Human Rights Council 22nd Session

High-level panel discussion to commemorate the twentieth anniversary of the adoption of the Vienna Declaration and Programme of Action

Opening Statement by

Ms. Navi Pillay
United Nations High Commissioner for Human Rights

Mr. President,

Excellencies,

Distinguished Members of the Human Rights Council

Colleagues and Friends,

I am delighted to open this high-level panel discussion convened to commemorate the twentieth anniversary of the adoption of the Vienna Declaration and Programme of Action.

In my statement this morning, I spoke of the many achievements of the World Conference and its contribution to the development and strengthening of the international human rights system. I also recalled that the Conference was instrumental in the creation of a High Commissioner for the promotion and protection of all human rights. As a member of a women’s rights organization, I travelled to Vienna in June 1993 to participate in the civil society events which took place parallel to the Conference. At that time, I could never have imagined that I would address this Council as the High Commissioner for Human Rights.

The World Conference took place at a turning point in the twentieth century, after the end of the Cold War and as good progress had been made in dismantling apartheid. It was a time of transformation, marked by shifting paradigms and new opportunities. My own country, South Africa, was undergoing profound changes in the lead up to its 1994 elections. For me - a person from a State which had been excluded from the international community for almost twenty years, where the majority of women and men were excluded from participation in public life and decision-making - the Vienna Conference left an enduring impression.

The Vienna Conference led to lasting achievements in human rights, and forged strong relationships among human rights activists. Drawn from many different countries and backgrounds, for many of us the Conference was our first experience of the United Nations. Representatives of 800 non-governmental organizations from all regions of the world congregated for the Conference. They learned the value of cooperation and linkages across interests and the North-South divide. Their participation created a “human rights identity” within civil society, increasing public awareness of human rights issues and the importance of promotion and protection of all human rights and fundamental freedoms for all.

The Conference also marked a new appreciation by Governments and human rights activists of gender-specific human rights violations, as well as a new appreciation by women’s rights activists of the value of international human rights. For the first time, Government representatives and members of civil society spoke about women’s rights at a conference not specifically dedicated to women issues. For the first time, also, women’s human rights were reflected fully in the outcome document of a United Nations World Conference, which declares the human rights of women and the girl-child to be “an inalienable, integral and indivisible part of universal human rights.” Nine paragraphs of this document are devoted to the human rights of women. These call for the full and equal enjoyment by women of all human rights, and that this constitute a priority for Governments and the United Nations, the strengthening of mechanisms and procedures directed at the promotion and protection of women’s human rights and the integration of the human rights of women in the mainstream of the UN system-wide activity. This shift in human rights thinking paved the way for key advances, including the adoption of the United Nations Declaration on
violence against women; and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. It also underpins the commitment of this Council in its resolution 6/30 of December 2007 to integrate the human rights of women and a gender perspective throughout its work, that of its subsidiary bodies and the United Nations system as a whole.

A major focus of women’s organizations in the lead up to the Vienna Conference and the Conference itself was violence against women, an issue largely excluded from the human rights discourse because of its perceived private, non-state nature. It is important to remember that violence against women, including sexual violence, received little attention from the 1985 World Conference on Women in Nairobi. But this was a time of change. In South Africa for example, the Women’s National Coalition had been launched in 1992 to guarantee women’s participation in the constitution-making process. Amid these negotiations, domestic violence became a central issue in the women’s rights charter which was being drafted. At international level, women’s organizations led the call for the recognition of violence against women as a human rights violation. The shocking accounts of sexual violence in the context of the conflict in the Balkans bolstered these demands.

The Vienna Declaration and Programme of Action declares gender-based violence, sexual harassment, exploitation and trafficking as incompatible with the dignity and worth of the human person, thus bringing these violations into the “public” domain and paving the way to accountability. It expressed particular repugnance for violations of the human rights of women in situations of armed conflict, such as murder, systematic rape, sexual slavery and forced pregnancy. These ideas were reflected in the constituent documents of the ad hoc international criminal tribunals and informed the development of international criminal law. Indeed, five years after the Vienna Conference, I participated as a judge in the trial of Jean-Paul Akayesu at the International Criminal Tribunal where the link between genocide and crimes of sexual violence was made for the first time. The Rome Statute of the International Criminal Court also owes much to Vienna.

The importance of listening to the experience of those directly affected by human rights violations was also recognized during the Vienna Conference. Women, girls, boys, persons with disabilities, indigenous people, representatives of minorities and migrants testified to their experience and their concerns are reflected in the Declaration and Programme of Action. This laid the foundation for further development of international legal standards, their subsequent codification and establishment of means to encourage implementation.

The World Conference on Human Rights provided a venue where human rights challenges could be identified and solutions put forward. However, much remains to be done. As was the case 20 years ago, women and girls continue to be sexually and physically abused, and their abusers go unpunished. This is particularly the case in armed conflicts. Discrimination against women persists, and gender stereotypes prevail. Women’s political participation and full empowerment remain at the level of work in progress. Tomorrow’s event, “The Power of Empowered Women,” in which I will take part will provide a venue to discuss these issues.

Let me conclude by again highlighting the importance of the participation of civil society for the work of the United Nations. The Vienna Declaration and Programme of Action recognizes the role of NGOs in the promotion of human rights at national, regional
and international levels and in the implementation of human rights instruments. It provided the impetus for the Declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms. This Declaration spells out the elements required for an environment in which human rights defenders can carry out their work, and the State's duty to protect them. The United Nations cannot attain its lofty objectives without the participation of those it is supposed to serve. It is only by listening to their concerns that we can ensure that our action is grounded in the real lives of real people. A major challenge faced by the Council, and the United Nations as a whole, is the fact that sometimes members of civil society are victims of reprisals or intimidation for bringing their concerns to our fora. I encourage you to continue your endeavours to address these unacceptable practices.

I wish you a very fruitful discussion.

Thank you