

VIENNA DECLARATION AND PROGRAMME OF ACTION

(Extracts)

The World Conference on Human Rights solemnly adopted the Vienna Declaration and Programme of Action on 25 June 1993.

The document begins by reaffirming “the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law”. It goes on to state that “the universal nature of these rights and freedoms is beyond question” (I.1) and stresses that “all human rights are universal, indivisible and interdependent and interrelated” (I.5). The first part of the text then reaffirms and develops a set of principles concerning the nature, promotion and protection of human rights in general and, in particular, the fundamental rights of children, women and girls, minorities, indigenous people and persons belonging to groups that have been rendered vulnerable.

Part II of the text comprises a series of recommendations concerning coordination on human rights within the United Nations system, the elimination of racism, racial discrimination, xenophobia and other forms of intolerance, the protection of persons belonging to national, ethnic, religious or linguistic minorities, indigenous people, migrant workers, women and children.

Lastly, practical recommendations are made concerning the promotion of democracy, development and human rights, as well as human rights and education and implementation and monitoring methods.

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The text of the Vienna Declaration and Programme of Action makes several references to human rights in situations of armed conflict or of internal violence and to international humanitarian law. The recommendations which seemed of greatest significance to the Movement are reproduced below:

People under foreign occupation

“Effective international measures to guarantee and monitor the implementation of human rights standards should be taken in respect of people under foreign occupation, and effective legal protection against the violation of their human rights should be provided, in accordance with human rights norms and

international law, particularly the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and other applicable norms of humanitarian law” (I.3).

Rights of the child

After urging universal ratification of the Convention on the Rights of the Child by 1995, the Conference went on to recommend that national and international mechanisms and programmes should be strengthened for the defence and protection of children, in particular, the girl-child, abandoned children, street children, economically and sexually exploited children, including through child pornography, child prostitution or sale of organs, children victims of diseases including acquired immunodeficiency syndrome, refugee and displaced children, children in detention, children in armed conflict, as well as children victims of famine and drought and other emergencies” (I.21).

Displaced persons

“The World Conference on Human Rights recognizes that gross violations of human rights, including in armed conflicts, are among the multiple and complex factors leading to displacement of people.

The World Conference on Human Rights recognizes that, in view of the complexities of the global refugee crisis and in accordance with the Charter of the United Nations, relevant international instruments and international solidarity and in the spirit of burden-sharing, a comprehensive approach by the international community is needed in coordination and cooperation with the countries concerned and relevant organizations, bearing in mind the mandate of the United Nations High Commissioner for Refugees. (...)

In the light of the comprehensive approach, the World Conference on Human Rights emphasizes the importance of giving special attention including through intergovernmental and humanitarian organizations and finding lasting solutions to questions related to internally displaced persons including their voluntary and safe return and rehabilitation.

In accordance with the Charter of the United Nations and the principles of humanitarian law, the World Conference of Human Rights further emphasizes the importance of and the need for humanitarian assistance to victims of all natural and man-made disasters” (I.23).

Violations of human rights

“The World Conference on Human Rights expresses its dismay at massive violations of human rights especially in the form of genocide, ‘ethnic cleansing’ and systematic rape of women in war situations, creating mass exodus of

refugees and displaced persons. While strongly condemning such abhorrent practices it reiterates the call that perpetrators of such crimes be punished and such practices immediately stopped (I.28).

The World Conference on Human Rights expresses grave concern about continuing human rights violations in all parts of the world in disregard of standards as contained in international human rights instruments and international humanitarian law and about the lack of sufficient and effective remedies for the victims.

The World Conference on Human Rights is deeply concerned about violations of human rights during armed conflicts, affecting the civilian population, especially women, children, the elderly and the disabled. The Conference therefore calls upon States and all parties to armed conflicts strictly to observe international humanitarian law, as set forth in the Geneva Conventions of 1949 and other rules and principles of international law, as well as minimum standards for protection of human rights, as laid down in international conventions.

The World Conference on Human Rights reaffirms the right of the victims to be assisted by humanitarian organizations, as set forth in the Geneva Conventions of 1949 and other relevant instruments of international humanitarian law, and calls for the safe and timely access for such assistance" (I.29).

Violations of the human rights of women

"The World Conference on Human Rights calls upon the General Assembly to adopt the draft declaration on violence against women and urges States to combat violence against women in accordance with its provisions. Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law. All violations of this kind, including in particular murder, systematic rape, sexual slavery, and forced pregnancy, require a particularly effective response" (I.38).

Protection of children in armed conflicts

"The World Conference on Human rights strongly supports the proposal that the Secretary-General initiate a study into means of improving the protection of children in armed conflict. Humanitarian norms should be implemented and measures taken in order to protect and facilitate assistance to children in war zones. Measures should include protection for children against indiscriminate use of all weapons of war, especially anti-personnel mines. The need for aftercare and rehabilitation of children traumatized by war must be addressed urgently. The Conference calls on the Committee on the Rights of

the Child to study the question of raising the minimum age of recruitment into armed forces” (II.50).

Freedom from torture

“The World Conference on Human Rights reaffirms that under human rights law and international humanitarian law, freedom from torture is a right which must be protected under all circumstances, including in times of internal or international disturbance or armed conflicts” (II. 56).

Education

“States should strive to eradicate illiteracy and should direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. The World Conference on Human Rights calls on all States and institutions to include human rights, humanitarian law, democracy and rule of law as subjects in the curricula of all learning institutions in formal and non-formal settings” (II. 79).

Accession to the 1949 Geneva Conventions and their Additional Protocols

“The World Conference on Human Rights appeals to States which have not yet done so to accede to the Geneva Conventions of 12 August 1949 and the Protocols thereto, and to take all appropriate national measures, including legislative ones, for their full implementation” (II. 93).

Role of the United Nations

“The World Conference on Human Rights recommends that the United Nations assume a more active role in the promotion and protection of human rights in ensuring full respect for international humanitarian law in all situations of armed conflict, in accordance with the purposes and principles of the Charter of the United Nations” (II. 96).
