

A solidarity pact

Jean Mayer

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■ The essential lesson to be learned from a study of the 20th century as it draws to a close may be that respect for human rights will be achieved by means of voluntarist actions of national and international solidarity in support of persons and groups whose security, welfare and even survival are threatened, and this will achieve at least as much as the mere effects of legislation enacted by States jealous of their sovereignty but powerless to put such legislation into practice.

Peace is both the guarantee of the right to life and the precondition for progress. Distributing relief supplies

Peace

Peace is not only the fundamental guarantee of everyone's right to life but also the prior condition for the progress of any society and any nation. Military conflicts between States have gradually declined but their place has been taken by a large number of civil wars stemming from the common root of violation or denial of a right to freedom or equality. These new forms of conflict are even more dangerous than the earlier ones in that State sovereignty can serve both to block action from outside and to screen excesses within a State. The prevention and settlement of such conflicts may still be justified, and the effects of prevention emphasized, by use of two potentially deterrent instruments: the deployment of an international force and the implementation of disarmament measures.

The first means would be to apply more effectively than in the past Article 43 of the United Nations Charter concerning the maintenance of international peace and security. A new military option would be 'to deploy rapidly an international force when only vigorous intervention would be capable of breaking the cycle of violence in a country where national sovereignty is disintegrating.' A supplementary military option would consist in 'the deployment in crisis areas of contingents of guards in order to respond to any complex set of challenges to humanitarian action, security and political life.'

Disarmament, in turn, ought to constitute a powerful instrument for both peace and development. Two counter-examples demonstrate this, while still allowing all the hopes contained in the opposite attitudes. On the one hand, despite a reduction of three per cent a year in annual expenditures on armaments as a result of detente, 28 countries



still allocate more than five per cent of their GDP to defence – usually a larger amount than their education or health budgets – and 14 countries allocate more than 10 per cent. On the other hand, and even worse, in 1990 the industrialized countries disbursed in military expenditures five times more than they contributed in public and private capital to the developing countries (465 billion as against 85 billion dollars).

While it is clear that the decision to resort to international force rests exclusively with the UN Security Council, the support given to such a commitment and the popularity which disarmament measures should enjoy depend just as much on the heartfelt consent of public opinion as on the backing of Governments. The international community is evidently open to this dual approach which fosters cooperation in the promotion of peace. On the other hand, will this same public opinion continue to ignore the contradiction that the five permanent members of the Security Council hold the world record for arms exports?

Development

To an even greater extent than peace, development depends less on a body of laws established on a durable basis by the sole national sovereign legislator than on an evolving array of policies and practices.

One of the most urgent tasks for international solidarity is the fight against poverty, including extreme poverty,

I would like to reiterate my country's commitment and devotion to the cause of human rights. The international community has realized that respect for the equal and inalienable rights of all members of the human family is the only possible foundation for freedom, justice and peace in the world. The origin of this concern for human rights can be traced back to ancient humanitarian traditions, first expressed by Greek philosophers. We extend our support to the United Nations in its attempts to promote human rights and fundamental freedoms.

N.E. Glafcos Clerides

Republic of Cyprus

Military conflicts between states have declined but their place taken by civil wars stemming from the denial of freedom and equality. A burnt out Turkish hostel in Sollingen, Germany



malnutrition, illiteracy, and the housing deficit; more specifically, the elimination of famine might be a priority relatively easy to achieve in the short term if the international community and the Governments concerned wished to attack the problem with determination. It should also be noted that cooperation and solidarity are not matters only for the States participating in the Development Assistance Committee but may also be and in fact are achieved in many different ways: by the specialized agencies of the UN, non-governmental organizations (NGOs), employers, trade union and professional organizations, towns and regions, and education and research establishments using a system of twinning and sponsorship, cooperative groupings, etc. South-South cooperation, a particularly interesting formula conceived in the 1970s, might also receive a new impetus, especially on the basis of the new regional and sub-regional political and economic arrangements which are currently taking shape.

Beyond this assistance in meeting peoples' needs stand the complex problems of the financial relations between rich and poor countries: debt, commodity prices, investment, trade liberalization, transfer of technology, etc. Rules of international trade which are less unfavourable to the South certainly depend more directly on the prescriptions of the international financial and trade organizations, as well as on decisions of

the Governments and companies concerned. However, these rules can also be influenced by a current of active sympathy manifested, for example, in the consumption habits and preferences of citizens of the North.

The environment

The undeniable favour which this topic enjoyed led to the global quasi-consensus achieved by the Conferences at Stockholm in 1972 and Rio de Janeiro in 1992. The public at large, undeniably struck by the dramatic images of the industrial disasters at Seveso, Bhopal and Chernobyl, has nevertheless failed to grasp the magnitude of the problems of environmental management and does not necessarily connect them automatically with the main body of human rights.

That is what the Sub-Commission on Prevention of Discrimination and Protection of Minorities did in 1990 with a report providing essential clarification by reference to the UN's standard-setting texts: the Charter, the Universal Declaration and the two Covenants, which make it possible to base the right to environment both on the right of peoples to control their own lives and their natural resources and on the individual rights to life, security and hygiene, a decent standard of living, health, and the benefits of scientific progress and its applications, etc.

This is an immense topic offering new opportunities for solidarity, in a field in which public opinion takes a lively interest, and

The whole of humanity is obliged to respect human rights. To accept a breach of human rights even on one single inch of the earth, would mean opening the door to despotism. At a time when it was needed, the international community extended effective help to the defenders of human rights in my country. This role for the international community continues today because human rights are still being abused in many areas of the world. The Czech Republic is prepared, as I am personally, to play our part in securing human rights everywhere and for everyone.

Václav Havel
President
Czech Republic

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where it may be possible to secure financing by cutting expenditure on armaments.

Solidarity

The international community has taken virtually no action over the past 20 years in response to the tragedies of the fratricidal struggles in Cambodia, Angola and Mozambique, in Central America or in Peru; two recent tragedies, however, being played out in Yugoslavia and Somalia, seem to have thoroughly shaken the international community, to the point that it is even demanding from international organizations and regional bodies urgent, comprehensive political and humanitarian solutions. This powerful appeal for solidarity in response to a glaring failure to satisfy the most fundamental human rights – to life, security, personal freedom, non-discrimination, food and medical care, and freedom of movement – offers perhaps an exceptional opportunity for the international community at last to acquire the political will, the legal instruments and the financial and human resources required. Three areas are particularly suitable for consideration with a view to expanded intervention from the human rights standpoint: humanitarian action, protection of refugees and the right of asylum.

First, the protection of human rights in time of armed conflict, which has been a subject of codification for almost 100 years under the auspices of the International Committee of the Red Cross, means much more than the treatment of prisoners of war, for the 1949 Geneva Conventions require belligerents to treat humanely persons who are taking no part in the hostilities. Naturally, the 1989

Convention on the Rights of the Child extends the rules of humanitarian law to cover children. UN instruments offer even broader protection than the Geneva Conventions in that the provisions of the Covenants apply at all times, in war and peace, in all places and to all kinds of armed conflicts, international or not. It was in this spirit that the Security Council concluded in 1967 that the parties involved should ensure the security and well-being of the inhabitants of zones of military operations and facilitate the return of inhabitants who have fled since the outbreak of hostilities.

The second area dramatically highlighted by these two conflicts relates to refugees. For Yugoslavia, the Special Rapporteur of the Commission on Human Rights cites a total of 1,230,000 displaced persons, while the second UN appeal, in July 1992, for assistance to the Horn of Africa revealed the existence of 330,000 Somali refugees in Kenya. This is the place to state that, contrary to received wisdom, Africa and (even more so) Asia are sheltering the biggest proportions (31 and 45 per cent respectively) of the world's 15 million refugees; the developed countries of Europe, North America and Oceania have only 16 per cent. While it is often preferable for refugees to find temporary refuge close to their countries of origin, for this makes it easier for them to return home and for families to stay together, it is nevertheless true that these influxes constitute a burden which is almost beyond what the host countries of the Third World can support: the case of the 700,000 Mozambicans sheltered by Malawi for the past 18 years is particularly significant. The 1951 Convention relating to the Status of Refugees asserts the principle of *non-refoulement*, which prohibits any forced return of an individual to a country where he might be persecuted on account of his race, religion, nationality, membership of a particular social group, or political opinions. In 1989-1990, out of the 800,000 refugees admitted to Europe 228,000 submitted requests for asylum in nine host countries, but the approval rate of these requests is in a clear downward trend, to under 10 per cent in fact. Once again a genuine display of generosity on the part of governments under pressure from NGOs and public opinion seems both necessary and possible: the most desperate misery of those who have 'lost the right to have rights' deserves consideration, respect and succour.

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