



SCHWEIZERISCHE VERTRETUNG
REPRÉSENTATION SUISSE

in / à WASHINGTON

an	VYSCE	RE					
Datum	25.2	22.21					
Via	0	he	li				
EDA		250292	10				
p.B.73.0.							

- DDIP, DFAE

Service des droits de l'homme

3003 BERNE

Ihr Zeichen
Votre référence

Ihre Nachricht vom
Votre communication du

Unser Zeichen
Notre référence

Datum
Date

370.1 - DJ/CN
410.0

14.2.1992

Gegenstand / Objet

Réunion du groupe Schifter

L'Assistant Secretary Richard Schifter a convoqué au début du mois une nouvelle réunion du groupe des "like-minded democracies" pour annoncer la sortie du nouveau rapport sur les droits de l'homme que le Département d'Etat se doit statutairement de présenter au Congrès au 31 janvier de chaque année.

Il a également fait état, à cette occasion, des informations suivantes :

Chine : M. Bush a abordé le problème des droits de l'homme avec le PM Li Peng à New York. Parallèlement, M. Schifter s'est entretenu du même sujet avec le MAE chinois. Les Chinois continuent à s'ankyloser dans leur ligne dure. Ainsi ont-ils cherché, pour la troisième fois, à présenter comme une nouveauté la libération de trois prêtres catholiques vieillissants. Il ne faut pas s'attendre à un assouplissement des positions officielles avant le prochain congrès du parti, à la fin de cette année...



CEI + Europe de l'Est : Ses récents entretiens avec le conseiller juridique du Conseil de l'Europe, M. Haremooes, ont à nouveau convaincu M. Schifter de la nécessité d'une meilleure information mutuelle des puissances occidentales en matière d'aide aux institutions démocratiques de l'Europe du centre et de l'Est.

La coopération établie par les Etats-Unis avec le Ministère de la justice soviétique se poursuit avec le Ministère russe successeur. Il est prévu d'envoyer des juges américains pendant deux semaines tous les deux mois à l'Académie de droit de Moscou, et M. Schifter répète son intérêt à ce que d'autres pays occidentaux se joignent à cet effort.

Afrique : Ce continent fait des progrès énormes au chapitre de la démocratie. Dans sa publication annuelle d'une "carte de la liberté", l'ONG américaine "Freedom House" vient de noter l'accession au rang des pays libres du Cap Vert, du Bénin, de la Gambie et de Sao Tome et Principe. Nombre d'autres pays sont passés du groupe des pays non-libres à celui des partiellement libres. Dans bien des cas, cependant, le fonctionnement des cours de justice laisse à désirer, ne serait-ce que par manque d'expérience.

Pays musulmans : Répondant à une question sur le conflit philosophique entre l'approche occidentale des droits de l'homme et les préceptes musulmans, M. Schifter a rappelé ses vues du problème :

Les concepts démocratiques modernes remontent à des penseurs occidentaux, certes? (John Locke en Angleterre, ou même avant lui, aux systèmes suisse et néerlandais), mais il en va de même de la pénicilline. C'est cette conception des relations entre les gouvernements et les individus qui, d'expérience, fonctionne le mieux, et qui se retrouve dans la déclaration universelle des droits de l'homme de l'ONU, à laquelle tous ont souscrit. La Sharia, d'ailleurs, ne requiert pas de torture. Et si l'on ne peut demander aux Etats musulmans de devenir, d'un jour à l'autre, semblables à la Suisse (sic), un manque de respect flagrant des droits de l'homme tels que définis par l'ONU entraînera un arrêt de toute aide américaine, et l'opposition des Etats-Unis à des prêts consentis par des organisations internationales.

in welchem Jahrb. plant er Locke?

Welcher versieht das... poor Schifter power politics

- 3 -

Haïti : Avant le ~~coup~~ d'Etat, les Etats-Unis étaient très préoccupés par l'attitude du Président Aristide et ses gens. Sa déposition a, elle aussi, été cause de grave préoccupation. La situation demeure très difficile. Quoiqu'il en soit, M. Schifter se dit convaincu que les critères de la Convention internationale sur les réfugiés de 1951 sont strictement appliqués par les Etats-Unis, qui accordent le statut de réfugié à certains des fugitifs haitiens.

Commission des droits de l'homme de l'ONU : Les Etats-Unis souhaitent toujours renforcer cette Commission. La proposition autrichienne est à cet égard intéressante. Mais les récentes élections du bureau ont été malheureuses (élire un Iranien qui a un passé personnel chargé est pour le moins douteux). La prochaine session de l'EcoSoc aura à se pencher sur ce problème.

L'AMBASSADEUR DE SUISSE



Edouard Brunner

Annexe : copie de l'introduction de
M. Schifter au rapport annuel
sur les droits de l'homme

Copie à : - Division politique I, DFAE
- Division politique II, DFAE
- D.O.I., DFAE

INTRODUCTION

For most of the Twentieth Century the principal ideological challenge to the cause of democracy and respect for human rights has come from the doctrines laid down and the movement created at the beginning of the century by Vladimir Lenin. The horrors of World War II, devastating as they were to those directly affected were as to their impact limited in time and place. It was Lenin and Communism which cast the longest shadow by far, influencing developments across the entire globe decade after decade.

Hand in hand with Communism's messianic promise came the dreaded secret police apparatus, whose task it was to repress all dissenting views and thus deprive all those under its rule of basic human rights. In these volumes we have during the last four years chronicled the significant changes effected in the state and party created by Lenin, the loosening of totalitarian rule under the leadership of Mikhail S. Gorbachev. We need now take note of the poignant events of 1991, which brought Lenin's social experiment to an end in the very country which gave it birth.

In this account of human rights developments we should take special note of the event on August 22, 1991, when the statue

- 2 -

of Felix Dzherzhinsky was toppled from its pedestal in front of KGB Headquarters in Moscow. Iron Felix, Lenin's secret police chief and the founder of a network of agents of brutal repression which spanned the globe, and which as late as August 20 had tried to impose its will on the Soviet Union, had finally been removed from his place of honor. It was a symbolic act, but it duly marked the end of an era.

Yet, far from its place of birth, Leninism, though in decline, still is the faith in whose name people are being repressed. And there are other less traditional challenges to human rights as well as potential new challenges.

Now that the Albanian people have put their country on the road to democracy, the set of beliefs which originated on the European Continent and which Stalin dubbed Marxism-Leninism has by and large disappeared from Europe. As a foreign import it survives, however, in China, where it controls the lives of one-fifth of humankind and in four other countries: North Korea, Cuba, Vietnam and Laos. The faith which once inspired the movement is long gone. Communism is today more a system for the exercise of power by aging ruling elites, which are increasingly out of touch with the thinking of their subjects, but try to use the power which they possess to suppress all independent thought.

- 3 -

Repressive government is, however, not limited to the countries which still espouse Leninist principles. Dictatorships offering unique ideologies of their own or no ideology at all, continue to exist. Burma, whose imprisoned popular leader, Aung San Suu Kyi, received the Nobel Peace Prize, attracted particular attention in 1991. So did, of course, the one-man dictatorship of Iraq. These are merely two examples of a category of countries in which, either in the name of a religious or a secular ideology or without any ideological commitment, all opposition to the state and all independent institutions are repressed through a pervasive secret police or domestic spy apparatus which instills fear in the citizenry.

Between the totally repressive dictatorships, on one hand, and the democracies, on the other hand, there is the vast array of authoritarian regimes, regimes which do not seek to control all forms of social interaction in their countries but which will carefully guard their position and prerogatives against any group which seeks to replace them. The number of regimes in this category is in decline, particularly in Africa, where multiparty democracy and free elections have in a growing number of countries replaced one-man rule and rigged elections. Sub-Saharan Africa continued in 1991 as the region

- 4 -

in which democracy and respect for human rights are making new strides forward. Zambia, where a long-established authoritarian regime was overwhelmingly defeated in a free and fair election is a particularly noteworthy case in point.

Although democracy provides the foundation on which a system of government respectful of human rights can be built, the mere fact that the executive and legislative leaders of a country are chosen in free and fair elections does not necessarily guarantee that the fundamental freedoms and human rights of all citizens will be fully protected. This is particularly true in the absence of an independent judiciary capable of safeguarding the rights of citizens against actions by the executive or legislative branches which are in conflict with internationally recognized human rights standards.

The ascendancy of democracy throughout the world is unquestionably good news for human rights. We must note, however, that even democratically elected governments can be guilty of serious human rights violations. New democracies, in particular, may not as yet have the institutional safeguards in place which safeguard against the arbitrary use of executive power, particularly by security forces. The most common such human rights violations are the use of undue pressure or even torture to obtain confessions from persons suspected of having

- 5 -

committed serious crimes, particularly those accused of terrorism. The more serious the terrorist threat, the greater the number of incidents of police abuse. (Police abuse and torture are, of course, also commonplace under authoritarian and totalitarian rule.)

In the absence of an independent judiciary and solidly rooted democratic popular instincts in the new democracies, the recent advances are by no means secure. The danger of relapses into authoritarian rule are greatest where the expectations for early economic improvements have been disappointed. The challenge to the world's established democracies is to help those new to the fold to sustain themselves.

The sharp decline in the influence of the worldwide Communist movement has not only spelled the end of Leninist dictatorships in many countries, but has also caused violent conflicts and human rights abuses based on political ideology to decline worldwide. At the same time, regrettably, we have witnessed an upsurge on all continents of serious armed clashes and human rights abuse stemming from ethnic and religious differences. The creation of mechanisms to help resolve disputes based on ethnicity and religion and efforts to combat intolerance are undoubtedly in the forefront of the challenges now facing the international community.

- 6 -

To sum up, the year 1991 was one of great progress for the cause of democracy and human rights worldwide. But the problems faced by the world in consolidating such progress and dealing with old and new threats to fundamental freedoms must not be underestimated.