

**DECLARATION**  
**HUMAN RIGHTS AND PARTICULARLY WOMEN'S RIGHTS**  
**ARE AT SERIOUS RISK IN THE UNITED NATIONS**

1. As it is well known, in 1995, the 4th United Nations World Conference on Women, which was convened in Beijing, produced a comprehensive *Declaration and Platform for Action*.

A decade later, in 2005, Beijing +10 (New York, 28/02-11/03/2005) was held, in order to review gender equality, and particularly its implementation.

On 12 October 2009, seventeen women from various nationalities and professional backgrounds called upon the women of the world to support the convening of a World Conference on Women, which they proposed to be called "the UN 5th World Conference on Women" or "Beijing + 20". In this regard, a petition was initiated to collect signatures both of women and of men as well, to endorse this call.

On the International Women's Day 2012 (8 March), the UN Secretary General and the President of the UN General Assembly jointly proposed the convening of a "5th World Conference on Women".

In a new call in April 2012, women who had previously taken the initiative to propose such a Conference in 2009 now invited women of the world to support this joint proposal, urging us to express our praise and congratulations to them.

In the same month (19-22/04), a Forum on women's rights in development was held in Istanbul, during which the proposal submitted by the Secretary General and the President of the General Assembly to convene a World Conference on Women in 2015 was discussed. As could be expected, this generated many reactions, following the failure of the *56th session of the UN Commission on the Status of Women (CSW)* in New York.

2. The Commission on the Status of Women, at its 56<sup>th</sup> session (27/02-15/03/2012), failed to reach "*conclusions*" which should have outlined the fundamental guidelines for gender equality policy for the coming year.

The widespread practice of decision-making by "consensus", applied in several UN bodies in recent years, is responsible for this failure. Thus, the adoption of *conclusions* at the 56<sup>th</sup> session of the CSW was impeded by the lack of unanimity (consensus), following disagreements by Iran, Syria, the Holy See, Russia and the USA.

Moreover, in several UN Commissions the following odd situation occurs: in order to prevent blocking in the consensus process, a (usually) powerful state requests the deletion of certain provisions from the prospective decision, which as a rule, are of utmost importance. Usually, the request is granted, leading to the issuance of a watered-down decision.

The ultimate affront is that, not rarely, the State which demanded and achieved the watered-down decision, finally requests a voting, so that the false impression is given that this disgraceful decision represents the free will of all States!

3. On this occasion, we would like to stress that the spreading of the practice of the consensus system leads to the undermining of the democratic principle, which applies in democracies

from the time of the Athenian democracy to the present, under which the decisions of collegiate bodies are taken by majority. This spreading consensus process leads to the prevalence of the views of the minority, which prevents any decision of the majority. In other words, the undemocratic principle applies, under which a country or a small number of countries prevails over the vast majority of other countries that accept the opposite view. **The minority therefore prevails over the majority!**

We deem it opportune to recall that, following World War II, the cornerstone supporting again the human rights system, namely, the *Universal Declaration of Human Rights (UDHR)*, was not adopted by unanimity. The Eastern Bloc urged the deletion of any reference to freedoms, while the Western Bloc insisted on the withdrawal of any reference to economic and social rights. Nevertheless, René Cassin, “the Father of the Declaration” and fortunately the other members of the UN Commission on Human Rights did not retreat from their positions, leading to the adoption of the wisest document of the 20<sup>th</sup> century, the *UDHR*, by simple majority. Presently, no one dares to state that he/she accepts only one or the other of these categories of human rights.

4. It should not go unnoticed that the most competent official in the UN entity dealing with gender equality (*UN Women*), Ms. Bachelet, who is also UN Under-Secretary General, was not among those who invited to the 2015 World Conference on Women. As we have been informed by a foreign NGO, Ms. Bachelet herself was surprised that she was left out of the decision and the invitation regarding the planned World Conference – and rightly so. The announcement calls upon women to send relevant replies to the *UN Women Office*, provided however that they are positive. Will negative replies, such as ours, be ignored?

It is also worth noting that the list of signatures of people endorsing the convening of the conference in 2015 which has been put together so far, is **unreliable**. According to our research on the names of alleged Greek supporters of the proposal listed in the table, the following observations can be made: there are sixteen allegedly Greek signatures. However, some petitioners have signed more than once, at different times (for example, Ms. K. Nikoli has signed five times, while Mr. P. Rigopoulos, has signed twice). In addition, some petitioners are in fact foreigners who are mentioned as Greeks because they happened to sign the petition while on a tourist visit to Greece! As a result, of the sixteen signatures of alleged Greek supporters, only six come actually from Greece. Undoubtedly, this phenomenon must have occurred in other countries too.

5. It should also be stressed that, nowadays, there are sufficient rules and principles of international law regarding gender equality. These were established by the *UDHR*, the two UN *Covenants*, the *Declarations and Platforms for Action* of the four major World Conferences on gender equality, and other instruments. The most important is the Convention on the Elimination of All Forms of Discrimination against Women (*CEDAW*, in force since 1981), which provides for **positive measures which must be taken in every sector of the life and activity of women, so that formal equality can be transformed into substantive**

**equality.** Furthermore, by virtue of the *Optional Protocol* (in force since 2000), the CEDAW Committee has become a quasi-judicial body which hears recourses for transgressions of CEDAW provisions.

Moreover, several national constitutions – including the Greek Constitution of 2001, in its new Article 116 para 2 – have explicitly endorsed the main principles of **substantive equality.**

Therefore, international rules for gender equality protection are not lacking; unless the UN officials who invite to the 2015 UN Conference have in mind, without explicitly stating it, to repeal or amend UN rules on women's rights currently in effect....

What is still lacking is the implementation of these rules, which is inadequate in some countries, while in not a few countries it is non-existent.

Which international bodies are competent to promote the implementation of gender equality rules in practice? Two: the *Commission on the Status of Women*, which examines at each session complaints for inequalities against women occurring in certain countries and adopts conclusions, outlining specific fundamental guidelines for the coming year aimed at remedying certain inequalities. The second competent body is *UN Women*, which must elaborate and promote specific programmes for this purpose, taking, of course, into account the proposals of the *Commission on the Status of Women.*

Both these bodies became ineffective by the UN itself. Instead of providing them with financial and moral support, the UN is organizing the 2015 World Conference, which, is a useless (given the already existing legal rules) and costly event, particularly in times of a dire global financial crisis.

Why all this? Are both above-mentioned useful international human rights bodies, *UN Women* and the, until now, successful *Commission on the Status of Women* about to be met with the fate of the glorious Human Rights Commission which was dissolved in 2006, because it was disturbing major human rights offenders?

In other words, the UN appears to be causing its own weakening as regards real human rights protection!

**6.** It should also be noted that not only at the UN but also at other international organizations, there is a tendency to abolish the prevailing principle that in case of conflict between customs and practices, on the one hand, and human rights' rules and principles, on the other, it is the human rights rules and principles that prevail and must be protected. In other words, customs and practices conflicting with human rights must give way.

This endeavor became clear firstly through a relative general proposal submitted to the UN Human Rights Council (UN Resolution 1221, 2/10/2009) and then to the Council of Europe regarding specific issues. An example is provided by the burqa and other practices of some States, most of which affect women but also men. Some examples follow: female genital mutilation, inhuman treatment of men and women, such as cutting off the right foot and left

hand of the thief, usually a man, stoning to death of a woman for adultery, while men remain unpunished for the same act, pawning of a child by a starving family for food, etc.

In case this trend prevailed, it is obvious that it would impede the extension of universal, interdependent and indivisible human rights established worldwide, and particularly those explicitly mentioned in paragraphs 5 of Chapter I and 38 and 49 of Chapter II of the *Declaration and Programme of Action of the 1993 Vienna World Conference*. In other words, the reversal of the above principle would block the further extension of equality for everyone, without distinction, in countries where it is incomplete and even more in other countries where it is non-observed at all, due to international circumstances (mainly long-lasting colonialism).

## CONCLUSION

7. The above lead us to a negative conclusion regarding the convening of a *Beijing +20 Conference* (so-called “5<sup>th</sup> World Conference on Women”) in 2015.

Furthermore, we consider that the *UN Women* must be urgently morally and financially supported, so that it is enabled to design programmes for the realization of women’s rights that have already been established by virtue of relevant international rules. However, *UN Women* should also take into account the *conclusions* of the *UN Commission on the Status of Women*, the work of which should not be disrupted through the undemocratic *consensus* decision-making process. The functioning of this Commission enables the imparting of information on international violations of women’s rights based on the complaints by several countries and NGOs, brought before it. This Commission, based on its experience, suggests every year the measures which can bring about an improvement of the situation.

It is unacceptable that the unfortunate dissolution of the *Human Rights Commission* should become a model for other similar measures, such as the dissolution of the *Commission on the Status of Women*.

For the reasons stated above, we deem it necessary to repeat that general measures should be taken against the application of the *consensus* decision-making in the UN, not only in the *Commission on the Status of Women*.

The aforementioned considerations and arguments aim at impeding the adoption of any further UN measures to the detriment of human rights and in particular of women’s rights. **Such measures are literally a blow to the UN, which should be the universal human rights protector.** The international human rights system established under the auspices of the UN remains the greatest achievement of humanity, after terrible suffering.

The human rights violations within the League of Nations, which went unpunished, have led to the dissolution of this promising institution. Thus, the collaboration and understanding among the peoples of the world was abolished. This constituted the necessary pre-condition for the most devastating military conflict ever experienced by humanity to date, resulting in a death toll of sixty million and countless material damage.

Athens, May 28<sup>th</sup> 2012

## THE SIGNING ORGANIZATIONS

NAME OF ORGANIZATION

NAME OF OFFICIAL REPRESENTATIVE

MARANGOPOULOS FOUNDATION  
FOR HUMAN RIGHTS (MFHR)

A. YOTOPOULOS- MARANGOPOULOS