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Introduction

In 1988 the United Nations celebrated the Fortieth Anniversary of the Universal Declaration of Human Rights. When the Declaration was adopted by the United Nations in 1948, the world had just come through the most terrible war in human experience and was reeling from the suffering and deaths of millions of innocent people. Was justice to be found anywhere? Not certainly in the Nazi concentration camps or within the fires of the atomic bombs, nor in the brutality inflicted and received in the pursuit of victory.

World war has been avoided since 1945, but there have been many wars and atrocities. We have been forced to realize that the world cannot have peace, freedom, or prosperity without justice and human rights.

There is a great deal of brutality in the world today, open and covert. We should feel outrage and anger against those who commit such injustice, and compassion for those who suffer should make us demand change. However, moral indignation expressed only in words is ineffective. We as individuals, as well as our governments, are guilty by omission when we stand by as others suffer. However, before we can change, we must understand how enormous and complex the problems of human rights are.

We were reluctant at first to tackle the subject of human rights because the issue is often used as a political weapon by different groups and countries against their opponents. In such instances, honest objective discussion of human rights becomes a very sensitive problem, as one country or another is bound to be offended. No country in the world has an absolutely clean record in human rights matters.

It is difficult for any one country to demand change of another until it faces its own problem of rights violations. And yet, without such interference, pious declarations of ideals by the international community have little effect within the national one. Solving problems of injustice is not simple. We have tried to be objective in this paper, and whenever possible, have described human rights violations through documents produced by the United Nations itself.

Justice, as expressed through laws, should be the means by which human rights are protected. However, sometimes human rights seem to conflict with each other. Questions arise about the priority of certain rights, and whether some need to be sacrificed for others. We also need to make certain that each person's rights do not infringe on those of another.

Humankind carries a heavy burden of suffering, anger, and guilt. Justice can only be achieved when human rights are universally recognized. All categories of human rights: economic, social, cultural, political, and civil must be included in this recognition.

The Universal Declaration of Human Rights is the first human rights document that tried to incorporate the richness of human values all over the world and make them relevant for today's human rights situation. It is an amazing document because it states that the rights that it lists are universal and belong to everyone equally and without discrimination. Its adoption marked a revolution in human history. The international community was declaring that what a state does within its own borders in terms of human rights is not within its exclusive prerogative, but is the concern of the whole world.

It is often difficult to decide what is just. It is easier to see what is unjust. There is an attitude, however, which we can all share: if we begin with compassion for those who suffer and respect for all human beings, we will understand that we have a moral obligation to prevent human rights violations.

What Are Human Rights?

Human rights are those fundamental requirements without which we cannot live as human beings. They are inherent to our nature. They allow us to fully develop and use our human qualities, our intelligence, our talents and our conscience, and to satisfy our spiritual and other needs. When human beings are denied any of these rights, they no longer survive; in the case of denial of freedom of thought and speech, they are stripped of what makes them human. Human beings join together for the fundamental purpose of protecting their rights. When these rights are jeopardized it is our responsibility as human beings and the responsibility of governments to do all that is in our power to protect the rights of victims. Hope lies in the emergence of a new global attitude -- a universal culture of human rights.

Governments throughout history have claimed to be protecting the people's rights -- sometimes to help entrench themselves in positions of power. Kings, priests, soldiers, politicians and the wealthy have all claimed that they best knew how to protect the people, and, in some instances, had a "divine right" to act as they saw fit.

In the past, when the State violated individual rights, the result was a call by the citizens for some degree of influence over the government and freedom regarding the interaction between the State and the individual. In modern times the question has been asked "does the State exist to protect the individual or does the individual exist to serve the State?" As the study of human rights has come to the forefront of international concern, two basic categories have been established: economic, social and cultural rights, and civil and political rights. The latter is meant to insure the continuation of the former.

Civil and Political Rights

Civil and political rights place emphasis on the relationship of the individual to the State. This group of rights gives the individual freedom of action, freedom of thought, and freedom of choice. They include freedom of speech, assembly (meetings), and association (unions, political parties). Through civil and political rights individuals gain the ability to exert certain checks and balances which limit the extent of power the State has over its citizens, such as arbitrary arrests, unfair trials, long imprisonments and unreasonable punishments. These rights may be considered natural rights, but they cannot be protected unless they are incorporated in the legal system of the State.

Granting such extensive rights to individuals can prevent the State from protecting economic and social rights. As the State's power is restricted its government may no longer be able effectively to control the economy or the fair distribution of the country's wealth. However, most people feel that the advantages outweigh the disadvantages. At most times they protect the individuals from the kind of injustice that causes fear of both police brutality and physical pain. They enable people to organize, to protect their rights and to become conscious of what their rights are.

Economic, Social and Cultural Rights

Economic rights are those rights that insure economic well-being to every person by virtue of being human. Examples are the right to food, shelter, education, employment and proper health care. It is the responsibility of the State to protect the economic rights of its citizens. Without these basic rights, survival, the inalienable right of every living creature, is jeopardized.

Rights often have to be defended by the State on behalf of an individual when certain individuals or groups have the power to exploit others. Where economic well-being is denied to individuals as a result of general poverty, it should become the responsibility of the State to develop the national economy.



CONGRATULATIONS! YOU'VE GOT A JOB CLEANING UP
TOXIC WASTES

Economic rights tend to have a high priority in socialist countries, whose philosophy is based on the need for equality in the distribution of wealth, and by many Third World countries whose priority is the development of these resources of wealth in the first place. As a result of this concentration on economic rights, priority has often not been given to civil and political rights. However, recent developments in the Soviet Union raise hopes that political, economic and social rights need not be mutually exclusive.

In contrast with socialist countries, there are certain free-market countries, that do not take the responsibility of protecting economic rights as a top priority. However, these states have been forced to recognize that this responsibility cannot be wholly ignored. In the United States, after the Great Depression of the 1930s, the government had to incorporate aspects of the socialist state into its own system. Other countries have also had to modify free enterprise systems. The solution today seems to be a merging of the priorities of both societies. Economic rights give people an interest in society. Political rights give them the power to protect that interest. The United Nations has recognized the interdependence of these rights in the many resolutions it has passed in the last ten years.

Social rights are meant to insure the freedom of all people to practice cultural and religious customs that do not interfere with those of others, without fear of discrimination or harassment. Social rights are also meant to insure the right of individuals not to be forced to adhere to others' social norms, be they sexual, cultural, or religious.

Social rights are most often denied when those in power (whether or not they are in the majority) attempt to impose their beliefs or values onto the society they govern. Social rights can be denied through discrimination or law. Some examples of social rights denial can be found in the inequity of the rights of women or the denial of the right to practice homosexuality. The State should be responsible for the provision of laws and services which insure the protection of social rights.

The cultural rights incorporated in social rights have become increasingly controversial, particularly because they are sought by minorities, immigrant groups and indigenous populations. Important questions involving their rights may arise when, for example, educational policies exclude teaching the language of a significant minority. In some countries, where the State is negligent, responsibility to protect cultural rights falls largely on nongovernmental organizations such as religious watch groups or organizations of minority communities.

Collective Rights

Many societies feel that human rights, particularly as defined in the Universal Declaration of Human Rights, is a concept based on a Western tradition of individualism. This view of human rights is seen as ignoring the collective group identity that is given precedence in many cultures of developing countries. Cultural relativism, on the other hand, is a philosophical view of human rights that maintains that there may be different ways of protecting people's rights.

Those cultures, in which each member of a group has a specifically assigned role, see the concept of human rights based on the individual as a divisive force which will encourage their members to stray from their culture and lose their traditional identity within the group. The introduction of this concept of human rights is therefore seen as a threat to their cultures and to group rights. One of the most important rights recognized internationally till now is the right of peoples to self-determination, to the identity which the group itself chooses.

Difficulties arise when individuals decide that they want to leave their traditional cultures. Many small tribal societies find that members of their younger generation are more and more inclined to join main stream cultures. This, the elders fear, will eventually lead to the disintegration of the tribal tradition. The tribal society's rights to maintaining cultural identity are endangered by the individual's rights. The solution to this problem seems to lie in helping societies remain economically

healthy, absorbing change slowly so that their people can make truly free decisions as to which available culture offers the richer life on every level.

Third Generation Rights

This is a new term that refers to rights which require the cooperation of all states and individuals before they can be successfully achieved. Examples are the right to peace, and the right to development, which the United Nations has recently declared. It is working on new declarations on the right to food and the right to an adequate environment for health and well-being.

The term "environment" has a global as well as local meaning. The problems of ozone depletion, deforestation, acid rain, and the greenhouse effect are worldwide. No country or individual has the right to pollute the earth we all share. Canada has the right to complain to the United States that its industrial pollution is destroying Canadian forests. The indigenous American tribes in Utah and Nevada have the right to object to the radioactive waste dumps, controlled by the United States government, that are poisoning their ground water. All of us have the right to object to the cutting down of the tropical forests and the pollution of the oceans that will affect all life.

Why Are Rights Denied?

The denial of human rights is one of the most important concerns in the international community. However, before considering the specifics of how rights are denied, the more significant question of why they are denied must be addressed.

The denial of human rights involves two categories of people: The oppressed and the

oppressor. The majority of people are usually forced into one of the two categories. Neutrality can rarely be maintained once human rights violations have occurred.

The primary cause of the denial of human rights is insecurity on the part of the oppressors and their desire to monopolize political/State power. A fear of those who are different breeds hostile attitudes. The "outsider" is often regarded with suspicion and is in danger of being deprived of the rights granted to those considered to fit the "norm." When the State has this fear, it can lead to organized persecution of those who are seen as different, whether they be a majority or a minority. The definition of the "norm" is usually set by those in power. As a government becomes more stable, it tends to feel less threatened by those who do not fit the norm and becomes more tolerant of diversity. When the people believe that a government represents them, and when it strives for their well-being and respects their human rights, then the people will respect and trust it.

Insecurity, however, is not the only cause of denial of rights. Greed often sparks economic exploitation. From slavery to genocide, economic gain has played a large role in causing human rights violations.

One explanation of human rights violations is the "prejudice theory." This concept argues that human rights denial originates in prejudices bred in the inherent social values of a particular society. This is, however, an extension of the idea that insecurity breeds discrimination.

The denial of human rights is not a trait of one group or one society. It is a widespread phenomenon that undoubtedly has diverse causes.

How, When, and Whose Rights Are Violated

Poverty

At first glance, it is easy to be impressed by the wealth and power that surrounds us in the places where most of us live. Luxury buildings, sophisticated automobiles, computerized technology developing at a tremendously rapid pace, are all included in the high standards of living which individuals in our society have come to expect.

However, this picture pales when attention is turned to the extensive poverty that plagues most societies worldwide. Widespread poverty, homelessness, epidemics, famine, illiteracy, and unequal opportunities for education and employment are different aspects of the severe problem we face. One needs only to turn on the T.V. or leaf through a newspaper to be reminded of the plight of the poverty-stricken.

However, as poverty is defined somewhat differently in every nation, it is difficult to determine precise figures on how many people live in poverty. In the early 1980s an estimated 900-million people, nearly one fifth of the world's population, were so poverty stricken that their health, their very lives, were in jeopardy. Poverty implies malnutrition and poor health. Among the earth's poor, chances to learn skills and to find jobs are so rare that hope may be lost, and apathy, crime, and violence are often the direct results.

Minorities as well as women within a society are often the primary victims of poverty. In the United States an estimated 30 percent of the poor are black, 40 percent are under the age of eighteen, and 10 percent are over the age of sixty-five. Half of low-income families are headed by women. Those who are intelligent, talented, and willing to work often never encounter the opportunity to improve their lives.

Ideally, each society should be able to provide all of its members with opportunities for living with dignity. This may be considered to be a part of human rights. It is understandable that all economic rights cannot be guaranteed in all places and at all times; certain countries simply do not possess the economic resources to provide basic rights to their populations. But it should be expected of each nation, however poor, that it make available to all members of its society the resources that are accessible. The United Nations is currently engaged in a far-reaching debate on what it terms "Respect for the right of everyone to own property alone as well as in association with others."¹ as property is one of the resources that states have been either unable to distribute fairly among their peoples, or enable them to own.

Some economists say there simply may not be enough to go around in a global population that might double in the next century; i.e. grow from over 5 billion today to 10 billion in 2050. They see the distribution of wealth as a zero-sum game; the "Haves" exist at the expense of the "Have-Nots."

Development

Development is the improvement of the basic standard of living of a nation through the growth of its industrial, agricultural and human resources. Its purpose is to help the poorer nations, most of whom are in what is termed the Third World, create an economy that can support their people.

These nations are poor for many reasons. Most were once colonies of other nations and their resources were exploited to create wealth for the mother countries. Even after they

¹ (A/43/739), 27 October 1988

gained independence their economic relationship to the wealthier industrial nations did not change radically. Their raw materials were bought cheaply on the world market, and they were not encouraged to produce manufactured goods. Many nations asked economic experts to suggest ways of "modernizing" their countries, and various approaches were put into effect. Industrialize, one group urged. Export your agricultural goods and create large plantations for better efficiency. Save the lives of your children with modern medicine. In order to follow this advice, many countries borrowed large amounts of money hoping to repay their debts when their economies were back on their feet.

The result was a tragic mess of increasing poverty rather than wealth. Many of the industrial projects were run by foreign transnational corporations, which took more wealth out of the country than they generated within it. Small farmers lost their land while large plantations often made the country into a mostly one-crop economy dependent on world prices. A rising population, saved from infant mortality by humanitarian concerns, flocked to what became the slums of cities to find jobs. The debt grew and grew, and the interest on that debt often took away money for new and wiser development projects that could have helped the people.

Unless a country uses its resources wisely there will not be enough to go around. There will always be a scramble for what wealth there is, and some people will always be left behind. Development with human rights requires producing wealth, establishing fair trade, and distributing profits equitably. This concern should be shared both by the industrialized countries in their relations with the Third World and by the developing nations themselves.

Development and the Environment

The greatest advantage of development is the reduction of poverty through the modernization of the national economy. However, long-term effects of development, not immediately evident, can be devastating.

Floods, soil erosion, air and water pollution are frequently caused by the attempts to modernize. Nations often overuse their land for the crops needed either to fund new projects or to repay old debts. Nations may cut down acres of forest land in order to maintain their lumber industries. Development can result in deforestation and desertification, in turn increasing poverty and starvation.

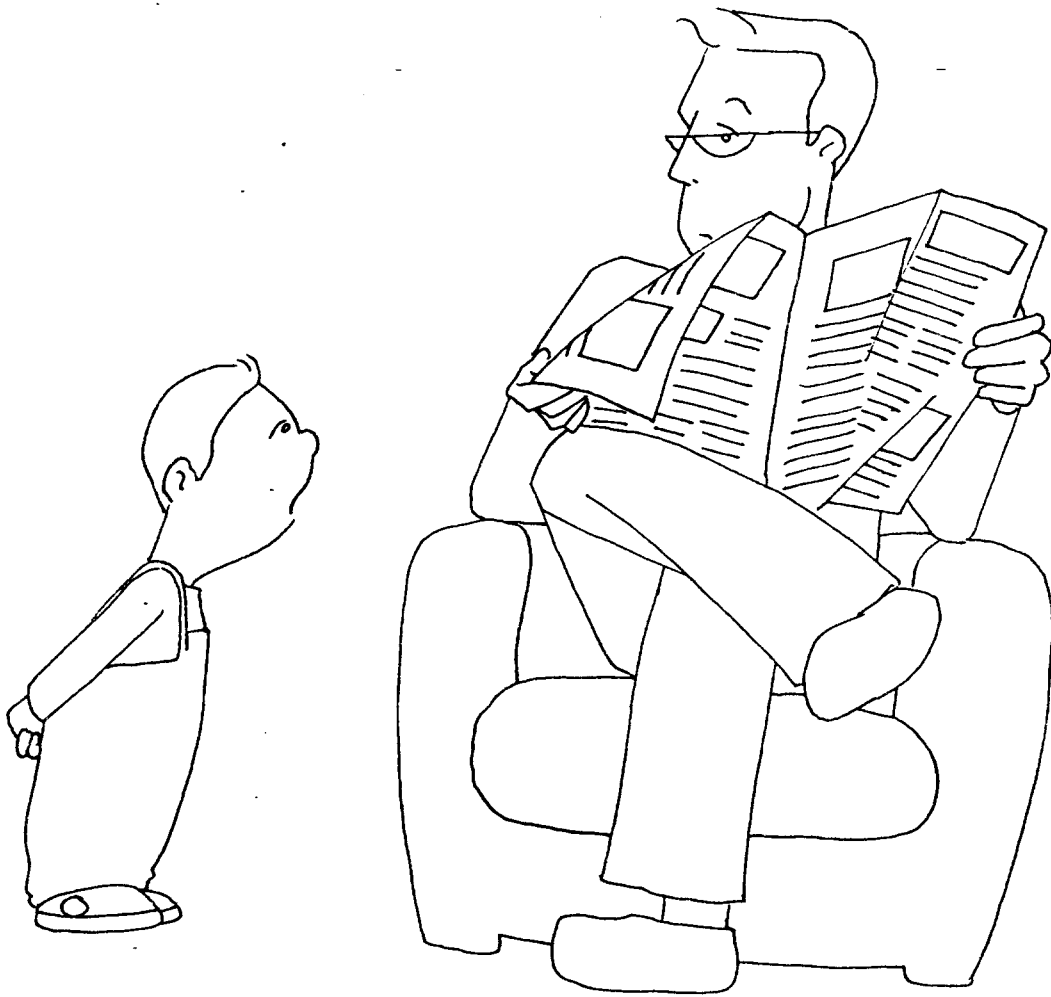
Sustainable development is the process by which a nation develops its economy without destroying its natural resources. As the environment and the economy of a nation are inextricably linked, sustainable development is the only long term solution to the denial of economic rights.

The Rights of Minorities

The United Nations is made of 161 sovereign and independent nations, which are often referred to as "peoples." However, this word also applies to the perhaps 5000 different ethnic groups that are minorities within those nations but have no international representation. Who protects their rights?

Early United Nations declarations on human rights were not prepared to cover minorities because it was felt group rights would be protected when the rights of their individual members were secure. Many states were not prepared to admit that they had minorities because they did not want to weaken their perceived unity arising out of their newly won national status. They feared that, if minorities were granted autonomy within the newly formed states, they might take advantage of their freedom and agitate for independence. Furthermore, should minorities ally with ethnic groups outside of the country, national security might be in jeopardy. Enemies might use the discontent of the minority to foment trouble. Liberation movements might arise, demanding the formation of a separate state. Each of the factors would serve to undermine the fragile unity of the larger state.

A minority can be defined as a group that shares racial, religious, social, or cultural



TELL ME ABOUT THE OLDEN DAYS DADDY WHEN WE WERE
THE MAJORITY

characteristics that are different from the majority of the nation within which it resides. The minority is often concentrated in a specific area, making the possibility of the formation of a separate state more real. They are vulnerable because they are minorities, although they can also be the privileged elite, as in South Africa. They can be discriminated against in legal and political systems, when seeking a decent standard of living, and in the exercising of their social and cultural rights. When conditions become intolerable for a minority, when their means of livelihood are taken away, when they cannot practice their customs or religion, and their children are forcibly educated in the majority's culture and language, they begin to think of forming a state of their own which would protect their rights.

There are different ways of dealing with minorities. One is to assimilate them into the majority. The United States prides itself on being a nation of immigrants, at the same time most of its citizens consider themselves "American" before "Polish," "Chinese," or "African." Another approach is to protect minorities from discrimination and enable them to enjoy their distinct way of life in security. This is more difficult, and even the most democratic countries do not have a perfect record in protecting minorities as distinct groups.

Separatism is a sensitive problem in international law because it offends the very sovereignty of a state. The actions that minorities take to publicize and protest injustices are usually treated as civil disobedience (an internal problem of the State) and handled with a greater or lesser degree of violence. Sometimes a minority is prosperous and wants its independence so it can enjoy its wealth to the full rather than being taxed to support the whole country. There are many instances in the world today where minorities are taking action to achieve a greater degree of independence. How can a government persuade a minority that it is better off as a part of the larger whole than as a separate state?

The Soviet Union is an example of a country that faces demands of its ethnic minorities for

greater autonomy. The Baltic countries of Estonia, Latvia, and Lithuania, which have a rich history and were independent in the past, want more independence now. The Armenians, dispersed over several countries in the Near East, although grateful to the Soviet Union for having been given a republic, also want more independence. They enjoy benefits from being part of a great country, but they chafe under the centralized control. Can a system be devised to support the unity of the whole and the happiness of its parts?

Genocide

A minority, subject to possible discrimination and even persecution, can know little comfort or security. The most extreme form of persecution of a minority is genocide -- the attempt to annihilate an entire ethnic or racial group by mass extermination. In Hitler's Germany, genocide killed six-million Jews. The Nazis' scientific and systematic method of extermination make the Holocaust a unique phenomenon. However, other groups have been subjected to atrocities that can also be seen as genocide. Half a million Gypsies died in the German concentration camps; more than one-million middle-class people died during the Pol Pot regime in Cambodia, and the terror of Idi Amin's rule in Uganda left hundreds of thousands dead. The United Nations made a Convention on the Prevention and Punishment of the Crime of Genocide in 1948.

Genocide involves not only the physical destruction of a group, but also the loss of its culture -- ethnocide. If a minority becomes so incorporated into the mainstream culture that it is educated in the language of the majority, and taught only the history of the nation as a whole, it is in danger of losing touch with its own ethnic background. After several generations have undergone this process of assimilation, the cultural identity of the minority may be altogether lost. As more and more indigenous people are in danger of being assimilated into majority cultures or exterminated as their environment is destroyed, preservation of cultures becomes of increasing concern.

Indigenous Peoples

Indigenous peoples are the natives of a country; the people who lived on the land before it was taken over by relatively recent settlers. They number over 200-million people and constitute 4 percent of the world's population. This 4 percent is diminishing rapidly due to their exploitation and the indifference to their needs. They are being forced to alter their traditional lifestyles in order to accommodate those of the settlers.

Indigenous peoples today, from the Australian Aboriginals to the American Indians, share the same nightmare of total upheaval and loss of cultural identity. They are at the mercy of the greed of individuals and corporations, and government policies, over which they have no control. Even when these policies appear fair, they are not sufficiently carefully thought out. The Brazilian government moved the Xingu peoples to a new reserve. As a result, 25 percent of the Xingu people died. Each member had been given 100 hectares. However, for them to survive as the hunter-gatherers they once were, they needed at least 765 hectares.² No society can remain intact when its land is taken away.

The deterioration of a society causes assimilation, or as indigenous people call it "ethnocide." They try to become part of the dominant society by way of intermarriage. Their children are born into the superimposed culture and thus the new family unit may have little or no knowledge of the traditional ways of life.

Lifestyle tends to reflect education. It is important to be educated within a certain society if one is to become a part of it. Some governments offer indigenous children free education believing that they are helping to advance them, but the education is usually taught in a language different from their own. And they are taught new values which may conflict with values from their own culture.

The rights of indigenous peoples have only recently been acknowledged internationally.

² Zinsser, Judith P., *Indigenous Peoples and the United Nations*. Unpublished 1989 pp. 31-33.

They requested that the United Nations Commission on Human Rights draft a separate Declaration of the Rights of Indigenous Peoples. They did not ask for an independent state, but for recognition of their peoples. What has been done cannot be erased, but the indigenous peoples who have survived must be supported. We can, for instance, speak out against the cutting down of tropical forest, a catastrophe not only for the environment but for the people who live in them. The Australian Aboriginals tell us, "It is impossible in our language to say we own the land. It is the land that owns us. We cannot own it. It possesses us." We are, however, treating the land as if we have a right to exploit it, rather than adhering to the Aboriginals' belief in the respect for land as the basis of all survival.

Why can't we all have their attitude? It would make us more caring of the environment and more aware of how all things are dependent on each other. Some people say that in a world that cannot offer all its people an adequate standard of living, "marginal" people, whether the sick, disabled, aged, or indigenous, must be sacrificed. The last group occupies lands with resources that might feed or give jobs to greater numbers than the groups living on them. This is an argument of those who have no compunction in destroying others' habitat.

However, if we destroy any land and its people, we deny all peoples' rights. We assume the right to judge who can live and who should die; we deprive the future of a diversity of cultures in which it might find solutions for problems we cannot yet anticipate. And we destroy the global environment on which we all depend.

Refugees

Although the problem of refugees has a long history, it was only at the beginning of this century, with the creation of the League of Nations, that refugee rights were given consideration in the international community.

Refugees are people who are forced to leave their homes and seek refuge elsewhere until they either resettle or return home. Several

circumstances can force people to become refugees: natural disasters such as drought, earthquakes or floods; economic hardship, which may also be caused by natural disasters or by political mismanagement; and discrimination.

Unfortunately, in our century, politics has led to the creation of many refugees. This cause of displacement can be broken down into three related parts: political/cultural persecution by the State, war/occupation, and forced exile. Examples of the first cause include the emigration of the Jews from Nazi Germany in the 1930s, the escape of black South Africans, and the flight of dissidents in Central America to neighboring countries. In fact, persecution by the State has become so common a cause of the increasing number of refugees, that the word "refugee" itself has come to carry a political connotation.

Other examples of the creation of refugees by war or an occupying power can be found in South East Asia. Following the Vietnam war, many Vietnamese people fled the hardship that ensued. These people have been called "boat people," because large numbers escaped by boat onto the high seas. Many of them were raped or robbed by passing boatmen, or drowned before they reached countries that would accept them. Another example of the creation of refugees by political persecution and war occurred under Pol Pot and the Khmer Rouge when Cambodians fled to camps in Thailand. More than one million people were killed by the Pol Pot regime, and the refugees barely escaped with their lives. Yet another example is that of the three million Afghan refugees who fled during the conflict with the Soviet-supported government and sought refuge in Pakistan.

There is another category of political refugees: individuals sent into forced exile, because they are considered political dissidents. These nationals are not permitted reentry into their country, under threat of government persecution.

It is difficult to imagine the suffering of refugees. Along with the fear and uncertainty of the future, they often experience poverty, unemployment, and ill health. They are likely

to watch their children grow up without a sense of security or of cultural and family roots. The right to life is barely maintained, and the right to a decent life is a distant dream. In many cases, when refugees reach their host country, they are forced to live in refugee camps, where housing facilities are usually inadequate. If there are sewage facilities at all, they too are inadequate. Disease may spread quickly, and little or no health-care may be available. The conditions in most camps are not even suitable for animals. Who is responsible for the refugees? To what extent is the country which receives them responsible for their rights? To what extent must the international community accept responsibility?

The rights of the countries in which the refugees seek asylum must also be taken into consideration. In many cases, the extra burden of providing for refugees overwhelms the economies of the countries to which they flee. Those states must first consider the welfare of their own people, and yet they cannot deny entry to refugees who have nowhere else to turn.

The problems that arise over the rights of refugees have no easy solutions. The United Nations has continued the work of the League of Nations by setting up the Office of the U.N. High Commissioner for Refugees to deal with these problems; the U.N. Relief and Works Agency (UNRWA) is devoted to Palestinian refugees.

Women

Women constitute 51 percent of the world's population. Even though they are the majority, they are a majority with a small voice. Former Secretary General Kurt Waldheim wrote in the Report to the U.N. Commission on the Status of Women: "While women represent half the global population and one-third of the labor force, they receive only one-tenth of the world's income and own less than 1 percent of the world's property. They are also responsible for two-thirds of all working hours." Although the statistics sound extreme, they are true. The facts are clear: women suffer from discrimination.

In 1946, at its first session, the General Assembly advised its members to grant women, like men, political, civil, economic and social rights. This recommendation resulted in the Commission on the Status of Women which greatly contributed to the adoption of the Convention on the Elimination of all Forms of Discrimination Against Women. Ninety-four member nations have signed this bill, although many of them do not follow the ideals of equality that the bill sets forth.

High ranking jobs are hard for women to attain in many countries because they do not have equal rights to education. In some areas girls are rarely allowed an academic education because their families fear they may lose sight of their traditional roles within the society. By age eight, in other societies, a girl's marriage is usually arranged by her father, and by age twelve, she is usually married to a boy she does not know. Some societies do not allow women to speak in public or own property. They are wives and mothers, and rarely become more than that; therefore it is assumed an academic education would be useless to them.

The traditional view of women is that they are the "weaker" sex, physically, emotionally and intellectually. Women were not thought to possess "strength," and the qualities needed to be homemakers were not valued. Even though women agricultural workers were, and still are, a major economic support for their families, women's role was not considered that of the "provider."

Even in the areas where women's role has been traditionally paramount, in the care of children, they have not been given sufficient support. In many cases, women are deprived of the rights that would help them better to fulfill the roles they adopt in society. Education would help them understand nutrition, health care and how to use family planning to space their children and have only as many as the family can afford. The opportunity for decent work at fair wages would enable women to help support their families as well as fulfill their own potential. As women's rights are granted, their children's rights will also be enhanced and the

addition that women make to the labor force will help the economies of developing nations.

Although traditional customs are changing at a faster rate than some would like to acknowledge, the change for women is not fast enough. Most believe that their rights have been denied for long enough and that they deserve equal participation in the development of political, economic, social and cultural organizations. Men and women must work together, complementing the qualities which are unique to each. Obviously one sex cannot live without the other. So, if we are to survive, we must survive together.

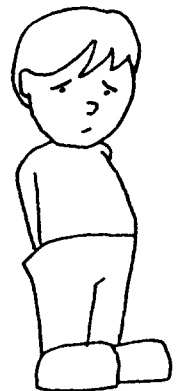
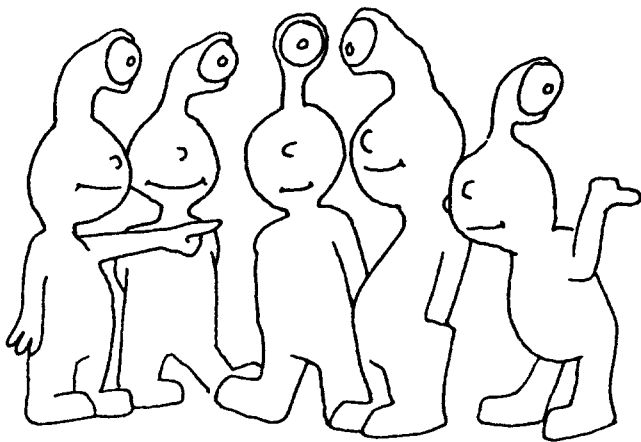
The Rights of the Child

The way a society treats its children reveals much about its values and commitment to the future. Children have special needs because they must be helped to learn how to survive, and be protected from harm while they learn. They have the right to expect society to fulfill those needs and value their well-being.

There are many obstacles to a child's healthy development: inadequate food and shelter, medical care and education, as well as a hazardous environment, verbal and physical abuse, and emotional neglect. In some areas of the world, children are being abducted for purposes such as employment or prostitution, sent into senseless wars, and used as human mine sweepers. Overpopulation, poverty, the loss of parents, or inability of parents to provide for their children deny many youth the chance of leading happy, and productive lives as adults.

In many countries child labor is essential for the survival of the family. In Egypt, for example, seven percent of the work force is under twelve years of age. In order to help support their families, one million child laborers have been forced to drop out of school. They do the same work as adults for as little as one fourth the pay an adult receives. Egypt accounts for only a small percentage of the child laborers in the world.³

3. Cowell, Allan, "Egypt's Children: A Burden of Labor," *The New York Times*, December 30, 1988



Would the elimination of poverty eliminate child labor and assure these children of an adequate education?

Children are a country's investment in the future. Sri Lanka, in 1947, began to offer free education, health care, and a subsidized food for everyone. The Sri Lankan government was aware that they could ill afford not to prepare for their future. A poor country has few natural resources, but very often has a large population that could contribute its human resources. Healthy children with the opportunity to grow into active, educated adults can be a country's best cure for poverty.

Children are the most vulnerable because they are the most helpless of all human beings. They may become victims of physical or sexual abuse from people who were very often themselves abused as children. Children have emotional needs for love, companionship, and self-respect. They need not only education but time to play to discover joy and develop imagination.

Ultimately the responsibility of caring for children falls on society. How many needy children can a state protect? Are child-welfare declarations, guaranteeing children's legal rights, an effective way to protect children from the worst in a society that produced them?

The international community took on the responsibility to protect children's rights with the formation of the United Nations International Children's Emergency Fund (UNICEF), now simply called the United Nations Children's Fund, when it saw the plight of children after World War II. The Declaration on the Rights of the Child was adopted by the U.N. General Assembly on 20 November 1959. The International Year of the Child was declared in 1979, and the problems of children were studied worldwide. The Convention on the Rights of the Child should be approved by the General Assembly in 1989. This Convention will make a strong statement for children and put the responsibility on governments to be their advocates in three ways: to protect their rights; to provide for their needs; to help them become more active participants in society.

Discrimination -- I Have a Dream

"I have a dream . . . that one day this nation will rise up and live out the true meaning of its creed -- we hold these truths to be self-evident, that all men are created equal."

The Reverend Doctor Martin Luther King, Jr. believed freedom, justice, and peace between all peoples was both possible and essential for the harmonious existence of humankind. He fought for the equality of blacks during the 1960s in the United States.

"I have a dream my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. I have a dream today!"

The social attitude of a prejudiced America was to be revolutionized by the works and struggles of this determined man. Doctor King fought to abolish discrimination against minorities; twenty years later, we still find ourselves striving for that same goal.

Discrimination is an attitude that varies from individual to individual. Discrimination refers to acts motivated by prejudice. Discrimination is the denial of any fundamental human right.

Stereotyping people helps to justify violations of human rights and to relieve the guilty conscience of the discriminator. Stereotypes can be so widely held that they become accepted by a society as truths. Not only discriminators are affected but victims may accept stereotyping as well.

Why do people discriminate? Unfortunately there is no simple answer for this question. Discrimination is often used as a defense mechanism by those who wish to protect their social, economic, or political status. By degrading and dehumanizing other people, certain individuals or groups may feel more confident about themselves. However, prejudice sometimes has another psychological base. People are afraid of others who are different. They see them as threatening their own comfortable way of life,

so they make them into some kind of monsters who do not deserve to be treated equally.

Results of bigotry are fear, conflict, and a division of society into unequal classes and groups. Hatred and hostility thrive in a society plagued with discrimination. A current example of a society suffering from discrimination is South Africa where people are segregated according to the color of their skin.

In the United States today, it is believed that the person least affected by discrimination is a white, upper-class, male. However, because discrimination occurs globally, anyone could be discriminated against in some part of the world. We should always keep in mind that what may be the minority in one society could be the discriminatory group in another.

The United Nations is particularly concerned with racial discrimination and is in its Second Decade to Combat Racism and Racial Discrimination. It asks for proper reports from its member nations on how they are "outlawing" such discrimination. Many states have laws against it, but there are gaps between laws and the real convictions of people required for enforcement of laws.

In the words of Martin Luther King, "Injustice anywhere is a threat to justice everywhere." Only when all injustices are eradicated can we feel we have fulfilled our duties to mankind. "And when we allow freedom to ring, when we let it ring from every village and hamlet, from every state and city, we will be able to speed up that day when all of God's children -- black men and white men, Jews and Gentiles, Catholics and Protestants -- will be able to join hands and to sing in the words of the old Negro spiritual, 'Free at last, free at last; thank God Almighty, we are free at last.'"

Reverend Doctor Martin Luther King, Jr., 23 August, 1963

Social Deviance

Deviant behavior is defined as behavior which does not conform to social expectations. Each society develops its own norms determined by its needs, environment, history, culture, and

traditions. These "norms" vary from society to society. Therefore unacceptable behavior in one culture might not be considered as such in another.

Some behavior is not accepted in any society. Criminals by definition are considered to be social deviants for they have violated the laws of their societies and will be punished. In many societies the use of addictive drugs, as well as the trade of supplying them, is considered both criminal and deviant behavior.

Racial and religious minorities, homosexuals, modern women in a traditional society, the homeless, and the physically or mentally handicapped may all be seen as differing from the norm. In some societies these groups are respected, and where necessary, cared for. In others they are either considered criminals or ignored with no understanding or compassion for their rights.

There are many ways in which societies deal with people they consider "different." Some deviants are judged so dangerous to the stability of the society, that they are treated like criminals, hounded, fined, barred from employment, or imprisoned. Others are persecuted in more subtle ways. These ways range from exclusion from clubs, or other organizations, to suffering signals of disapproval such as raised eyebrows and ridicule.

Humor can be used for the put-down. Many different groups have been subjected to systematic humiliation through ethnic jokes. Many people subjected to this stereotyping by the "in-groups" accommodate themselves to it. However, to be forced into such accommodation is a form of oppression also.

History has shown us where any kind of discrimination can lead if people condone it. Homosexuals, together with Jews, Poles, and Gypsies, died in the concentration camps.

Gay and Lesbian Rights

The Gay Liberation movement emerged as a fully fledged social-protest movement on 27 June 1969 when New York City policemen



raided a bar in Greenwich Village that catered to homosexuals. The bar patrons resisted arrest and fought with the police for several hours, to the surprise of both groups. Since then, many laws have been challenged in the courts. For example: under a 1965 Federal Law, the U.S. Immigration and Naturalization service excluded persons "afflicted with psychopathic personality or sexual deviation." Gay activists argued that the law was based on outmoded views of homosexuality and it violated their human rights. They pressed for immigration reform by citing the American Psychiatric Association's 1973 decision that homosexuality is not a mental disorder. The law was repealed.

In 1973 the American Civil Liberties Union (ACLU) launched a Sexual Privacy project aimed at attacking all criminal laws that prohibit sexual activity among consenting adults and which discriminate against persons who engage in such activity. The ACLU argued that such laws violate a homosexual's constitutional rights, including 1) the right to privacy, 2) the First Amendment right of free speech and free assembly, 3) the Eighth Amendment prohibition against cruel and unusual punishment, and 4) the due process and equal protection clauses of the Fourteenth Amendment.

Despite the changes in the law, there is still public prejudice against homosexuals. There are still instances of discrimination in housing and employment, and more subtle ways in which fears of a different lifestyle are expressed.

Political Dissidents

Political dissidents are people who find fault with one or more policies of their government. They openly express a view on an issue which directly opposes their governing body, in a system where no allowance is made for such opposition.

In "ideal" democratic nations, political dissidents are accepted because the basic structure of democracy depends on the contribution of diverse individual viewpoints. In a democracy, political dissidents, as such, usually do not exist because opposing views

are accepted. The group that was the government might find itself in the opposition at the next election, when it will expect to have the same freedom it previously gave its opponents. An aberration from this ideal was the McCarthy era in the United States in the early 1950s, when people were harassed for the opinions they held rather than for any crimes they had committed. In a properly functioning democracy, a grievance may be heard, refuted successfully, or accepted and hopefully redressed. In this system, no human rights need be violated, and the State does not feel under attack. However, many states are not prepared to cope with free speech.

Governments know that if one person is allowed to speak out, others will hear. People may unite behind a cause, creating something much more difficult to deal with than an individual. And beyond particular issues, allowing free speech helps people, who would normally be indifferent toward politics, to stop and think more closely about many issues which the State would much rather they simply accept.

Some governments insist that they are obliged to silence dissidents on behalf of society. In such an instance, the State as represented by its "servants," the bureaucracy, makes the decision for the people on what is good for them. But only too often the bureaucracy thinks first of what is good for itself, to remain in power, rather than what is good for the people as a whole. When a state becomes totalitarian, then neither the government nor its servants will easily give up their dominant roles.

Should people continue to challenge their governments on the basis of the belief that no one is infallible? The more people who participate in decision making, the fewer mistakes will be made. The answer is a resounding yes, if we value any human rights.

Censorship

What is the nature of censorship? Is it primarily the organized refusal of a government to circulate ideas considered harmful to society, or should we condemn it as a denial of the human right to explore fully all

facets of our existence? Who chooses what is to be censored? Is it the majority that decides what is acceptable, or do minorities have rights too?

What of groups, such as the Ku Klux Klan (KKK), which advocate hatred and violence against certain people? Should they be silenced, for the threat they pose to the delicate fibers which hold society together, or should they be allowed to spread their message, in accordance with their rights of free speech? If one believes that they should be silenced, then one must remember that silencing could be equally easily applied to any number of special interest groups. In many nations censorship has been applied to groups that advocate human rights or disagree with local governments on other issues of justice. What is it that separates the Klansmen from dissident groups under oppressive governments? Is it the particular message that should determine censorship? The International Convention on the Elimination of All Forms of Racial Discrimination requires that governments should prevent the funding of groups like the KKK. Can this be considered justifiable censorship?

Once a society begins to sacrifice the right to free speech, the right to receive and transmit information freely, and the right to protest, it becomes easy for any government to force citizens into submission. It is for this reason that totalitarian regimes place such strict limitations on the content of their media. The best way to silence opposition is by denying them an audience; if people are unaware of the injustices that occur daily, they are not in a position to prevent them.

The curtailing of the free exchange of information also leads to reduced social, scientific and economic progress. Without the ability to confer with others, scientists and businessmen would wither away. This could mean, in an extreme situation, that scientists would be forced to rediscover Einstein's theory of relativity for themselves every time they needed to use it. Whenever access to information is curtailed, it creates an obstacle to progress.

There are occasions when governments censor foreign influences to protect cultural integrity.

In some developing countries governments would like to have more control over foreign advertisements for luxury goods to avoid resentment and dissatisfaction among the people who cannot afford them. Some nations would prefer to block Western telecasts to prevent having their cultures changed through the dissemination of Western values. Can this sort of cultural protection be justified, or is it unwarranted censorship? What if there is a minority which wants access to this information, or what if it is actually in the interest of the silent majority to have access as well? The United Nations is concerned with the problem of cultural integrity. UNESCO has urged a New International Information Order to review inequality, both in access to information and in the technical ability to produce it, between the developed and developing world.

Article 19 of the Universal Declaration of Human Rights states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

Both the Constitution of the USSR (Article 50) and the Constitution of the United States (1st Amendment) guarantee freedom of speech for their citizens. Nonetheless, both nations practice censorship; one with direct government control, and the other through more subtle methods (witness the limited information available on the Iran Contra affair).

A more insidious form of censorship is "self-censorship," when people anticipate official censorship by either avoiding a controversial subject or by expressing it in such convoluted language that only a few will understand. It was a technique used by some of the great Russian writers of the nineteenth century to get past the czarist censors.

The perennial excuse of the State for imposing censorship on its society is that it is "protecting the people." The only protection against this argument is educated people who do not need such protection because they have the understanding to make up their own minds.



Privacy: A Privilege or a Right?

Privacy is a controversial matter because it can be seen both as a right of the citizen and as a matter to be limited by the need for public or national security.

Surveillance

Surveillance is spying by security organizations of the State. These organizations spy on their citizens in order to insure national security. What determines when privacy must be violated to increase national or other citizens' security? Modern technology has given us many spying devices. We have satellites which can tap telephone conversations, without a person's knowledge, and read telegrams, as well as the conventional bugging devices which are used in homes and offices.

The surveillance organizations try to access information through personal computers, and may enter business and personal records. But, records are private property. Do these government organizations have the right to access information from these sources? So much information is now on computers, that anyone with the ability to get into a system can obtain information that people or institutions have considered private.

Privacy of lifestyle refers to a person's sexual preference and possible use of addictive substances. Does an employer have the right to test employees for illegal substances in order to make the workplace safer? When does an employer's information about employees violate their rights?

AIDS

Acquired ImmunoDeficiency Syndrome (AIDS) is caused by the Human ImmunoDeficiency virus, (HIV). There are two types of HIV viruses: HIV-1, which is the more common, and HIV-2. The HIV virus attacks the white blood cells which are the heart of the immune system. The virus also infects the lining of the intestines, the nervous system and other organs. Infected with the HIV virus, a significant percentage of people develop AIDS over prolonged periods.

HIV can be found in semen, tears, saliva and blood. AIDS can be transmitted by sharing syringes, through sex (including oral and anal sex), and by blood transfusions or any other kind of introduction of infected bodily fluids. AIDS can also be transmitted from a mother to a fetus, and to the baby through breast feeding.

Much of the controversy over AIDS concerns the transmission of the disease. Many still believe that AIDS can be transmitted through casual contact. This ignorance has led to an increase in violence against homosexuals in the last three years.

Many employers feel that mandatory AIDS testing should be given to employees before they are hired. However, test results are often confusing and a single test can be useless. But even if the tests were useful, does an employer have the right to infringe upon employees' rights to privacy in order to insure the well-being of others, when that well-being is really not threatened during normal, social and professional contacts?

Cruel and Unusual Punishment

Members of a society have the right to be protected from crime and violence, and it is therefore the duty of the State to maintain order and enforce laws to prevent crime. However, criminals and detainees also have rights. In the United States, their civil rights include (among others) the right to a fair and speedy trial, the right to be informed of the reason for their arrest, and the right to humane prison conditions. They have the right to be spared "cruel and unusual punishment."

An oppressive state often uses arbitrary detention and punishment to control its opposition. There are cases of punishments that occur before detention; however, this article will only deal with violations which occur during detention.

Torture

The trauma experienced by a torture victim is impossible for people who have not themselves been tortured to imagine. Torture is one of the most inhuman of all rights

violations. It is an assault on the physical integrity of its victims. Torture is seldom restricted to physical violations. Torturers often use techniques that manipulate their victims psychologically as well, leaving them mentally as well as physically crippled. Being stripped of one's right to control and protect one's own mind and body is degrading and terrifying.

One method of manipulation often used by torturers is aimed at making the victim dependent and helpless. The torturer deprives the victims of food, sleep, and human contact. The victim is thus reduced to a state of utter fear and depression.

Once victims accept their dependence they become even more susceptible to further torture. For example, the victims give in more quickly to threats of more physical torture or attacks on their family members. Thus, the realization that they have been forced to depend on their torturers serves to undermine their resistance. Torturers may also use drugs to confuse, distress and weaken their victims. Addictive drugs like heroin may be forcibly administered to victims to trigger addiction and increase the process of dependence on the torturers.

The U.N. Commission on Human Rights has appointed a Special Rapporteur to compile reports on cases of torture. The actual case studies documented in the special Rapporteur's reports are taken from depositions submitted by individuals claiming that they or their family members have been tortured. The following are excerpts from such depositions.

"93. The Special Rapporteur received information from the French journalist ---, which he has not been able to verify, that 15 of the 65 detainees in the Pol-i-Charkhi cells reserved for foreigners, have been tortured by such methods as the use of electric shocks, immobilization for several hours in uncomfortable positions, and the suspension of weights from the testicles" ⁴

4. *Situation of Human Rights in Afghanistan* (A/43/742), 24 October 1988, p. 21

"B.15 --- A doctor, he filed a complaint with the Twentieth Criminal Court of Santiago on 12 March 1987, while being held in the former Santiago Public Prison, against officials of the Policia de Investigaciones who had arrested him on 15 January 1987 and taken him to police premises where he was allegedly tortured, sodomized and had electrical current applied to the most sensitive parts of his body while under interrogation." ⁵

"B.30 --- and --- An application for amparo was filed on their behalf with the Santiago Court of Appeals on 2 March 1987 on grounds that they had been unlawfully arrested by CNI agents on 27 February 1987. According to the records, --- was subjected to psychological coercion such as having to listen to her husband's screams while he was being tortured with electric shocks, in the course of interrogations." ⁶

Summary or Arbitrary Execution

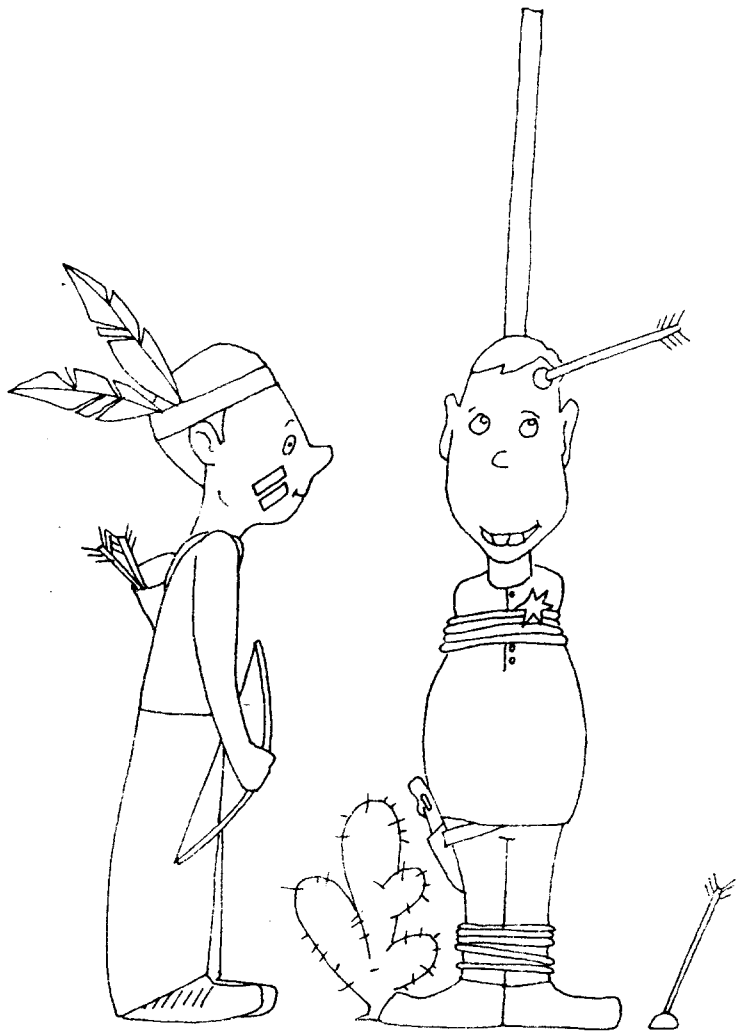
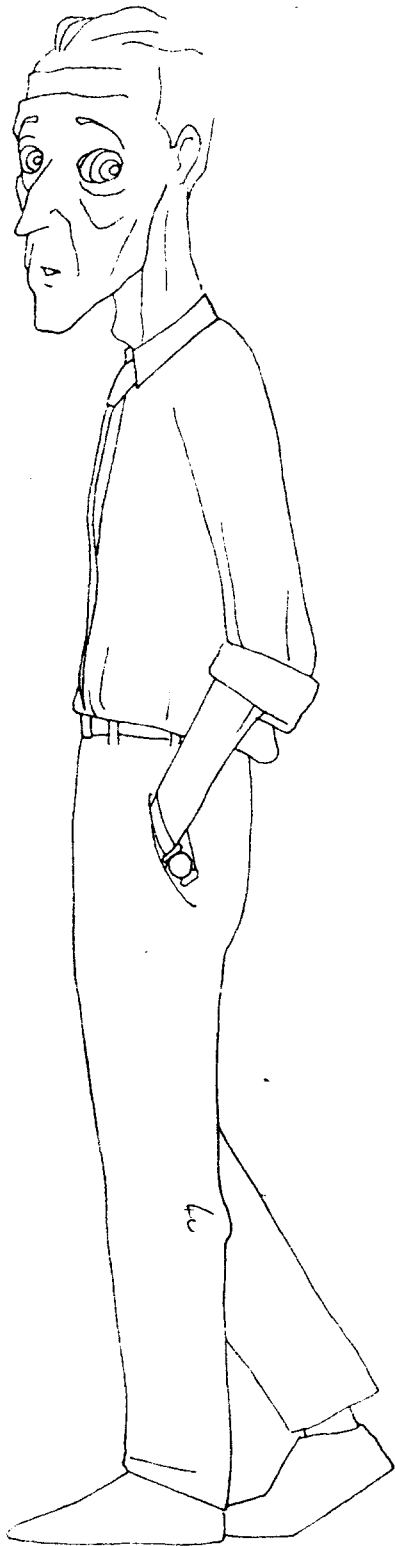
A case of cruel and unusual punishment is arbitrary or summary execution. This entails the execution of detainees before charges are brought against them, before they are tried, and without ever releasing information of the circumstances of their death. In other cases, if the victims are given a trial it is held under arbitrary circumstances and without any guarantees for due process. This practice is in common use in those states which are determined to suppress their opposition and are prepared to use any means to that end.

"83 persons were said to have died in South African police custody during 1986, among whom 27 were said to have died of 'natural causes,' 12 had committed suicide, 3 had been shot while trying to escape, and 1 had been stabbed by other prisoners. No details of these deaths were reported to have been disclosed, nor the names of the persons who died." ⁷

5. *Protection of Human Rights in Chile* (A/42/556), 16 September 1987, p. 25

6. *Ibid.* p. 27

7. *Commission on Human Rights: Summary or Arbitrary Execution*. (E/CN.4/1988/22/Add. 1), p. 2



IF ONLY THEY KNEW '

The above is a typical example of the use of arbitrary execution and the subsequent government cover-ups that occur. The fact that governments attempt to cover up their actions is an indication that they themselves acknowledge they are committing violations of the rights of their people. Justifications used by governments for their repressive actions are illustrated in the following statement by the South African Minister of Law and Order:

"It is a fact that where the State acts in the interests of society it is sometimes necessary to curtail the rights of the individual."⁸

Summary execution has come into widespread use to restrict opposition. Because it is practiced both by states considered to be oppressive and states which consider themselves democratic, its frequency is becoming increasingly alarming. In 1987 alone, "summary or arbitrary executions were reported to have taken place in: Burma, Chad, Chile, China, Colombia, El Salvador, Equatorial Guinea, Guatemala, Honduras, India, Iran, Iraq, Israel, Lebanon, Libyan Arab Jamahiriya, Mexico, Nicaragua, Paraguay, Peru, Philippines, Poland, South Africa, Sri Lanka, Syrian Arab Republic, Turkey, Uganda, Zaire."⁹

Summary executions are cruel under any circumstances. A different interpretation widely advanced today is that execution even after fair trial is itself "cruel and unusual punishment."

Enforced or Involuntary Disappearances

Enforced or involuntary disappearance may be described as follows: a clearly identified person is detained against his will by officials of any branch or level of government, or by organized groups, or private individuals, allegedly acting on behalf of, with the support of, or acquiescence of the government. These forces then conceal the whereabouts of that

8. *Ibid* p. 7]

9. *Commission on Human Rights: Summary or Arbitrary Execution.*, (E/CN.4/1988/22), p. 3]

person, refuse to disclose his fate or to acknowledge the person was detained.¹⁰

In 1987 the Working Group on Disappearances of the U.N. Commission on Human Rights received 3500 reports on enforced or involuntary disappearances from 40 countries, including cases that occurred in the past and as currently as 1987. This number is clearly a small fraction of the actual number of disappearances that have occurred.¹¹

This type of punishment is particularly painful for the families of the disappeared as they have no knowledge of the whereabouts or well-being of their loved ones.

Further examples of cruel and unusual punishment include inhuman prison conditions, detention without any form of external communication (incommunicado), and prolonged stay on death row.

The Right To Life

The right to life is obviously the basic human right. There are, however, specific areas where the right to end one's own or another's life poses questions. Does society have the right to impose the death penalty on those who have deprived others of their right to life? Does a terminally ill person have the right to a swift and painless death? Does a woman have the right to terminate the life, or "not-yet-life," of her unborn fetus?

The Death Penalty

Capital punishment is the execution of a criminal convicted of a crime. Execution of criminals was carried out in the past by drowning, stoning, burning, and decapitation; and in modern times through hanging, electrocution, injection, and the use of the gas chamber.

10. *Commission on Human Rights: Question of Enforced or Involuntary Disappearances*, (E/CN.4/1988/19), 31 December 1987, p. 5

11. *Ibid*, p. 2

The incidence of capital punishment has declined recently. However, it is still permitted by law in many nations, and the issue of abolishing it has created a lot of controversy. Those people who favor the use of the death penalty claim that it deters people from committing crime, and that is quite painless if done properly. It is argued that life imprisonment is not an equally effective deterrent and it just exposes prisoners and prison staff to dangerous murderers.

The opponents of the death penalty argue that it has not been proven to be a better deterrent or to protect the community better than does life imprisonment. Furthermore, it is pointed out that errors of justice sometimes lead to the execution of innocent people and that the death penalty is applied mostly to the underprivileged who cannot afford good lawyers.

Capital punishment was once a common penalty used for a large number of crimes. In the United States the number of executions has dropped significantly, from 155 in the period 1930-1935 to a more recent figure of 37 in 1984. The death penalty has been eliminated in nations such as Austria, Italy, The Netherlands, Portugal, the Scandinavian countries and Switzerland. It is still legal in eleven states in America.

The death penalty in the United States is usually used on criminals who commit the following crimes: murder of an on-duty police officer or prison guard; multiple slayings; murder for hire; murder to prevent a witness to a crime from testifying in a trial; murder by a person who has a prior first degree murder conviction; murder-connected robbery, kidnapping, rape, burglary; train wrecking resulting in death; treason; bombing; and murder or torture of children.

These are terrible crimes, but there is something gruesome about putting a person to death in cold blood. If killing is a crime, and the death penalty is a form of killing, is not the death penalty a crime in itself? If we value life, and the death penalty does not appear to be a deterrent to murderers, should we not put our efforts into programs to make criminals realize the enormity of the pain they have inflicted and help them become more human?

Those who deal with hardened criminals say that such a solution is idealistic. Others feel, however, that the death penalty is nothing more than an escape route for a society that cannot deal with the problems that originally make people turn to crime.

Euthanasia

Euthanasia is a way of inducing or permitting death as a relief from suffering. It is also known as "mercy killing." Its literal meaning is "good death;" it allegedly is a painless, gentle, and easy death for those who suffer from an incurable disease in its terminal stage.

About 50 percent of the deaths that occur in the United States take place in hospitals, nursing homes, or other institutions. Nearly three quarters of the people who die each year are over the age of sixty-five. This group of people presents special problems as new and sometimes increasingly expensive medical inventions are able to prolong their lives. The elderly are the fastest growing segment of the population. Several questions arise: First, who is to pay for these treatments -- the government or private insurance? Can we afford to keep them alive when the life set out before them may be one of pain and helplessness? Can only the rich afford to stay alive? And finally, who makes the decision to withhold treatment -- the doctor, the patient, the family? If all indications point to death being inevitable in a matter of days or weeks, patients and their families can arrange for a stay at a hospice (often run by nuns) where they can die peacefully surrounded by love and care.

What of patients who do not want their doctors to use heroic measures and have their lives prolonged by medical care? These patients may no longer be conscious when the decision to "pull the plug" on their life-sustaining machinery is made.

The "Living Will" is a document, legal in some states, that is signed during adulthood while people are of "sound mind." It enables them to predetermine the outcome of their lives, should they become incompetent, by legally making their wishes known. For example, wills can determine, for unconscious

patients, whether or not their lives will be sustained by a life-support system. The "Living Will" also protects health-care professionals from malpractice charges.

There have been cases where courts have been asked to grant permission, by terminally ill patients or their families, to have treatment discontinued. Many people are opposed to having decisions made by family or court. They believe the type and amount of treatment received should only be determined by the doctor and the patient. Because the issue is a controversial one, legislation has been passed which specifies the legality of euthanasia. The Netherlands has adopted such laws as have several states in the United States. Such laws are generally supported by physicians, lawyers, and social workers. Religious leaders, however, are often very much against euthanasia, as are many nonreligious people who fear the political consequences of "mercy killings." States could take it upon themselves to decide who should receive expensive treatment and live, and who should die.

Abortion

Whether abortion is a proper solution to an unwanted pregnancy is a question that has been of concern to humanity throughout history.

Forms of birth control which prevent conception help avoid making a decision involving the life of a fetus. However, many women do not know about such methods, have access to them or choose to use them. Some religions do not even allow them. Family planning is an important issue in countries where the population is rising beyond the ability to feed it; abortion may be a last resort for family planning. There are even some countries where it is the most usually practiced method for limiting population growth and women have multiple abortions during their child-bearing years.

However, when a fetus is considered a human being with the rights owed all human beings, abortion becomes an ethical problem. Some may argue that the question of abortion is a moral and religious issue, because God creates life and imbues the fetus with a soul at the

very moment of conception. Others insist that abortion is more than a religious issue. They argue that a fetus in the womb should have the same rights as an infant that has been born. For anti-abortion groups the fetus is alive and abortion is murder.

Those who sympathize with the woman's right to make the painful decision to have an abortion have a more complicated viewpoint. It begins with the observation that the consciousness of the fetus and its ability to feel pain in the early stages of gestation cannot be proven; and, given that uncertainty, the welfare of the mother takes priority. If we are talking about the right to life, then the mother's right to a healthy and decent life cannot be subordinate to the rights of the fetus.

Women have abortions for many reasons. A woman may be ill and unable to survive the pregnancy; she may be single, even married, but unable to support the baby financially or emotionally; she might have been made pregnant through rape; she might not want the child; or she may be a student forced to make the choice between having the baby or finishing her education.

Women have both the privilege and the burden of bearing children. Many consider that they have the right to make a decision concerning their bodies. Women's right to be considered as available for work as men is constrained by the fact that women need time to have children. They should be allowed to decide when they will, or will not, be available for employment.

Groups supporting the right of women to have abortions often argue that terminating unwanted pregnancies actually protects the rights of the child. One out of five children in New York City lives in poverty; most live with a single parent, usually the mother. Many have insufficient health and nutritional care and education. Such a child has no chance for the future it deserves. For children born with disabilities, the future is even bleaker.

The pro-life group has answers to these arguments. Besides pointing out the

selfishness of women who put the quality of their own lives before the right to life for unborn babies, they offer: adoption services for children whom the mother can or will not support; community help for those who want to keep their children; free health care, good schools, more social-welfare services; and more help to get off welfare.

"If only all mothers got such help!" Many women say.

But the controversy continues.

Terrorism

The origins of modern-day terrorism go far back in ancient history when there were assassinations of leaders by their opponents. There was a resurgence of assassination in the nineteenth century. In the twentieth century we have witnessed many instances of assassination and terrorism. So we must ask the questions: What is terrorism? Is its use ever justified?

"Terrorism" is defined by some as the unlawful use or threat of violence against people or property to further political or social objectives. It is usually a means by which insurgents intimidate or coerce governments, groups, or individuals to change their policies. Thus, behind the acts of violence there usually lies injustice -- real or perceived -- which the terrorists see as justification for the use of violence. But regardless of how noble the insurgents' cause, however deserving of compensation their wrongs may be, we must insure the safety of innocent individuals who could be subjected to indiscriminate violence.

It is here that the question of opposing human right creates the most terrible tragedies. "Terrorists" may feel that some group or government has denied them their human rights. However, what is to be done with the innocent people who are denied their right to life when a plane is blown up, a bus is seized, a bar is bombed?

This form of violence arises in situations where people consider themselves ruled by an oppressive government. It is at this point that the question of a distinction between a

"terrorist" and a "liberation" or "freedom" fighter arises. Different sides identify these people differently. It is legitimate to oppose an oppressive government by peaceful means. However, if violence is used it should be directed solely against the agents of oppression, primarily the military forces. Some would add that the struggle should be confined within the concerned territory, and not involve other countries or their nationals. The phenomenon of the government's use of militias, or vigilante groups, against guerrillas or its opponents in general is known as State terrorism. The violence escalates to a point where each side's brutality "justifies" that of the other. This is happening in many countries today and makes the task of human rights activists very difficult.

There are contradictions in the use of violence to prevent injustice. The violence is supposedly against oppression, but often exerts oppression itself. The members of the various organizations fighting for what they believe to be humanistic causes, like freedom and equality, sometimes seem to be able to shut out of their minds the humanity of their victims. The injustices they are fighting are often very real, and the victims of these injustices are as tragic as those killed in the violent acts the terrorists commit. But the death of one does not solve the problem of the suffering of the other.

"Terrorists" themselves often split into opposing groups with different ideas on tactics of negotiations, and this leads to their turning on each other. Once this dissension occurs, they lose credibility as an organization which, if given the chance, could form a just and stable government.

This kind of violence may also make any kind of solution more difficult by hardening both sides against each other. The governments these people are fighting often resort to brutality in weeding them out, killing innocent by-standers. With the excuse of a national emergency they become more oppressive and fulfill the argument that they must be overthrown.

Ultimately, we must decide how to cope with this chain-reaction violence. There should be

international guidelines for all nations to follow in dealing with this problem. At a recent meeting of the European Community's anti-Terrorism group (known as the Trevi group) the twelve member nations agreed on more cooperation in extradicting terrorists who take refuge in member countries. We must understand, and work to solve, the underlying causes of this violence. If we can indentify the problem we can try to find a solution. Above all, we must send the message to all who use terror, individuals, groups or governments, that their acts of violence will not go unpunished.

Apartheid

South Africa is rich in natural beauty, heritage, and the resources that make it one of the wealthiest nations on earth. At the same time, it is a country in the midst of a conflict that threatens to tear it apart. The confrontation between the white minority in power and the black majority -- no longer willing to accept its oppression passively -- has become inevitable.

Although there are many instances of racism in the world today, the only instance of government-sanctioned racism exists in South Africa, where racial discrimination has been practiced as a state policy for over forty years. This policy, known as "Apartheid," has been declared by the U.N. General Assembly as a crime against humanity.

"Apartheid" is the Afrikaans word for separateness and it embodies the principles of racial segregation and discrimination on which contemporary South African society is based. The South African government justifies its policy of Apartheid as the only means of maintaining interracial harmony within the country. The policy itself states that all races must develop separately, and that their interaction must be limited in order to avoid conflict. In practice, the policy serves as the economic base for the continued prosperity of white South Africa. Thus, segregation becomes not an end in and of itself but is a means of maintaining the economic status quo. As far as the maintenance of interracial harmony, the policy has clearly backfired.

The policy of Apartheid, rather than providing a means for the independent development of the separate races, has meant the oppression of the blacks, coloreds, and Asians who make up 81 percent of the population, and the advancement of the whites who account for the remaining 19 percent. This oppression has resulted in the racial conflict and civil unrest which now exist in South Africa.

The escalation of violence in South Africa has been centered primarily on the conditions of the blacks forced to live in the ghettos, known as "townships" and "homelands;" the designated areas of South Africa to which they were relocated when the system of segregation came into effect. These areas consist of the least desirable land in South Africa, and comprise only 13 percent of the total land available. The conditions in these designated areas are not fit for human inhabitants as ordinary municipal services, such as water, sewage, electricity, and health care often do not exist.

While violence on the part of the blacks may seem to be an extreme reaction to their conditions, it must be seen in the context of the centuries of their futile, passive resistance. The nonwhite population of South Africa endures continued oppression in a time when other nonwhite peoples throughout the world are enjoying more and more freedom. The South African blacks have only to look to their northern borders for examples of the relatively peaceful coexistence of whites and nonwhites under the leadership of black statesmen. The South African blacks have been driven to violence because they lack any political avenues of protest. They have no representation in the South African government, nor have they any means of protecting their rights

The only organization that truly represents the political goals of black South Africans is the African National Congress (ANC), which is South Africa's self-proclaimed government-in-exile. Because Nelson Mandela, its leader, has been in a South African prison for the last twenty-five years, the ANC has become the international symbol of the struggle for liberation and its motto, "Amandla," (Zulu for

"power to the people") has become a rallying cry.

So many opportunities for peaceful change have been ignored that the ANC can no longer guarantee that its members will renounce violence in overthrowing the present South African government. This is precisely what the white majority fears and uses as its "justification" for the continued oppression of the blacks. They are beginning to fear the threat of black anger and violence, and as a result some emigrate, while some urge more conciliatory actions on the part of their government. Unfortunately, the majority, which supports the government, continues to believe in its current policy of state-condoned repression.

The pressure for change is now coming from the international community as well as from within Africa. The U.N. General Assembly has repeatedly invited political organizations, the media, and its member states, to campaign against all military, economic, and political relations with South Africa. The United Nations has also been making a consistent effort to bring to light the torture of prisoners and detainees, to encourage a worldwide movement to help the victims of Apartheid, and to support the march of the people of South Africa toward freedom. Hopefully, the work of the United Nations and other concerned organizations will help to achieve a peaceful transition in South Africa to a government which views all races as equal.

Northern Ireland

The banner that represents the Republic of Ireland as we know it today is the Irish flag, illustrated in the form of a green, white and orange tricolor.

This flag symbolizes the Irish Catholics with a band of green at the left, the Protestants with a band of orange at the right, and peace between them with a neutral band of white in the middle of the two.

Sadly, Ireland is not very familiar with the status of peace, and it has for many centuries experienced constant invasion and foreign

domination, and the heavy consequences brought about by conflicting religious beliefs.

Christianity was brought to Ireland by St. Patrick in the fifth century and its philosophy spread quickly throughout the isle. Within two hundred years the Irish had completed a peaceful religious conversion to Christianity. Even today they are proud of the fact that they were among the very first Christian states to be thoroughly converted.

Britain always claimed a strategic interest in Ireland due to its geographical location, which posed a direct threat to English national security.

There were several attempts to conquer Ireland, but none was completely successful until the reign of Queen Elizabeth I (1558 - 1603). Europe had experienced a split in Christianity between Roman Catholicism and different Protestant sects. The Irish maintained their old religion, while the British became predominantly Protestant. The immigration of British Protestants into Ireland occurred mainly with the Ulster Plantation, followed similarly by the Cromwellian Settlement. In each instance, the British monarchy rewarded both the English and the Scottish Loyalists with land belonging to the Irish they displaced; and these incidents are the roots of the present "Troubles" in Northern Ireland.

It was after this time that the Irish began their most painful suffering. They were in the position of any nation that had just been colonized, and faced a future of grave injustice and discrimination.

World War I, when Britain was occupied with the war, brought about changes in Ireland when some of the Irish turned against the British in an attempt to gain independence. Many political groups became active and revolts grew more common.

The Sinn Fein movement was one such group that aimed for a secure, liberated Ireland; the movement grew in popularity after the 1916 Easter Rising, when the Irish proclaimed a Republic in Dublin, but were repressed by the

British. This changed the views of the Irish people, and the liberation movement began to gain support.

The original members of the Irish Republican Army (IRA) were those who fought the British in the Easter Rising of 1916; they are republicans, wanting a unified Ireland totally exempt from British rule. In 1919 the IRA began to stage deliberate attacks on British police and soldiers, directly waging a war of independence which, seventy years later, has yet to cease.

Britain withdrew from Ireland in 1921, but not completely. The fact that Britain would be abandoning the Protestants when it withdrew, gave reality to their much feared prospects of becoming a minority, and this plays an active role in why Britain refuses to free the north from its rule.

Several other arguments are used as to why the British will not let go of Northern Ireland: the prosperous ports situated along the coast; the assurance that while they are there no other nation will infiltrate and pose a threat to British national security. Twenty six out of the thirty two counties are now independent, and six counties remain within the United Kingdom. The Catholics in Northern Ireland remain victims of severe economic discrimination; many are unable to obtain work or adequate housing.

The Royal Ulster Constabulary (RUC) was introduced in 1920 by the British in an effort to restore order, and control the ever increasing chaotic situation in the north. It had a very poor reputation in the past for the use of violence in trying to maintain law and order.

After the liberation of the south, the troubles and the violence lay dormant for almost forty years, but due to being subjected to both blatant discrimination, and to the influence of world events (such as the student revolts in France, and the civil rights movement in the United States), the Irish in Ulster demonstrated for equality.

In February 1967 the Northern Ireland Civil Rights Association (NICRA) was formed. Its goal was to use peaceful, nonviolent means to

obtain reforms and changes, and anybody could join.

But violence flared up again during one of the first civil rights marches led by the NICRA which took place in Londonderry (known to the Catholics as Derry) in the late 1960s. A group of peaceful demonstrators protested against discriminatory living conditions and were bombarded by police who moved on the crowd, clubbing men, women and children to the ground.

Many journalists were present at this riot, and it became a large media event. Previously uninformed people throughout Britain and Ireland were shocked and angered by the brutal methods of the RUC.

It was a mistake on the part of the British, a case of overkill, and consequently, as more events of this nature took place, those who were previously undecided or inactive were forced to choose and support one side, whether from fear or anger. There was no more room for indecision or procrastination. The reality of such events jolted people into reacting.

It was after such events, which began to occur more frequently, that the NICRA gained more support, and the IRA became increasingly popular and more violent; it was met by the forces of the RUC and the British Army. The present goal of the IRA is to liberate the Ulster counties commonly known as Northern Ireland that are still subject to British Government rule.

Unlike the Sinn Fein of 1919, today's IRA movement has both in the past as well as in the present repeatedly failed to gain much political support; it has acquired only 10 percent of the vote in Northern Ireland, and a mere two percent in the Republic itself. This is claimed to prove that those supporting the IRA are a small minority, and that even the Nationalists whom the IRA claim to be fighting for are ambivalent toward their actions.

In the words of John F. Kennedy, "Those who make a peaceful revolution impossible, will make a violent revolution inevitable," and unfortunately, this statement has proven true

in the case of Northeast Ireland. The question still remains how will the problems ever be solved with acts of equal terror coming from two different sides?

Unlike the conflict between Palestine and Israel, which is a globally recognized problem, Britain long insisted that the troubles in Northern Ireland should be dealt with solely by the British Government, and refused to allow those in Dublin to intervene in any way. On 15 November 1985 a mutual pact was formed between the British and Irish governments which stated that, "the British Government explicitly recognizes that the Republic of Ireland has a role to play in the governance of Northern Ireland."¹² This is known as the Anglo-Irish Agreement, and is, if anything, the only positive aspect to have emerged from the last twenty years of fighting in the north; it is a significant gesture toward peace.

If the discrimination and senseless violence could be stopped, and the people led to believe that they could get along and live together as equals, under the protection of the same laws, the hatred so deeply rooted might have a chance to subside. The younger generation has lost sight of why they are fighting, and the war in Northern Ireland has become a war for its own sake. Nevertheless, the search for peace must continue.

Israel/Palestine

Man against man: what constantly pits brother against brother? There are many reasons -- religious, cultural, national, economic differences -- that all unite a people, but divide humans. These terrible conflicts happen everywhere, even in the holiest of lands.

Israel/Palestine, a land rich in tradition and religion, is a land filled with turmoil. It is a land torn by the torment of hatred. It has been more than a year since the beginning of the uprising of December 1987, and it has been a year of pain and suffering for both Palestinians and Israelis. Both fight for the same sacred land.

12. *The Philadelphia Inquirer*. 16 December 1988

This problem is a tragic example of the suffering of minorities and the need to have one's own country to protect one's people.

The land which is known today as Israel is the land from which the Jews were expelled almost 1900 years ago by the Romans. In the seventh century it became part of a large Arab empire encompassing much of what is now Spain, North Africa and the Middle East. It was conquered again, first by the Seljuk and then by the Ottoman Turks toward the end of the Middle Ages. After World War I the land was made a British mandate by the League of Nations.

During the war the British had promised the Arabs that they would help them gain independence from the Ottoman Turks if the Arabs helped the British in return. In the Balfour Declaration of 1917, the British also promised a homeland to the Jewish people.

For hundreds of years the Jews had been dispersed in Europe and were victimized by anti-Semitism, were then hounded from country to country, and were killed in massacres that came to be known as pogroms. Zionism developed among European Jews as the idea of a state which would gather in the dispersed Jewish people from all over the world and give them the protection that other governments gave their people. With the devastation caused by the Holocaust (and the refusal of many countries in the world to accept Jewish refugees even before the war) the need for such a state appeared to be even greater. The Jews fought bitterly to create a state in the only area that had meaning for them -- Zion, the Holy Land of the Bible.

The struggle of the Jews to create their state made the Palestinians conscious of their identity and their rights. At first, the Jewish and Arab communities lived peacefully together, but as the Jewish settlements grew, so did the fears of the Arabs. The Arabs also wanted their independence but the land they considered theirs was being taken by others whose suffering was in no way caused by the Arabs in Palestine. Why should they have to pay the price for Europe's guilt?

As soon as the war ended in 1945, the struggle between Arabs and Jews intensified. The British tried to keep the peace but in 1947 asked the United Nations to intervene. On the basis of population, a patchwork kind of partition plan was drawn up. The State of Israel was declared on 14 May 1948. On 15 May Israel had its first encounter with the forces of Syria, Transjordan, Lebanon, Iran, Iraq, and Egypt. Israel won that war and added additional territory to what it had been allocated in 1947. Egypt took the Gaza strip and Jordan the West Bank, and a new tragedy was created with the problem of the Palestinian refugees.

Despite their defeat, the Arab states continued to refuse to recognize the State of Israel. They saw it as a European outpost imposed on the Arab world. Although the Arabs would accept the continued residence of some Jews as a minority on the land, they were determined to destroy the independent state. The Israelis could not accept that: they had been a minority in Europe for hundreds of years, and knew what that meant. There could be no compromise for them; they wanted the continued existence of the State of Israel.

Through acts of terrorism within Israel and outside, and through the wars of 1956, 1967, 1973, and 1982, the Arabs and Israelis have continued to fight the increasingly violent battle for control. Israel's Arab neighbors have tried to destroy it through invasion, while Israel has tried to preempt the threat by acting first. The 1967 war was particularly significant in that Israel took Palestinian territory held by Egypt and Jordan, the West Bank, Gaza and East Jerusalem, as well as the Sinai from Egypt and the Golan from Syria. Israel was prepared to return those lands in exchange for guarantees of peace. Only Egypt finally agreed to recognize Israel in 1979; as a result the Sinai was returned.

Many Israelis claim that occupation of the territories of Gaza, the West Bank, the Golan and an area in Lebanon is necessary for security. The Palestinians see the Israeli occupation of Arab lands as a sign of Israeli expansionist ambitions and a form of imperialism. They see the Israelis as discriminating against the Palestinians in a form of racism.

In direct violation of all the United Nations resolutions concerning the "question of Palestine," Israel initiated a policy of settling the occupied Arab territories. The civilian population of these territories resisted the occupation throughout the late 1960s, 1970s and 1980s. However, since 9 December 1987, a new situation of overt resistance has arisen in the occupied Palestinian territories, an uprising which is known as the "intifada." This uprising has been classified by the U.N. Human Rights Commission as "a form of legitimate resistance."

Since the uprising the human rights situation in the occupied territories has deteriorated dramatically: "Hundreds of (Palestinian) civilians have been killed . . . The death toll has included casualties caused by shooting, beating, gas inhalation . . . disturbances usually include demonstrations, stone-throwing, commercial strikes on the one hand, and the use of tear gas, clubs, rubber and live bullets, the imposition of curfews and various economic sanctions by the occupation authorities on the other."¹³

In summary, the general human rights situation of Palestinians under Israeli occupation has included the denial of freedom of movement, freedom of expression, freedom of association, and freedom of education; the use of torture, harassment, collective punishment, arbitrary deportation, use of arbitrary detention; and the denial of fair or speedy trial.

The situation in the occupied territories has now reached a height of violence and repression which is unprecedented in the history of this land. There can be no question that Israel is denying the human rights of the Palestinians in the occupied territories. But she feels that her right to secure existence is at stake. Israel and the very existence of a Jewish homeland comes only after centuries of persecution. Israel is a milestone in the history of the Jewish people. It must be recognized that with such a history behind it, a Jewish state among hostile Arab neighbors will inevitably feel insecure and on the

13. *Practices Affecting the Human Rights of the Population of the Occupied Territories*, (A/43/694), 24 October 1988, p.5

defensive. The latest move on the part of the Palestinian Liberation Organization and its leader, Yasir Arafat, to renounce terrorism and recognize Israel brings new hope to the area. Moderates on both sides want an end to the violence; they want to negotiate for the creation of two states that can live in peace -- side by side -- Israel and Palestine.

Country Case Studies

The United Nations has examined the human rights record of several countries on topics such as summary and arbitrary executions, torture, exile and disappearances. It has issued specific reports on some countries. The U.N. Commission on Human Rights appointed Special Rapporteurs to investigate the countries in question. The responsibility of the Special Rapporteurs was to compile complaints made by private individuals and nongovernmental organizations. The alleged violations range from the denial of the right to free speech to cruel and unusual punishments. We have selected the countries according to the United Nations documentation that was available to us.

Afghanistan

Afghanistan first achieved independence and unity under its own constitutional government in 1917. Since 1979, however, Afghanistan has been under occupation by the Soviet Union. The question of human rights in Afghanistan was therefore primarily one of the Afghan people's right to self-determination.

The most recent political development in Afghanistan has changed the situation drastically. In the Geneva Agreement of April 1988 the Soviet Union agreed to withdraw its forces from Afghanistan. The withdrawal began on 15 August 1988 and was scheduled to be completed within nine months.

The question of human rights in Afghanistan has now shifted to the plight of the refugees displaced during occupation, and of the Afghan people in areas of combat. The United Nations sent a Special Rapporteur to Afghanistan in early 1988 to determine its current human rights situation. Although he

felt that there was hope for improvement as a result of the withdrawal of foreign troops from Afghanistan, "the Special Rapporteur has still not been able to report any improvement in the human rights situation within the country. Acts of war are continuing, violations of human rights are at least as frequent as in the past, affecting particularly the civilian population and endangering the lives and security of innocent men, women, and children." ¹⁴

Opposition groups claim that they control more than three quarters of the land of Afghanistan. However, there has been no opportunity for official documentation on the human rights violations that occur in those areas.

The Special Rapporteur reported mainly those violations which occurred under detention in those areas now under government control. "Government sources announced that, in September 1988, 2,125 political prisoners remained in prison." ¹⁵

"The Special Rapporteur raised the question of torture at the highest levels of the Afghan government and received assurances that everything would be done to ensure that perpetrators of such acts would be punished . . . While recognizing the wish of the government to distance itself from acts of torture or ill-treatment committed by public employees, (he) feels constrained to draw the attention of the General Assembly to the various allegations which continue to reach him." ¹⁶

The Special Rapporteur also reviewed the human rights situation in the "combat areas" from which the Soviet forces are now withdrawing. "It was reported that the withdrawal was accompanied by heavy bomb attacks and 'cleaning-up' operations, which caused heavy losses among the civilian population . . . The Special Rapporteur has been informed about the continued use of

14. *Situation of human rights in Afghanistan*. (A/43/742), 24 October, 1988. p.9.

15. *Ibid.* p. 20.

16. *Ibid.* p. 22.

booby-trap bombs and the wounds they are causing. He was able to interview civilian adults and children injured by such weapons during his visit to various hospitals in Afghanistan and Pakistan. Over the last six months 243 war-wounded children were registered at the Indira Ghandi Institute of Child Health in Kabul. Among these cases, the Special Rapporteur saw a ten-year-old boy who had lost his hands and one eye while playing with a wrist-watch which exploded."¹⁷

Finally, in addressing the issue of refugees, the Special Rapporteur reported that over five million Afghans had fled Soviet occupation to Pakistan and Iran. These refugees want to return to their country for both political and security reasons as they often risk injury in their refugee camps from nearby minefields. Once Soviet withdrawal has been completed, a large number of these refugees will be able to return to the country. The only fear is that the government opposition groups may seize on this period of instability to begin a civil war which would again cause the human rights situation in Afghanistan to deteriorate.

The future of human rights in Afghanistan lies in the hope that as the government stabilizes, it will be able to deal peacefully with its opposition and will establish a just regime to govern an independent Afghanistan.

Chile

Since 1973, when President Allende was violently ousted from power, the Commission on Human Rights has been reviewing the situation of human rights in Chile.

Immediately upon gaining power in 1973, General Augusto Pinochet's new government declared Chile to be in a state of emergency which was extended most recently on 10 March 1987. "Under this state of emergency the President of the Republic may detain persons for up to five days in their own homes or in places other than prisons. . . may restrict the right of assembly and freedom of information."¹⁸ "Measures adopted by virtue

17. *Ibid.* pp. 22-23.

18. *Protection of human rights in Chile.* (A/24/556), 16 September 1987, p. 16

of this provision shall not be subject to any recourse whatsoever, other than an appeal for review by the authority which ordered them."¹⁹ This means that the government has complete freedom to act according to what it considers to be the country's interest, without reference to the population as a whole. This is the principal root of the conflict generated over human rights in Chile.

The United Nations Special Rapporteur focused on human rights violations, "including acts of torture committed in alleged secret detention centres; the progress of ongoing judicial investigations into serious human rights violations; the situation of the Chilean press and of a number of journalists against whom proceedings have been brought for alleged insults to the armed forces."²⁰ In his report, the Special Rapporteur has categorized the reports as violations of: "Right to life; Right to physical and moral integrity; Right to liberty; Right to security; Right to a proper trial and to procedural guarantees; Right to freedom of expression and information; Right to enter and leave the national territory."²¹ The reports include cases of beatings, arbitrary arrests, death threats, and of physical and mental torture. There were numerous cases of writers and journalists charged with "crimes of opinion". In all, there are more than ninety documented examples given in the report for the six month period from January to June 1988.²²

In considering the reports of human rights violations by Chilean Government forces at the behest of the state, the Government of Chile replied that "the primary conclusion that can be drawn from all these investigations is that, with some exceptions that are mentioned in the summary in question, the allegations against the carabineros (state police) are either groundless or under judicial investigation."²³

19. *Ibid.* p. 16

20. *Protection of Human Rights in Chile.* (A/43/624), 14 October 1988. p. 7

21. *Ibid.* pp. 8-9

22. *Ibid.* pp. 9-31

23. *Ibid.* p. 47

A plebiscite was held in Chile in October 1988. As a result, it is widely hoped that a new government will be elected later this year, that will not continue a state of emergency and that will encourage greater freedom for all the Chilean people.

El Salvador

El Salvador was ruled by an oligarchy of fourteen powerful and wealthy families, but after a coup d'etat in 1931 power passed into the hands of the military. Since then, El Salvador has undergone a cycle that begins with the consolidation of power by a new regime, followed by new opposition and new oppression resulting in another coup d'etat.

Each of these changes in government brought about some economic and social reform, but it was never enough to deal with El Salvador's ever growing number of poor peasants, nor was it enough to significantly alter the economic situation. Following the failure of the Junta set up after the coup of 15 October 1979 to implement the necessary social and economic reforms, El Salvador was plunged into a ten-year civil war that is still in progress.

"In his latest report to the Commission on Human Rights . . . the Special Representative had expressed concern at the resurgence of 'death squad' activities."²⁴ "Many sources attribute summary executions and other serious human rights violations to the so-called 'death squads', allegedly linked to the armed forces or the security forces or at least tolerated by them."²⁵ The Special Representative stated that it is not possible to determine a definite link between the El Salvadoran government and the "death squads." He acknowledged, however, that most reliable sources point to this link.

Forty murders were committed by death squads between January and July of 1988 as reported to the Special Representative by Legal Protection (a nongovernmental

24. *Situation of human rights in El Salvador*, (A/43/736), 21 October 1988. p.9.

25. *Ibid.* p. 20.

organization).²⁶ The Special Representative's report includes several examples of the effects of the death squads. The following example is taken from depositions made by individuals.

"27. According to various sources . . . three residents of San Jose de Guayabal, peasants --- and --- a 12-year-old boy --- were arrested in late January by uniformed soldiers and civilians. Their bodies were found 1 February in the place known as 'La Puerta Del Diablo,' bearing signs of torture."²⁷

The government is not the only force guilty of the murder of Salvadoran civilians. The Farabundo Marti National Liberation Front (FMLN) guerrillas who are fighting against the government are estimated to have committed between 13 and 157 murders from January to July 1988. The smaller figure is reported by Legal Protection; the larger by the Salvadorian Human Rights Commission (governmental).²⁸

The question is not who is responsible for the worst human rights violations but that innocent people are having their rights violated. The victims range from children as young as 10, to university students, to trade union members. The violations range from denial of trial, to torture, to summary executions by death squads. However, besides the problems of safety and security that plague El Salvador, the majority of the people believe "that the economy is the main problem, while second place goes to the war and the violence."²⁹ A major contributing factor to the widespread problems is the fact that "more Salvadorans are living in abject poverty than at any other time in this century."³⁰

The El Salvadoran government's inability to deal with the ever intensifying problem of poverty is denying the people their economic rights. This inability stems from the

26. *Ibid.* p. 7

27. *Ibid.* p. 8

28. *Ibid.* p. 11.

29. *Ibid.* p. 4.

30. *Ibid.* p.5

government's preoccupation with the civil war, which is one of the major causes of poverty in the first place.

Iran

Since the fall of the Shah and the establishment of a new government under the Ayatollah Khomeini, Iran has experienced internal unrest and external war (recently concluded). The majority of moslems in Iran are Shiites. The religion is strictly interpreted by its leaders, the Mullahs, and religious policies are the most important aspect of government. The treatment of those who deviate from these policies has caused concern.

In March and November, 1988, the Special Representative of the U.N. Commission on Human Rights reported to the U.N. on the situation of human rights in the Islamic Republic of Iran. The information made available to the Special Representative came in the form of oral testimonies from sixteen individuals (received during the course of several informal hearings) and from documents and reports made available through various organizations.

"All persons who appeared before the Special Representative alleged to have been subjected to . . . physical and psychological torture. The most common forms of torture were flogging, especially on the soles of the feet, and beatings by several guards simultaneously. Various persons were subjected to mock executions . . . threats of sexual abuse and threats of torturing the detainee's parents, children, or spouses."³¹

One man who appeared before the Special Representative "affirmed that since 1987 a machine was being used that introduced needles into the soles of the feet of prisoners after they had been flogged with cables, in order to eliminate swelling and other marks of torture."³² Another man "affirmed that in his trial . . . the court . . . acknowledged that his

31. *Situation of human rights in the Islamic Republic of Iran.* (A/43/705), 13 October 1988, p.9.

32. *Ibid.* p.9

arrest was illegal, but sentenced him nevertheless to six months imprisonment." Another man "had a trial that lasted three minutes, after being held in prison for one year."³³

Frequent victims of human rights abuses are the followers of the Baha'i faith, founded in Iran in the nineteenth century. It teaches that there is unity in all religions and that Islam is only one of several manifestations of the truth. It aims to overcome disunity and establish a universal religion. These teachings are different from those of the government, and, as a result, followers of the Baha'i faith suffer from religious and economic discrimination.

". . . Baha'is allegedly continued to be denied any right to profess their religion, to meet as a community, to have places of worship or to maintain the administrative institutions of the Baha'i faith."³⁴

As a result of the hearings, "The Special Representative (had) reached the moral conviction that there was a nucleus of veracity in the information received so far, and consequently, that acts continued to occur in Iran which deserve the full attention of the Government, in order to redress abuses and prevent their recurrence."³⁵

Though the alleged cases of human rights abuses by the Iranian authorities reported by the Special Representative were in violation of the two International Covenants and the Universal Declaration of Human Rights, all of which were signed and ratified, by the Iranian government, the Iranian government has presented objections to such criticism and has made a number of official statements. After examination of the views presented by the Iranian government, "it may be stated that the main source of divergence in the interpretation (and implementation) of international instruments concerning human rights derives from the question of compatibility between

33. *Ibid.* p. 10.

34. *Ibid.* p. 14.

35. *Ibid.*, p. 22

international law and Islamic law" generally followed by the government of Iran.³⁶

However, the Special Representative pointed out that: "From the point of view of international law, the obligations acquired by the Islamic Republic of Iran as a member

36. *Report on the human rights situation in the Islamic Republic of Iran.* (E/CN.4/1988/24), 25 January 1988, p.7

State of the United Nations and as a party to the two International Covenants, are fully binding and do not admit exceptions on account of constitutional problems, rules and regulations of municipal law, cultural or historic background -- even if justified from a national point of view."³⁷

37. *Ibid.*, p.20

What Can Be Done?

As we researched the topic of human rights we were often discouraged by the countless cases of rights violations throughout the world. It seems everywhere we turn justice has been swept aside and someone's rights are being violated. In some cases the injustice is so horrible that we become enraged.

The Responsibilities of the State

It is the responsibility of the State to create the laws of the land, as well as to insure that the rights guaranteed by these laws are protected. In the interpretation of human needs, different types of states consider certain rights more important than others.

In a socialist political system, such as the Union of Soviet Socialist Republics (USSR), precedence is often given to the economic rights of the people. In a capitalist nation, the United States for example, precedence is given to political freedoms. The constitutions of these nations do not deny any of these fundamental rights, but, in actual practice, neither nation protects all the rights of their people.

The constitution of the USSR is representative of the way socialist countries view human rights. Priority is given to economic well-being. Article 21 of the constitution states "The State concerns itself with improving working conditions, safety and labor

protection and the scientific organisation of work . . . and with ultimately eliminating all arduous physical labor" Article 22 continues: "The State pursues a steady policy of raising people's pay levels and real incomes through increase in productivity." The State is meant to provide health care for its people. "In the USSR, State systems of health protection, social security, trade and public catering, communal services and amenities, and public utilities, operate and are being extended." Although the constitution does state, in Article 34, "The equal rights of citizens of the USSR are guaranteed in all fields of economic, political, social and cultural life," political freedom is not emphasized. What is concentrated on is the idea that "Citizens of the USSR have the right to work . . . to health protection . . . to housing . . . and . . . to education."

On the other hand, the United States Constitution does not proclaim that the right to work is a fundamental human right, nor is the right to health protection. The Bill of Rights focuses on political freedoms. The Fourth Amendment guarantees that "unreasonable searches are forbidden." The Fifth Amendment states: "The individual is guaranteed certain rights when on trial and the right to life, liberty, and property." The protection of private property is not acceptable in a socialist system as all property belongs to the State.

Most countries' constitutions declare that most of the rights of most of the people will be protected. But what happens when the State does not abide by the constitution, or enforcement of the law is not possible? Who must protect the people when the State fails? When can international law override the laws of the land?

International Law

It is universally accepted that in order to enjoy a peaceful domestic society a system of laws, courts, and law enforcement is needed. Every nation has a system to maintain order within its borders but when disputes arise concerning two or more countries, laws are inadequate, courts lack overruling authority, and enforcement is almost nonexistent.

In an age where conflict between nations can pose an immediate and apocalyptic threat to our planet's future it has become essential to resolve disputes between sovereign states.

Reflecting this, the body of international law has swelled tremendously. Since 1945, over twenty thousand treaties have been systematically arranged -- more than ever before in human history! These declarations and conventions -- the building blocks of international law -- include such U.N. landmarks as the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights.

However, although these declarations have been signed by a great number of nations, and many cooperate with the various United Nations mechanisms, for many others it is a form of lip service to an international ideal they have yet to incorporate into their own legal systems.

The European Community (EC) stands out in this area with radical changes to national sovereignty, according to Willy Brandt the former Chancellor of West Germany. "Germany (in becoming a member of the European Community) has declared in its constitution its willingness to transfer sovereign rights to supranational organizations

and it has placed international law above national law. This expresses the realization that the sovereignty of the individual and of nations can be secured only in larger communities."³⁸ The constitutions of Belgium, Costa Rica, France, India, Italy, Japan, Luxembourg and Norway have concessions to international law drawn up within them as well.

The EC has established its own court to arbitrate Common Market disputes. Interestingly, member countries have been sticking to the guidelines laid down by the newly established community laws -- even in situations where the laws have overruled their own national laws. In matters of commerce and trade, profit is a powerful incentive for cooperation.

Nowhere is this more apparent than in the field of human rights. Just thinking that international law could protect an individual's human rights is mindboggling. In the past, international law stood for the body of law dealing with nations getting along with one another. Individuals' rights had never been incorporated into "the law of nations." But the establishment of laws that help individuals is a huge step in the right direction, even if they are not "universally accepted or enforceable, their mere existence" shows that an international judicial mechanism is within reach.³⁹

The European Court of Human Rights at Strasbourg, France, protects the rights of Western European individuals. Their human rights are guaranteed by their constitutions and by the European Convention on Human Rights. Should a government violate an individual's human rights he can go to the European Court of Human Rights whose judgement has to be respected.

A recent example of such a case was the ruling that a British law allowing suspected terrorists to be held for up to seven days without trial was a breach of this convention. The case was brought by four men from

38. Benjamin B. Ferencz and Ken Keyes Jr., *Planethood*, p. 42-3

39. Rbert F. Drinan, *Cry of the Oppressed*, p. 4.

Northern Ireland who were arrested in 1984 and held for several days without being charged. Such detention is a simple way of pulling suspects out of action. The British Government faces many problems with people it considers terrorists (e.g, members of the IRA). It has passed laws strengthening law enforcement agencies, but civil rights activists are afraid that such laws could be used indiscriminately and endanger the rights of all. Protection against terrorism cannot be used as an excuse for the creation of a "police state." The European Court ruled in favor of the four men and Britain agreed to abide by the decision. The protection of human rights needs constant vigilance. The EC is fortunate to have a system that seems to work.

Members of the European Community reaffirmed the principle of human rights on the fortieth anniversary of the Universal Declaration of Human Rights when they stated "We firmly believe that the implementation of the universally accepted standards of Human Rights . . . made binding to states parties by the international covenants . . . should be a primary task of all states." The EC's approach should be a model for all nations concerning the precedence of international law; unfortunately it is not.

For example, the United States record in ratifying international conventions is often seen as slow. A case in point was its ratification of the Convention on the Prevention and Punishment of the Crime of Genocide which, though it entered into the force of international law on 12 January 1951, was not formally ratified by the U.S. Senate until 1986. The United States considers its own laws adequate, perhaps more than adequate, in protecting the "inalienable" rights of its people and resists the idea that others might find some of its body of law wanting. Some United States citizens regret that "a nation formed by 52 million immigrants fleeing from oppression in other lands has turned its back on those who live under authoritarian or totalitarian tyrannies."⁴⁰ These international conventions would be immeasurably strengthened if the world knew that the United States had ratified them.

40. *Ibid.*, p. 29.

Justice is the basis of peace, and trying to achieve justice will be an investment for peace that will benefit all of humanity.

"We seek . . . to make (the United Nations) a more effective instrument for peace, to develop it into a genuine world security system . . . capable of resolving disputes on the basis of law, of insuring the security of the large and the small, and of creating conditions under which arms can finally be abolished . . . This will require a new effort to achieve world law." John F. Kennedy

The Soviet Union: A New Leader in Human Rights?

On 7 December 1988 the Soviet leader Mikhail Sergeyevich Gorbachev addressed the General Assembly of the United Nations. The following are some excerpts from his speech:

"Our country is going through a period of truly revolutionary uplifting."

"The process of perestroika is gaining momentum. We began with the formulation of the theoretical concept of perestroika. We had to evaluate the nature and magnitude of the problems, to understand the lessons of the past and express that in the form of political conclusions and programmes."

"But the guarantee that the overall process of perestroika will steadily move forward and gain strength lies in a profound democratic reform of the entire system of power and administration."

"Work on a series of new laws has been completed or is nearing completion. Many of them will enter into force as early as in 1989, and we expect them to meet the highest standards from the standpoint of insuring the rights of the individual."

"Soviet democracy will be placed on a solid normative base. I am referring in particular to laws on the freedom of conscience, glasnost, public association and organizations and many others."

"In places of confinement there are no persons convicted for their political or religious beliefs."

"Additional guarantees are to be included in the new draft laws that rule out any form of persecution on those grounds."

"The problem of exit from and entry to our country, including the question of leaving it for family reunification, is being dealt with in a humane spirit."

"Overall this is our credo. Political problems must be solved only by political means; human problems only in a humane way."⁴¹

There is much hope in the new attitudes and policies of the Soviet Union. There will be a world human rights conference in Moscow in 1991.

The United Nations

The Preamble to the Charter of the United Nations states that all member nations of the United Nations are determined "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person..." Article 56 of the Charter states that all members of the United Nations are pledged to take action in cooperation with the Organization for the achievement of "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."

The adoption of the Universal Declaration of Human Rights gave the United Nations an even stronger responsibility in this field. Most human rights proposals are created by the Commission on Human Rights of the Economic and Social Council, but they can also be proposed by the Secretary General, member states or any other major body of the United Nations. These proposals are then usually referred to the General Assembly which then adopts several resolutions recommending the path to be followed in each issue.

41. *The New York Times*. 8 December 1988

The Commission on Human Rights, established in 1946, is the United Nations' strongest and most effective body dealing with human rights violations. It studies countries suspected of human rights violations, prepares recommendations, and drafts international declarations or conventions dealing with human rights. It compiles information on and reveals any possible human rights violations of member nations. The Commission has the power to form working groups for more specialized research and recommendations, and sends special Rapporteurs or committees to inquire into the position of various human rights in the countries visited. The topics of concern range from arbitrary arrests and torture, to economic and social rights, and the rights of minorities. Countries have become more sensitive to the United Nations seeking and demanding results, and are anxious to comply, or appear to comply, with international standards of human rights.

The United Nations adopted two landmark Covenants in 1966; one on Economic, Social and Cultural Rights, and the other on Civil and Political Rights. The United Nations Covenants, which came into force in 1976, are the strongest instruments of human rights because states that ratify them, make them, in effect, part of their national law. This means that their citizens can invoke a Covenant in the courts of their nations, to protect a human right or to seek its establishment. The force of a Covenant is explained in its text; each state becoming a party "undertakes to guarantee that the rights enunciated in it will be equally enjoyed by men and women." Besides the two Covenants, the United Nations has to date adopted more than fifty declarations and conventions dealing with human rights.

We can strengthen international support for these Covenants to get all nations to sign and ratify them. We should support the nongovernmental organizations that are putting pressure on governments who have not yet ratified them. Countries should be encouraged to report on how they are implementing the Covenants. Nongovernmental organizations should make sure that the governments report accurately. In the end the Covenants can only become useful

if citizens know their benefits, and what effects they could have in their countries if they became accepted as national law.

Nongovernmental Organizations

People as well as governments have become increasingly aware of the international record of human rights violations. They have formed organizations to monitor all types of these violations, and to investigate instances where more information was required before an allegation could become a case, working both in their own and other countries. Some of these organizations are extremely broad in their range of focus: groups such as Amnesty International or Human Rights Watch (a merging of the former Americas, Asia and Helsinki Watch groups) focus on human rights violations in general, while other groups are somewhat more specific in their range of focus, such as religions or minority rights groups.

It is the methods employed by all of these organizations that make them so effective in achieving the goals they have set for themselves. Organizations that work on human rights violations all over the world will often have branches according to geographical zones. Many will have a main section on each of the continents and an information gathering section in individual countries. Countries that do not have established sections will almost always have individuals who gather information on allegations who then report back to an external section. For example, when a branch of Amnesty International receives a report of a human rights violation, the research headquarters at the Amnesty International Secretariat begins a process of thorough research, which may include sending a local representative to speak with the local authorities, attend trials, or investigate prison conditions to determine if the case is acceptable according to their Mandate.

If the case qualifies, Amnesty's Urgent Action Network puts the relevant information into a letter that is sent to all Amnesty International groups throughout the world, from campus groups to national headquarters. Each group then writes letters, postcards and/or petitions appealing for the release of that prisoner or if

the prisoner has committed a recognizable crime, it asks for a fair trial, access to family, and medical attention and freedom from torture, depending on the circumstances of the case. Members of Amnesty International are not allowed to write to countries of which they are citizens, live in, or have relatives in. This policy helps to guarantee that Amnesty International has no political affiliation and is totally impartial. The people who do the monitoring are often in danger themselves, and have been subjected to the very same cruel and unusual punishments that they are trying to publicize.

The most important function of the nongovernmental organizations working for human rights is publicity. This guarantees that human rights violations do not go unnoticed by the people of the world and it lets human rights violators know that they are being watched. And for the violators, be they government agencies or civilian groups, the simple fact that someone, somewhere is paying attention to what they do, and the knowledge that someone will speak up in defense of human rights, is in itself a deterrent.

Education

"Everyone has the right to education . . . Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance, and friendship among all nations . . ." (Article 26, Universal Declaration of Human Rights).

A classroom is a powerful tool for the teaching of basic human rights. Instruction in human rights should be given at all levels and in all forms of education; it should be integrated into the different subjects and reflected in the total curriculum. In recent years, the United Nations as well as some nongovernmental organizations have taken certain steps to ensure such teachings.

In order for such education to be successful, a respect for human rights must be reflected in the way schools and universities are run as well as in their curricula. This means

recognition of both the individual and the group. It presumes the respect and protection of diversity in the way one's own and others' cultures and languages are taught. And, above all, it requires a moral commitment to compassion and justice and an understanding that we are all equal members of the human family.

These values are good, but education needs to find ways of putting them into effect. Materials on how to teach human rights are being developed by various organizations. In recent years, UNESCO has encouraged the preparation of various booklets and bulletins on the subject.

The Human Rights Teaching Bulletin is a guide that describes numerous educational techniques, with the aid of examples taken from different countries in social, economic, and political contexts. A *Booklet On The Teaching Of Human Rights* has also been published by the Centre for Human Rights for primary and secondary schools. Accounts of human rights activities are often published in the bulletin *International Understanding At School*. The international days proclaimed by the United Nations General Assembly (for example: Human Rights Day, United Nations Day, International Day of Peace) all provide openings for a school to launch activities concerning human rights. Amnesty International is one example of such an activity. Committees have been established in numerous schools and institutions.

Human rights education is not limited to young people in the classroom; adults may very well need some instruction. Specific teaching should be designed for the professionals most directly associated with human rights, such as lawyers, civil servants, journalists, social workers, health personnel, and labor organizers. These professions and activities deal with people whose rights have often been denied. They must know what these rights are, as well as have the compassion and courage to correct their wrongs.

"The art of education is to continue to grow as long as you live. Every moment brings its lesson. Every person is a teacher. Grow in all directions. Develop a desire for goodness, an

eagerness for knowledge, a capacity for friendship, an appreciation of beauty, a concern for others. Grow! Man is never finished. Man never 'arrives'. Education never stops." (source unknown)

Public Information

Education is closely linked to information. People need to know what is wrong before they can begin to correct it.

The Department of Public Information and the Centre for Human Rights are giving great emphasis to the distribution and publication of specific materials. Printed material available to the public at present include sixty-thousand copies of a special anniversary edition of the International Bill of Human Rights, distributed in all official languages; one-hundred and forty-thousand copies of the text entitled *Human Rights: Questions and Answers* are in circulation in three languages; *Human Rights Facts Sheets* are translated into all the official languages of the United Nations and distributed free of charge worldwide; *Human Rights Newsletter* and a new *Bulletin On Human Rights* are also being distributed. Additionally, several workshops, international seminars, and training courses have taken place during the past year.

The message of human rights must reach each and every individual and the voice of the oppressed must reach the oppressor. We must seize every opportunity at hand to convey the message, and we must take advantage of every right we have to share our knowledge with others. Ignorance is very harmful, especially when one lacks the knowledge of one's basic human rights. We must educate each other to protect our world, because the violations of human rights will not be recognized until the rights themselves are recognized.

Settlement and Conciliation

The only ideal solution to the problem of the denial of human rights is the complete elimination of all violations. But the violations continue to occur and an intermediate problem is dealing with the offenders and healing the hatred of the victims. There are no simple solutions. The

only possible solutions can be placed in two categories: immediate action against the offenders, and long term, gradual reform through settlement and conciliation.

The only case of "immediate action" when direct punishment can be put into effect is when a single individual can be held responsible for the denial of human rights. One such case was the Nuremberg Trials, where the leaders of the Nazi Reich in Germany were tried for their war crimes by the International Military Tribunal. During the trials most of the defendants were sentenced to death. Sometimes the fear of such retribution is enough to moderate the brutality of an existing regime. On the other hand, it could also make them more brutal in resisting change.

When action cannot be taken against individual offenders and the violators are a national majority or the State, outside intervention on behalf of the individuals being persecuted is necessary. International organizations involved with the protection of human rights, such as Amnesty International and Human Rights Watch, intervene. Their reports have won credibility in many countries, and are a powerful tool of public opinion. The United Nations is moving much more aggressively into the field of examining all countries' human rights records, not only of those most often criticized.

When the State denies human rights as policy, the clearest solution is immediate overthrow by popular consensus. An example is ex-President Ferdinand Marcos of the Philippines who had led a corrupt and violent government, driving the lower classes further into poverty, and increasing the wealth of the elite. He was overthrown in 1986 and replaced after an election by Corazon Aquino.

For long-term change between two groups inflicting human rights violations upon each other the best resolution is conciliation. One example is the conflict between Israel and Palestine where peace and security will

ultimately have to take precedence over the separate interests of the two sides. But for conciliation to work, there must be opportunities for "enemies" to learn to understand and accept each other. Neve Shalom/ Wahat al-Salam (Oasis of Peace) is a cooperative village in Israel where Palestinians and Jews live together as equals. They are able to compromise on some points of individual difference and live in an atmosphere of mutual acceptance and cooperation without abandoning their individual beliefs or cultures. There are several projects to educate Jewish and Arab youth to understand and respect the other's pain and point of view. Similar activities have been developed for Catholic and Protestant youth in Northern Ireland. Such understanding is the beginning of the search for peace.

Conciliation that may require compromise is ideal, but it is often difficult to convince oppressed people that gradual reform will produce a more lasting solution to their problem. Apartheid is a government-sanctioned policy of segregation on the basis of color/race enforced in South Africa. The black South Africans are second-class citizens and oppressed by the white Afrikaaner government. Can the black majority really be expected to settle for parliamentary (gradual) reforms, when they have suffered oppression under Apartheid for over forty years?

A tragic problem which may occur after one set of wrongs has been righted, and oppressed groups have had the opportunity to form "their" government, is that they often end up becoming the new oppressors. If there are only two positions in life, on top or underneath, oppressors or oppressed, most of us would prefer to be on top.

These are difficult problems to resolve. The complexity of the human rights question is daunting and often discouraging. It is easier to feel outrage against specific wrongs than to consider the underlying causes and seek long term solutions.

Perceptions

The Zoo

"Your brother toasted to liberty, we helped him find it
Six feet underground in a precious little wooden box.
Your daughter had hidden her seditious literature
All that she has left behind are her childish pink socks.

Your uncle, the doctor, helped a wounded subversive
We had to treat him for that infectious pox.
Your sister was searching in vain for her disappeared son
They soon reunited falling from the slippery rocks.

And the prison doors have locked you in this perpetual fear
Like a lost child you whimper, cry, pray, and hope for flight
And you still ask, in this stinking cell, why is darkness your light.

You criticized official policies in the East,
You were a human rights activist in the South,
You declared a work stoppage in the West
For better wages for all your fellow workers
You organised in the South-East
Several illegal parties and unions
You were the manager of an opposition magazine in the North
You were in possession of the Universal Declaration
of Human Rights in the South-West . . .

Human Rights are violated every day in my zoo;
In this small rotting chamber, the world will soon forget you."

"Whether you kill me or not, I shall never be defeated."

Philippine Rouher

"One Calm Night in June"

It was a calm night in June when Peter kissed his wife, turned out the light, and fell asleep. Suddenly, he sat up, feeling that something was wrong. He told himself it was nothing, and went back to sleep.

Peter was in the middle of a dream when he heard his front door burst open, and woke up to see the armed "policemen" run inside, shooting at everything in sight. They grabbed Peter and took him away in an unmarked vehicle.

He was back in the interrogation cell; the hot, white lights shone in his face. A man stood in front of him, a glowing cigarette in his hand. The man was asking Peter questions about himself,

his past and present, his family, his friends; all the while threatening to burn his arm with the cigarette. Then, an officer blindfolded Peter and led him to a cold, dark cell. There, he slept for maybe ten minutes before two officers shook him awake and dragged him to a room full of blinding lights. The men whipped Peter until he could not stand and he collapsed on the floor. The men dragged Peter back to his cell, and told him that they were not done with him yet. When the officers had left, Peter curled up on the wet stone and cried. He cried for himself, for his family, for his lost nation.

The next day, the officers walked into Peter's cell with a small bowl half-filled with a watery broth. When Peter had finished drinking it, he was taken to the other room where he was tortured again. This time they used a stun gun, but Peter could not handle it, and suddenly his heart stopped . . .

Or rather, it skipped a beat. Peter woke up from his nightmare and found himself in his own bed, his wife lying beside him where he had kissed her goodnight only a few hours before. Peter felt his arms where the scars were and winced at the memory. He got up and made himself a cup of coffee, thanking God that he was in another country, away from his past.

Analia Penchaszadeh

"What are you trying to do?" she said, rolling her eyes, "Trying to save the world?" I just rolled my eyes back and kept my mouth shut. But as we have been planning and then organizing this conference, I have come to the conclusion that, yes, I am trying to save the world. Yes, my ultimate goal is that human rights will not be violated anywhere in the world. I realize that my goal will probably not be achieved in my lifetime or maybe ever. But I can never allow this realization to cause me to lower my standards. For then I would be willing to stop just when some people's rights have been guaranteed. The steps I am taking, we as students are taking, may only result in very small, almost unnoticeable changes, but the task ahead of us is tremendous, and we have to start somewhere.

Besides being members of Amnesty International, Youth Against Apartheid, and similar human rights groups, I see it as our duty always to keep the goal in mind. When we become distracted by busy professional lives, we cannot allow ourselves to forget what we read and hear during this conference. Our only hope for making significant strides toward the goal of protecting the human rights of all human beings is never to give up, never ever say I am just one person and I won't make a difference.

Yes, I am (trying) to save the world. Just changing the life of one person, helping Amnesty International achieve the release of one prisoner, is a start. A noble start, but only a start, because, yes, I am trying to save the world.

Tanya Byker

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