

## OVERVIEW 1998

On December 10, 1998, ceremonies were held at UN headquarters in New York, as well as in other cities and towns around the world, to commemorate the 50th anniversary of the Universal Declaration of Human Rights (UDHR). The 30 articles of the UDHR are considered the fountainhead — the source which has inspired the development of the UN human rights system, as well as regional and national human rights regimes. It was therefore symbolic that on December 9 the United Nations General Assembly (GA) commemorated the anniversary of the UDHR by adopting the Declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized fundamental rights and freedoms — more commonly known as the Declaration on the Rights of Human Rights Defenders, or the Defenders' Declaration. The open-ended working group that finally agreed on the text of the Defenders Declaration had been established by the Commission on Human Rights in 1985. It took 13 years, and eventually a great deal of pressure by human rights non-governmental organizations (NGOs) and sympathetic governments to ensure that there would be agreement on an acceptable text that would be adopted by the Commission on Human Rights, and subsequently the GA, in 1998.

The problems faced by human rights defenders were highlighted at an international Defenders Summit which took place in Paris during the week of December 10 at the Palais de Chaillot, where the UDHR was signed in 1948. More than 300 defenders from all regions of the world — individuals who had put their lives or liberty on the line to defend the human rights of others — together with representatives of major human rights NGOs, adopted the Paris Declaration on human rights defenders, and a draft programme of action to be further elaborated upon in 1999. On the first day of the Summit, UN Secretary-General Kofi Annan received a set of books carrying the signatures or thumbprints of over 12 million individuals, who personally committed themselves to the fulfilment of the Universal Declaration of Human Rights. This was the culmination of a year-long NGO campaign to commemorate the 50th anniversary.

1998 was not only the 50th anniversary of the UDHR, it was also the 5th anniversary of the adoption of the Vienna Declaration and Programme of Action by the World Conference on Human Rights (Vienna, June 1993) — the year designated for reviewing the extent to which the obligations undertaken in Vienna by governments, inter-governmental organizations and NGOs had been fulfilled. In as much as no Special Session of the General Assembly was planned for this review, there was a con-

cern that NGOs would have no forum in which to participate in the review process. Therefore, Human Rights Internet, together with 30 major regional and international human rights NGOs, organized an international NGO forum in Ottawa with support from the Canadian government and other donors. The Vienna Plus Five forum (June 22-24, 1998) brought together 250 NGO representatives from all regions of the world, for three intensive days of workshops. The Conference report, which examined accomplishments, shortcomings, and new challenges since the World Conference, was an important contribution to the Secretary-General's report to the General Assembly and the governmental review of Vienna.

Yet, when NGOs came to New York to present this report to the Third Committee of the GA, another problem was highlighted: that UN regulations permit NGOs in consultative status with the Economic and Social Council to address ECOSOC bodies, but not the General Assembly or its committees. Thus, NGOs were not permitted to speak at the Third Committee but had to present their report indirectly — to a dialogue between NGOs and interested government representatives called by the High Commissioner for Human Rights. The difficulty of NGO access to United Nations system was, in fact, addressed in 1998 in a Report of the Secretary-General entitled "Arrangements and Practices for the Interaction of Non-Governmental Organizations in All Activities of the United Nations System." This document will be substantively reviewed next year, to give governments and NGOs adequate time to study it and offer their comments on the document.

1998 was also important for the adoption (on 17 July in Rome) of the statute of the International Criminal Court (ICC). The vote was 120 states in favour, seven opposed, and 21 abstentions. Four categories of crime fall under the Court's jurisdiction: genocide, crimes against humanity, war crimes and aggression. As of the end of 1998, 70 countries (including Canada) had signed the Statute. The ICC will only come into being however after the Statute is ratified by 60 states.

During 1998, considerable progress was achieved by the ad hoc international criminal tribunals for Rwanda and for the former Yugoslavia.

Sitting in Arusha, the International Criminal Tribunal for Rwanda (ICTR) had 30 suspects in custody in November 1998, including many of those accused of planning and directing the Rwandan genocide. On September 2, the ICTR brought in an historic ruling which found Jean-Paul Akayesu, a local mayor, guilty of genocide and