

should be pre-conditions for the establishment of diplomatic relations and for accession/cooperation with international financial institutions.

- (2) Having adopted the Declaration on Minority Rights, the UN should now turn its attention to ensuring a tight linkage between the Declaration and the implementation machinery of the ICCPR, which would open the way to complaint or remedial actions as specified in article 41 and in the Optional Protocol to the Covenant; over the longer term, this could be best achieved by adding a Protocol on Minority Rights to the ICCPR.
- (3) The Commission on Human Rights should consider the creation of a "Permanent Special Rapporteur on Minorities", who would be mandated to investigate violations of minority rights under the Declaration and who would report to the Commission and the Secretary General or, in cases involving violations that could threaten peace and security, to the Security Council. This linkage is crucial, since it ensures publicity and attention in the right UN forum.
- (4) Adopt a "routine inspection" or "challenge inspection" doctrine in the human rights field, based upon article 20 of the Convention Against Torture and the practice of the Working Group on Disappearances. Work should also be concluded on the Optional Protocol to the Convention against Torture, which has important visit and inspection provisions. Human rights instruments should begin to be used in a routine, non-confrontational and cooperative fashion, thus de-politicizing their impact and increasing their possible investigative role at the earliest stages of conflict.
- (5) The Convention on Genocide should be re-visited. Its provisions are outmoded and its machinery so weighty that it cannot be used. But it is precisely the type of instrument now needed to cope with "ethnic cleansing" and similar types of atrocities based on minority situations.
- (6) The Security Council and the General Assembly should build on the recent Security Council resolution (771-780) on War Crimes in the former Yugoslavia by speeding up the creation of an International Criminal Court, for those situations declared to be threats to international peace and security. In the short term, we should focus on ad hoc tribunals under the UN or the CSCE; these are not only potentially important legal instrument; they are agents of international political pressure.