required that 60 per cent of subjects taught in the third year of secondary school in schools attended by minorities should be taught in Latvian, and the remaining 40 per cent in one of eight minority languages, which included Russian. In practical terms, that meant that the number of subjects taught in Latvian in the third year would increase from three to five, with effect from September 2004.

100. The allegations of human rights abuses and of a democratic deficit in Latvia were not only incorrect but profoundly unjust. If there had been any serious democratic deficit in Latvia, it had been during the more than 50 years of illegal Soviet occupation, the legacy of which the Latvian Government was still addressing. In Latvia, non-citizens carried Latvian identity documents, enjoyed the full protection of the Latvian State while travelling abroad and were guaranteed all the human rights and fundamental freedoms accorded under international instruments. The only exceptions were political rights, such as the right to vote and stand for election, and the exception did not apply in the event of naturalization. The naturalization procedure put in place had been recognized by experts from the Organization for Security and Cooperation in Europe and the Council of Europe as being in full compliance with the relevant standards.

101. Mr. REYES RODRIGUEZ (Cuba) noted that the representative of Costa Rica had not replied to the question posed by the Cuban delegation, which had been whether Costa Rica had become a puppet of the United States. Costa Rica had already submitted to the sixtieth session

of the Commission the draft resolution, written in Washington, which condemned Cuba in an attempt to justify the genocidal embargo and possible military action against Cuba. He wondered whether the Costa Rican delegation had not replied to the question because it had not been authorized to do so. He recalled the sorry role assumed by Costa Rica at the fifty-ninth session of the Commission, on the occasion of the vote on a draft resolution which had had the backing of the entire international community: Costa Rica had been the only Latin American country to refuse to support the text, in order to please the United States.

102. Mr. GONZALEZ-SANZ (Costa Rica) noted that statements of the kind that had just been made partly explained how the Commission on Human Rights had become discredited. The arrogant and fruitless attempt to provoke the hostility of Arab countries against Costa Rica was unacceptable and unworthy of the Commission, especially considering the seriousness of the conflict in the Middle East and the excellent and friendly relations between Costa Rica and the Arab countries. Costa Rica would never allow itself to be intimidated by such actions. He observed, moreover, that his delegation had been completely transparent in its submission of the draft resolution concerning Cuba the previous year.

103. Mr. REYES RODRIGUEZ (Cuba) observed that he had referred, in his statement, to facts that were indisputable. Costa Rica had refused to condemn the violations committed by Israel against the Palestinians, in particular the Israeli settlements. The facts spoke for themselves.

The meeting rose at 5.50 p.m.