



Promoting rights in human development

We shall have to repent in this generation, not so much for the evil deeds of the wicked people, but for the appalling silence of the good people.

—Martin Luther King Jr.

It is time to move from the rhetoric of universal commitment to the reality of universal achievement

All rights for all people in every country should be the goal of this century. The Universal Declaration of Human Rights set out this global vision more than 50 years ago. The world today has the awareness, the resources and the capacity to achieve this goal on a worldwide scale. It is time to move from the rhetoric of universal commitment to the reality of universal achievement. Much action is already under way—in countries and internationally.

Progress will be neither easy nor straightforward. Human rights may be universal, but they are not universally accepted. Huge advances have been made almost everywhere in the decades since the Universal Declaration of Human Rights, but new threats lurk on the horizon. The nature of the struggle depends on the right and the opponent. The fight against exploitation by individuals, groups or firms defines one domain of struggle. The opponents can also be governments, whose agencies have violated rights of citizens across the world.

Those who oppose human rights do so for a mix of reasons. And they often camouflage their denial of rights with distorted claims of cultural relativism and political necessity—or make lack of resources an excuse for inaction.

Indeed, human rights are seen as a threat by many groups, including many in positions of power or superiority. Rights challenge entrenched interests, just as equitable development threatens those in privileged positions. But in the longer run all can gain. Human rights and human development help build law-abiding, prosperous and stable countries.

Individual commitment and community struggle will be the critical factors for advancing rights and human development in the future—just as they have been in the past. But governments and many other actors also have

vital roles. Governments have a special responsibility to lead—but NGOs, the private sector, professionals and many others in civil society have an important part to play, including making government accountable for human rights.

PRIORITIES FOR NATIONAL ACTION

All rights cannot be fulfilled simultaneously, and a refusal to establish priorities runs the risk of making the rights approach synonymous with a “wish list”. The importance of universality and the need to establish priorities for action are emphasized in the special contribution by the High Commissioner for Human Rights, Mary Robinson.

Applying the NILE principles—of norms, institutions, laws and an enabling economic environment (outlined in the overview)—to any country situation implies five steps for developing priorities for national action:

- Launch independent national assessments of human rights.
- Align national laws with international human rights standards and commitments.
- Promote human rights norms.
- Strengthen a network of human rights institutions.
- Promote a rights-enabling economic environment.

LAUNCH INDEPENDENT NATIONAL ASSESSMENTS OF HUMAN RIGHTS

Countries differ, and any analysis of policy and institutions in a country needs to be based on a factual account of the extent to which rights have been realized and what the key shortfalls are. Such a diagnosis will reveal whether torture is an ongoing practice, whether the judicial sys-

tem promotes or obstructs rights, whether the burning issue is lack of freedom of expression or lack of food.

Rather than react to criticisms from outsiders, countries need to take the initiative and produce their own national annual assessments. Important in itself, this would also reduce the tension generated by annual human rights assessments of developing countries by organizations based in the North, whether official or non-governmental. For many countries now bristle at external assessments, for a variety of reasons—some bad, some good.

Despite the end of the cold war and the supposed adoption of an approach integrating all human rights, the external reports deal almost exclusively with civil and political rights, ignoring economic and social rights. These reviews can distort the reality of human rights struggles by groups, institutions and individuals across the world by making human rights appear to be an issue of the “West versus the rest”. That is clearly not the intention of these reports, many of which involve extensive collaboration with national institutions. But the world needs to move to the next stage— independent national assessments.

National reviews should go beyond the narrow human rights focus of today’s assessments. They can improve both the knowledge of human rights and the process of monitoring progress and setbacks. And they should adopt the framework of advancing rights for human development—covering all rights, not just the civil and political.

An important feature of these annual assessments must be independence. Democratically elected governments should encourage these reports, not fear them. Lack of independent reports on human rights can be a most telling indicator.

Independent national assessments are already being undertaken in several countries. The annual reports of Pakistan’s human rights commission have not only documented violations of civil, cultural and political rights but have also covered economic and social rights. The commission’s chairwoman, Asma Jehangir, has emphasized the links between extreme poverty, sectarian clashes and civil rights abuses. Successive Pakistani governments in the 1990s have provided the space for these independent assessments, which are widely reported on by the print media. Brazil

SPECIAL CONTRIBUTION

Universality and priorities

Simply stated, universality of human rights means that human rights must be the same everywhere and for everyone. By virtue of being human, every individual is entitled to inalienable rights and freedoms. These rights ensure the dignity and worth of the human person and guarantee human well-being.

Some ask whether human rights are truly universal. The implication is that the rights contained in the Universal Declaration of Human Rights (UDHR) may not apply to some countries and societies. But the text of the UDHR is written in universal terms. “All human beings” are born free and equal in dignity and rights. “Everyone” is entitled to rights without distinction of race, sex or other status. “Everyone” has the right to food, health, housing, education. The record shows that the UDHR is a distillation of many different cultural, legal and religious beliefs. In the 50 years since it was written, its ideals have been repeatedly reasserted. The 1993 World Conference on

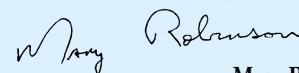
Human Rights affirmed that all human rights are universal, indivisible and interdependent.

Does universality negate cultural diversity? Are human rights at odds with religious beliefs? Are they a Western conception that is being imposed to advance global markets? Who can deny that we all seek lives free from fear, discrimination, starvation, torture? When have we ever heard a free voice demand an end to freedom? When has a slave ever argued for slavery? The 1993 World Conference noted that “it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights.”

Human rights are also indivisible. This means that civil and political rights, on the one hand, and economic, social and cultural rights, on the other, must be treated equally. Neither set has priority over the other. Although every country must set priorities for the use of its resources at any given time, this is not the same as choosing between specific rights. We must

not be selective, for these rights are interrelated and interdependent. Freedom from fear and want are inextricably linked to freedom of speech and belief. The right to education is linked to health, and there is a clear connection between a mother’s literacy and the health of her very young children.

Every moment spent debating the universality of human rights is one more opportunity lost to achieve effective implementation of all human rights. Universality is, in fact, the essence of human rights: all people are entitled to them, all governments are bound to observe them, all state and civil actors should defend them. The goal is nothing less than all human rights for all.



Mary Robinson

United Nations High Commissioner for Human Rights

recently produced a national human rights report that profiles each state using human development indicators, analyses of progress in human rights and documentation of human rights violations. Brazil is also launching local human rights observatories, monitoring instruments that are part of a network among NGOs, a university and the national human rights secretariat. Country examples such as these provide the stimulus for the global spread of independent national assessments.

REMOVE “BLACK” LAWS TO ALIGN NATIONAL LAWS WITH INTERNATIONAL STANDARDS

Many countries have “black” laws—laws that violate the human rights of particular individuals, minorities, women or other groups. Some laws are blatantly discriminatory. Institutions allied in struggles against discrimination, such as national human rights commissions and pol-

icy institutes, should publish a list of black laws. These laws should be presented to parliament, debated in the media—and changed.

Action against black laws has been successful in many cases. Egypt shows how a creative alliance can end gender discrimination in divorce (box 6.1). Similar progress is being made in the Arab States on other family-related human rights abuses, such as in Jordan, where legislation has been proposed to stop killings of women in the name of honour (box 6.2).

Other actions also are needed to remove discriminatory laws and to improve the judicial system’s effectiveness in promoting human rights.

- *Integrating human rights into national constitutions.* Including universal human rights in the constitution—and thus making them enforceable in court—has given people the legal ammunition needed to take action when their rights are violated. The political power of a strong legal judgement against discrimination should not be underestimated. In Israel an Arab family appealed against legal discrimination that had prevented them from moving into a Jewish neighbourhood. In March 2000 the Israeli supreme court agreed: “We do not accept the conception that the values of the State of Israel as a Jewish state justify discrimination between citizens on the basis of religion or nationality.”

Following decisions of the United Nations Human Rights Committee to recognize discrimination on the basis of sexual orientation, first South Africa, and later Ecuador and Fiji, included sexual orientation in the non-discrimination provisions of their constitutions.

- *Using public interest litigation.* Delays in the judicial system are being overcome in some instances by recourse to public interest litigation, often heard by a special bench of the court, to address discriminatory and arbitrary administrative actions violating rights. Public interest litigation has been used in the supreme court of India, for example, when rights such as that to education have been violated.

- *Providing resources for an efficient judiciary.* Increased litigation for human rights can create problems if there are too few courts or if judges, magistrates and lawyers are poorly paid. And if people have to wait for years or even decades before their case is heard, disen-

BOX 6.1

Ending gender discrimination in divorce—legal gains in Egypt

The start of the 21st century witnessed a major victory for women’s rights in Egypt—the passage of a law in February 2000 enabling a woman to divorce without her husband’s consent. The law also authorizes the courts to deduct alimony from his wages if he fails to pay. “Every society needs a shock. . . this was a necessary and overdue shock”, said the progressive assistant justice minister who drafted the law.

The law was the product of a dynamic and persistent alliance of civil court judges,

women’s groups, lawyers and progressive Muslim clerics. They won in part because they argued their case in the context of their culture, emphasizing aspects of Islam that confer equal rights on women and aspects of Muslim history, such as the instance when the Prophet Mohammad permitted an unhappy woman to leave her husband.

The alliance of government agencies, civil society institutions and private firms defeated a fierce assault from traditionalists.

Source: Human Development Report Office.

BOX 6.2

Legislation against “honour” killings in Jordan

According to the *Jordan Times*, 22 women were killed in Jordan in the name of family honour in 1998, and more than 14 by mid-1999. A coalition of women’s groups, journalists, lawyers, NGOs and other advocates circulated a petition calling for the repeal of Article 340 of the Penal Code, which provides a reduced penalty for men who murder their female relatives in cases of “honour” killings. In July 1999 a legal committee of the Justice

Ministry recommended abolishing the article.

The February 2000 review of Jordan by the Committee on the Elimination of Discrimination against Women noted that “several provisions of the penal code continue to discriminate against women. In particular, the committee is concerned that article 340 of the penal code provides a defence to a man who kills or injures his wife, or his female kin, caught in the act of adultery.”

Source: Equality Now 1999; Hamdan 1999; Hijab 2000.

chantment is inevitable. While chapter 3 emphasized the vital importance of an independent judiciary, efficiency is also essential. Making an independent judiciary efficient requires resources and a decentralized judicial system that brings justice close to the people.

PROMOTE HUMAN RIGHTS NORMS

With deep-seated prejudices and injustices embodied in teaching materials, values and norms, changing attitudes can be the hardest thing to do.

Three ways to influence norms: educating people, sensitizing officials and mobilizing public opinion through the media.

- *Educating people about human rights.* As the Universal Declaration of Human Rights makes clear, human rights should be taught in every school as universal rights that all people possess. Cambodia emphasizes changing social norms through early education. Since 1994, 25,000 Cambodian teachers have been trained in the human rights curriculum. The curriculum, already taught to more than 3 million children, may turn out to be a vital investment in the country's future.

Using radio, television, video—and traditional songs, skits, dramas and puppet shows—to highlight different aspects of human rights is also an important part of an education strategy, especially for illiterate citizens. In 1995 the Cambodian Institute of Human Rights adopted an innovative approach to teaching people human rights—using television quiz shows. In 1997 the contestants were members of the military and the police force. The programmes were also broadcast on the national radio, the primary source of information. In Bulgaria a parliamentary committee has started working with television programmes, using popular entertainment to influence human rights norms.

- *Sensitizing officials to human rights issues.* Educating policy-makers, the army, the police and other groups about human rights is essential for creating a human rights culture. Ecuador was one of the first countries to ratify the Convention on the Rights of the Child. Soon after, it used the national electoral machinery to give children the opportunity to vote on the pro-

visions that mattered most to them. A week of television programmes explaining the convention preceded the vote. Nearly 200,000 children voted. One result: the share of adults knowing about the convention jumped to more than 90%. Other countries have begun to bring awareness of the rights of children and women into training for social and family case workers. In Guatemala Conavigua, a national council of Guatemalan women widowed by war, works to educate and raise awareness about the peace agreements.

- *Mobilizing public opinion through the media.* The media can mobilize public opinion by spreading awareness of human rights policies and highlighting violations. In many countries the media already are a major force for reporting and demanding accountability, as examples in this Report have shown. A related tool for influencing norms: the Internet. Cyber networks have brought attention to rights, disseminating information on good practices and on rights violations.

A coalition of African NGOs working for the right to food and food security uses the Internet to exchange experiences and lessons. The Third World Network uses it to disseminate information and good practices on human rights. The Dalit and Tribal People's Electronic Resource Site in India brings attention to the exclusion of 250 million low-caste people.

STRENGTHEN A NETWORK OF HUMAN RIGHTS INSTITUTIONS

Many institutions that work on rights do not see themselves as human rights institutions. Building a wide alliance of public agencies, civil society organizations, the media and the private sector increases the efficacy of efforts for advocacy and accountability.

- *Creating partnerships around causes.* Forging partnerships with other groups fighting for the same cause can provide strength and solidarity. The Convention on the Rights of the Child has stimulated broad alliances in a wide range of countries (box 6.3). Similar alliances have been built at the national level to promote women's rights (box 6.4). In any society some groups have special needs because of who they are or because of their situation—people with

The media can mobilize public opinion by spreading awareness of human rights policies and highlighting violations

The rights of the child—turning words into actions

The Convention on the Rights of the Child, adopted unanimously by the UN General Assembly in 1989, entered into force as international human rights law less than a year later. It has quickly become the most ratified human rights treaty in history, with 191 countries—all but Somalia and the United States—ratifying it in less than a decade. And in many countries around the world, it is already making an impact.

The convention built on earlier declarations:

- The first Declaration of the Rights of the Child, drafted in 1923 by Eglantyne Jebb, founder of Save the Children. One year later it was elaborated and adopted by the League of Nations, declaring that “mankind owes to the child the best it has to give”.
- The Universal Declaration of Human Rights, adopted in 1948, applying equally to all children as well as adults.
- The Declaration on the Rights of the Child, adopted unanimously in 1959 by the UN General Assembly, providing a fuller and more precise definition of the rights of the child.
- The International Year of the Child—1979—during which it was recommended that the United Nations draft a comprehensive treaty binding on states.

The 1989 convention provides a comprehensive approach by incorporating all human rights—civil and political as well as economic, social and cultural. The “soul” of the convention is four articles setting out its overarching principles:

- No discrimination against children.
- In all matters concerning children, the best interests of the child shall be primary.
- The right of the child to life, survival and development.
- The right of the child to express views freely in all matters affecting him or her.

The convention requires states to adopt all appropriate measures—legislative, administrative, social, economic, budgetary, educational or other—and to allocate the resources necessary to ensure effective implementation. The convention recognizes the obligations of other parties—parents and families, civil society and the international community. The fact that a child depends completely on others over the early years underlines the importance of obligations. The needs of very young children cannot wait—whether for care, food and warmth or for loving stimulus, basic education and health care.

Norms

The convention has encouraged children to speak out and defend their rights. In Colombia the Children’s Movement for Peace, nominated for the Nobel Peace prize, organized a national movement when 2.7 million children voted in a symbolic referendum on the human rights of minors. In Ecuador and Mexico, too, millions of children went to the polls and voted on their rights.

Children’s rights became a principal item in all the major UN conferences of the 1990s. The convention formed the basis for other international legal instruments, such as the Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption. The new ILO convention on the worst forms of child labour

is another example. And several regional instruments are based on the convention, such as the African Charter on the Rights and Welfare of the Child.

The convention has led to a process for formulating two optional protocols—to raise the minimum age of military recruitment and participation in armed conflicts, and to enhance the protection of children from sexual exploitation, including through greater international cooperation.

Institutions

Many states have appointed an ombudsman or commissioner for children, as a new independent institution or as part of an existing human rights mechanism. Norway was first to take such a step, followed by Costa Rica, Austria, Russia and Australia. Honduras has set up mechanisms to promote an integrated policy approach to children, to ensure coordination between relevant bodies and departments and to monitor progress in implementing the convention.

Laws

The convention paved the way for recognizing and safeguarding children’s rights at the national level:

- Today at least 22 countries have incorporated children’s rights in their constitutions—including Brazil, Ecuador, Ethiopia and South Africa.
- More than 50 countries have a process of law review to ensure compatibility with the convention’s provisions.
- Bolivia, Brazil and Nicaragua have promoted the adoption of a code on the rights of children and adolescents.
- Other countries have given consideration to major areas requiring legislative changes, from child labour (India, Pakistan, Portugal) to protection from sexual exploitation (Australia, Belgium, Germany, Sweden, Thailand), juvenile justice (Brazil, Costa Rica, El Salvador) and inter-country adoption (Paraguay, Romania, the United Kingdom).
- In addition, countries have taken important legislative steps to promote changes in behaviour and forbid practices incompatible with the convention’s spirit and provisions—the ban on female genital mutilation (in several West African states, including Burkina Faso and Senegal), the prohibition of corporal punishment of children in schools and in the family (as in Austria, Cyprus and the Nordic countries).

An enabling economic environment

- Parliaments in Brazil, South Africa and Sri Lanka have enacted legislation and national budgets to more clearly identify allocations for children.
- Norway now publishes a “children’s annex” to its annual budget, which is regularly submitted to the parliament.
- In Belgium the parliament produced an impact report on children, monitoring government policy for respect for the rights of the child.
- In Sweden the parliament adopted a bill to ensure visibility of the child’s perspective in decision-making and called for an analysis of the impact of budgetary decisions and legislation on children.

Source: Human Development Report Office.

HIV/AIDS, people with disabilities, refugees, homosexuals and so on. Realizing their human rights often requires alliances, such as the Disabled People's International (box 6.5).

One global alliance fights for the right to food—the FoodFirst Information and Action Network (FIAN), which takes on advocacy of complex issues of land tenure and agricultural policy. Rather than focus on government responsibility for directly delivering food to the poorest, FIAN and similar groups press for policy change to create a more conducive economic environment for providing food to the poor. In an act of global solidarity, landless Indian farmers joined FIAN at the Brazilian embassy in New Delhi to support land rights for the rural landless in Brazil. In a rapidly globalizing world such dynamic alliances can create national and international solidarity for promoting specific rights.

- *Using national human rights commissions.* In some countries national human rights commissions try to ensure that the laws and regulations for realizing human rights are effectively applied. Such commissions receive and investigate complaints of human rights abuses, resolve them through conciliation and arbitration and review the government's human rights policies and the implementation of ratified human rights treaties. For example, the Mexican human rights commission is extremely active in the rights of people with disabilities, the New Zealand commission in human rights education and the South African commission in economic and social rights.

- *Appointing an ombudsman for human rights.* Protecting individuals from rights abuses by public officials or institutions is a vital role of human rights ombudsmen around the world. In Slovenia the ombudsman files an annual report on the observance of human rights with parliament. According to the 1998 report, the ombudsman has received increasing complaints against public officials, with the number rising from 2,352 in 1995 to 3,448 in 1998. In 1998 the largest share related to court and police procedures, but the biggest increases were for labour relations and restrictions on personal freedoms.

- *Instituting parliamentary human rights bodies.* According to the Inter-Parliamentary Union, of the 120 national parliaments today,

nearly half have formal bodies dealing with human rights. Their mandates reflect the national context, but these bodies share the goal of ensuring that the standards set out in the Universal Declaration of Human Rights and the other human rights covenants and instruments are translated into law—and realized in practice.

In the Republic of Moldova the parliament appointed three parliamentary advocates to

BOX 6.4

Alliances for achieving women's human rights

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted in 1979, has helped realize women's rights the world over. Women's human rights are violated in three main areas:

- Discrimination in economic, political and social opportunities.
- Inequality in family life, including in marriage and in reproductive decision-making.
- Gender-based violence, ranging from violence at home to violence in the community, by the state and during armed conflict.

Through solidarity and struggle, the environment that has sanctioned violations of women's rights is changing in many parts of the world. New policies and laws are recognizing and advancing women's human rights. But reality lags far behind rhetoric.

A strategy to address the abuses of women's human rights must rest on women's empowerment—ensuring that they have greater control over their economic resources, bodies and lives. And it must include the following:

- *Changing social norms.* Among the greatest challenges to recognition of women's human rights are patriarchal attitudes and traditions. On grounds of cultural relativism, some governments and religious groups justify female genital mutilation, stoning of women and self-immolation of widows. To counter this requires human rights education, partnerships and persuasion from within. A coalition of progressive NGOs in the occupied Palestine territory has mounted a successful challenge to religious orthodoxy. In Cambodia and Kyrgyzstan NGOs are training journalists to recognize and change distorted media depictions of women that contribute to gender-based violence.
- *Changing laws and reforming the criminal justice system.* Rights can be

established by redress of law—national and international. Using the United Republic of Tanzania's ratification of CEDAW, courts there nullified customary law denying women the right to sell inherited land. But in many cases national laws must be changed or written—especially for security against violence, for equal economic and social opportunity and for rights to land and inheritance. In Brazil special police forces have been trained to respond to victims of gender abuse, contributing to changes in attitudes and practices.

- *Implementing international agreements.* CEDAW brought changes to constitutions in Colombia, South Africa and Uganda. It brought new laws to China, Costa Rica and Japan. And it has been held binding in court cases in Australia, Nepal and Zambia. While CEDAW does not explicitly address violence against women, a new general recommendation was appended in 1991 prohibiting gender violence by the state and by private persons or groups. The Vienna Declaration of 1993 was the first UN document to state that women's human rights are an indivisible and integral part of universal human rights.

CEDAW's new optional protocol, introduced in 1994, contains unique procedures enabling individuals to claim remedies for violations of convention rights. In addition, NGOs can submit "shadow" reports—alternative statements to supplement state submissions. A coalition of Croatian women's NGOs presented a shadow report in 1998—and subsequently forged a new alliance with the Croatian Commission for Equality.

Though CEDAW has many ratifications, it also has many reservations. These reservations must be removed to allow this valuable document to come to life at the national level everywhere.

Source: Coomaraswamy 2000; Womenwatch 2000; Landsberg-Lewis 1998.

examine individual claims and to institute legal procedures. They are also expected to improve the legislative framework for human rights through analysis and policy recommendations. Consistent with this mission, the advocates in 1998 established an independent institution for protecting human rights. The Centre for Human Rights reports to the legislature each year on the observance of human rights.

In Nicaragua the Committee for Human Rights and Peace, set up in 1981, works with NGOs in seeking information and documentation on the performance of state officials. In Brazil the Committee on Human Rights receives, assesses and investigates complaints about threats to human rights. Each year the committee

organizes a national conference on human rights, with more than 400 representatives of civil society groups. It has also helped prepare the national human rights plan and monitor and evaluate its implementation (box 6.6).

All these national institutions need to be harnessed in an alliance for promoting human rights. With each having a different comparative advantage and mandate, collaboration among them is needed to realize rights and fight against coalitions opposing progress.

PROMOTE A RIGHTS-ENABLING ECONOMIC ENVIRONMENT

In all countries a critical task for public policy is to build an enabling environment that empowers people, ensures them opportunities to fulfil their human rights and, where necessary, provides support for them to do so. This is where many policies for human rights and human development come together.

To generate the resources and the opportunities for fulfilling human rights, public policy has to foster a growing, efficient and sustainable economy. But public policy has an additional responsibility—it has to ensure that part of the bigger pool of resources goes to advance people's political and economic rights.

How to create an enabling economic environment in which public policy can most effectively provide resources for advancing human rights? Through four sets of actions. First, the public sector must focus on what it can do and leave for others what it should not do, a lesson reinforced by global developments of the past quarter century. Running banks and industrial enterprises is, by and large, better suited to the private sector. Leaving that task to private initiative not only increases the efficiency of the economy but also enables the public sector to focus on providing the institutions and services that the private sector will not.

Second, with this division of labour, the state can focus on the direct provision of many economic, social and civil rights. Building human capabilities of the poor, through basic health care, nutrition and education, is a primary responsibility of the government. Financ-

BOX 6.5

An alliance for the rights of individuals with special needs—the Disabled People's International

A good example of effective action to protect people with special vulnerabilities in human rights is the Disabled People's International (DPI). The DPI is a grass-roots cross-disability network set up in 1980 to give people with disabilities a voice. From the start it has dealt with human rights. Today the DPI has member organizations in 158 countries, more than half of them in the developing world.

The DPI's main strategy is to raise awareness of disability issues and of the human

rights of people with disabilities, but it also supports development projects. The organization played an important part in developing standard rules on disability. These served as a blueprint for a convention adopted by the Organization of American States in July 1998 to eliminate all forms of discrimination against people with disabilities.

The DPI has also contributed to changes in law or policy in such places as South Africa, Uganda, Zimbabwe and the European Union.

Source: Hijab 2000.

BOX 6.6

Putting pressure on the government—the national human rights action plan of Brazil

The Brazilian national action plan for human rights, published in 1996 by a partnership of civil society organizations, was the first Latin American programme for protecting and promoting human rights. In partnership with civil society organizations, the government has published maps of human rights violations, established programmes to protect witnesses and victims and started training courses on human rights for 5,000 military police. In December 1999 Brazil recognized the jurisdiction of the Inter-American Court of Human Rights.

In 1997–99 the implementation of the

action plan was evaluated at local, state and national levels. With the federal government beginning to support human rights, rather than neglecting them or supporting violations, tension has arisen with state governments and agencies that do not respect rights.

In January 2000 the Centre for the Study of Violence at the University of São Paulo published a national report on the status of human rights in Brazil. One of its criticisms of the action plan was that it concentrated too much on civil and political rights, at the expense of economic, social and cultural rights.

Source: Pinheiro and Baluarte 2000.

ing the judicial system to protect rights and improving prison conditions are among its responsibilities for advancing civil rights.

Third, the major economic ministries, such as finance and planning, need to integrate rights into the economic policy-making process. By reflecting ministries' obligations on economic and social rights in economic policy-making, the government can assess the shortfalls in meeting these rights and ways to reduce them within resource constraints. Such a process would also clarify the resource requirements for providing, say, mandatory primary education. The concept of imperfect obligation, defined in chapter 1, is relevant here. Governments must recognize the economic and social rights of the people they serve, but it is meaningless to assert that those in poor countries must fulfil all of them immediately.

Finally, the private sector also has responsibilities in creating an enabling economic environment. Chambers of commerce and other business organizations should contribute to efforts to further improve rights—not only at the workplace but also in advocating policies to address human rights violations. Many companies have advocated reducing child labour through mandatory primary education (box 6.7). Firms should be engaged in a dialogue, to learn what businesses across the world are doing about human rights. And they should be encouraged, through prestigious national awards, to suggest and implement practices to advance rights.

The private sector should also cooperate with public agencies in incorporating human rights concerns into the “principles of market supervision”, especially to avoid discrimination in the job market, to prohibit child labour and to ensure free association and collective bargaining. Consumer rights and protection from market abuses are best handled by non-profit organizations.

PRIORITIES FOR INTERNATIONAL ACTION

Enlightened, responsible international policy action is needed to help poor countries move towards realization of all rights. The focus cannot be on simple transfers of resources. There

must also be a global environment that facilitates the development of poor nations.

This implies an international agenda with five main actions:

- Reduce global inequality and marginalization.
- Prevent deadly conflicts through early warning systems.
- Strengthen the international system for promoting human rights.
- Support regional institutions in their promotion of human rights.
- Get commitment from global corporations.

REDUCE GLOBAL INEQUALITY AND MARGINALIZATION

Many proud civilizations are wounded by deepening poverty and marginalization—and many feel ostracized from the world community because of their lack of participation in new knowledge and global institutions.

Several actions are critical for creating a conducive global environment for promoting human rights.

- *Adopting a rights ethos for aid.* Aid, in its early phases, was not concerned with an integrated vision of human rights. Indeed, much of it was dictated by foreign policy concerns. Sometimes it flowed—with cynical disregard—to dictators who repressed civil and political rights. But the days are over when this could be justified by arguing that aid was at least promoting some economic and social rights.

BOX 6.7

A private firm's advocacy for mandatory primary education

South Asia has more children out of school than the rest of the world together—a poisonous environment for the spread of child labour. Pakistan has been a focus of global attention, for using child labour for the production of soccer balls in Sialkot and bonded labour in the brick kilns industry. Firms that have come under scrutiny have typically responded—if they have responded—by educating children or removing those below a certain age from their plants.

Sayed Engineers went further—joining an advocacy campaign for

mandatory primary education. Working with the Economic Policy Research Unit, an independent policy think tank, Sayed Engineers and other firms undertook a national survey on child labour and primary education, later publishing a policy-oriented report. Author of the report's foreword: Imran Khan, the immensely popular captain of the national cricket team. The survey, the report and the production of calendars spotlighting the issue were financed entirely by private firms.

Source: Human Development Report Office.

Today's international arrangements constrain the ability of poor countries to use, adapt and develop the findings of recent research

Many examples of misallocation build public cynicism about the aid bureaucracy. The people in donor countries need to speak directly to the people in poor countries—by engaging in debates and decisions about the use of aid to promote economic, social and civil rights.

Some donor countries are now taking the lead in focusing on civil and political rights in their efforts to promote good governance. Australia, Germany, Norway, Sweden, Switzerland and the United Kingdom are among those taking a rights-based approach to development assistance. Norway recently reviewed its support to human rights efforts in the United Republic of Tanzania, Zambia and Zimbabwe. The review noted that “naming and shaming” is typically done more effectively by civil society institutions and the media, which have a clear comparative advantage in this. Technical cooperation was more helpful for support to human rights institutions.

- *Forging compacts for progressive realization of rights.* Global compacts for meeting basic rights targets can also help, financed through national budget restructuring and increased international support. These global compacts call for open and accountable commitments to meeting some basic economic and social rights, such as access to education and health care.

Such proposals are similar to the 20:20 initiative, first suggested in *Human Development Report 1992*. Some developing countries are now fulfilling their side of the 20:20 proposal—allocating 20% of public spending to basic social services. No donors are living up to their side—allocating 20% of their aid budgets to basic social services. Doing so would help mobilize the additional \$70–80 billion a year needed from national and international sources to ensure basic social services for all.

- *Writing off debt.* Debt continues to constrain human development and realization of human rights. Bilateral donors such as France have cancelled some of their debt, but others need to follow suit. The initiative for debt relief for heavily indebted poor countries (HIPC) has had limited impact so far. By December 1999, of 40 HIPC, only Bolivia, Burkina Faso,

Côte d'Ivoire, Guyana, Mali, Mozambique and Uganda had completed debt relief negotiations. New measures introduced in 1999 seek to provide faster, deeper debt relief with links to poverty reduction. But debt relief still lags far behind intentions and promises. Needed is accelerated implementation for all countries, and new initiatives to link debt reduction to human development.

- *Accelerating action to develop technologies for human poverty reduction.* Today's international arrangements constrain the ability of poor countries to use, adapt and develop the findings of recent research for advancing their economies and raising the living standards of their people. Why? Because distorted research priorities focus on the problems of the rich—part of the underprovision of public goods.

Some private foundations, such as the Bill and Melinda Gates Foundation, have recently given support to vaccine research for the diseases facing poor people. In the United States a tax credit scheme for pharmaceutical companies, proposed in early 2000, would use market incentives to redirect research efforts. The credits would stimulate vaccine research on tuberculosis, malaria and AIDS—diseases that take more than 5 million lives a year in poor countries. The expected spending of \$1 billion over the next decade is similar to what UNICEF spends on its vaccination programmes. Such public-private partnerships are the stimulus needed for other research and technology programmes aimed at the problems of poor people.

There are also proposals to establish regional centres of technology, and to bring research results to poor people through the Internet and other cost-reducing telecommunications technology. Some poor countries have made major advances in adopting new technology in some sectors. China, India and several other Asian countries have become vibrant players in the technology revolution.

Such promising developments need to be built on—by the international community and by “South-South” collaboration—to address dryland agriculture, environmental degradation and the health hazards consuming the lives of poor people.

- *Accelerating access to markets for the exports of developing countries.* For many developing countries, better access to trade opportunities will spur growth in incomes and employment, as occurred for much of East Asia. But some of the most marginalized countries still produce agricultural products with declining terms of trade. They continue to need policy reform, technical assistance and aid inflows to diversify their economies.

While globalization shrinks the world, the distance between its richest and poorest people grows. Those who are integrated live in a charmed circle of prosperity. But for those outside, the turbulence of continued marginalization and poverty is creating a volcano of despair.

Viewing global justice as a right for the poorest and the marginalized requires a moral commitment and calls for fundamental changes in attitudes and perspectives, internationally and nationally. Our view of common humanity must extend beyond the borders of the nation state to where fulfilling human rights in any one part of the world is given the same seriousness and the same support as fulfilling rights in any other.

The cost of inaction is high—as leaders of both rich and poor countries have recognized. US President Bill Clinton has referred to the “widening gulf between the world’s haves and have-nots” and urged that we “work harder to treat the sources of despair before they turn into the poison of hatred”. President Mandela, no stranger to hatred, has underlined “the scale of global inequity as we exit the century, as well as the opportunity and rewards”.

PREVENT DEADLY CONFLICTS

Some of the modern concern with human rights grew out of the struggle to protect people and their rights during war. The Universal Declaration of Human Rights was inspired in part by outrage over the tragedy of the holocaust and the killing and destruction of the Second World War. Recent violence in Afghanistan, Angola, Bosnia and Herzegovina, Chechnya, East Timor, Kashmir, Kosovo, Rwanda, Sierra Leone, Somalia and other

places has stirred new thinking about preventing conflict—and about building peace.

Preventing and reducing conflicts has two important implications for human rights. The first is the *direct* effect of reducing a primary source of gross human rights violations. The second is the *indirect* effect of freeing up resources, so that the world community can shift its focus away from peacekeeping operations and towards human development. Initiatives to bring diverse national actors together and diagnose the causes of conflict have been effective in some countries and show promise for replication elsewhere.

The Carnegie Commission on Preventing Deadly Conflicts estimated that the cost to the international community of the seven major wars in the 1990s, not including Kosovo, was \$200 billion—four times the development aid in any single year. Not too surprising, then, that the volume of development aid went down substantially in the 1990s. The shift of resources away from development may even be contributing to future conflicts—as assistance is withdrawn just when needed to prevent escalation.

With so much money thrown at problems after they explode, the current allocation of resources for international assistance is far from rational. The key challenge is to gear international institutions—particularly the United Nations, formed with this intent—to preventing conflict. The rewards in lives saved and human development promoted are too high for continued procrastination.

With global resource flows doing so little to create an enabling environment for human rights, poor people must be bewildered. Poor countries send huge amounts to rich countries to service debt. Meanwhile, rich nations spend huge sums on “peacekeeping” missions after conflicts break out, at the same time reducing resources for development assistance.

The biggest change needed is to shift the mandate—and resources—to preventing conflicts by addressing their underlying causes. Promoting a global democracy also requires eschewing the militaristic path and focusing on global human development. Two types of policy instruments are needed: early warning systems and disarmament for development.

Our view of common humanity must extend beyond the borders of the nation state

- *Deploying early warning systems.* If the world community is serious about shifting to preventive measures, it has to make more creative use of early warning systems.

The deployment of a preventive force in the former Yugoslav Republic of Macedonia appears to be a successful example. The Organization of African Unity has also emphasized the importance of more effective early warning systems to avoid deadly conflict. Early warning systems are being used in Africa for the prevention of famine or natural disasters, as in Botswana, South Africa and Zimbabwe.

Implementing early warning systems for man-made disasters is a complex challenge, but deserves support in the shift to preventive actions (box 6.8).

Early warning requires early response. A broad range of political, economic and social—not just military—measures are needed for quick response. Negotiating missions with distinguished international leadership can go a long way in preventive diplomacy.

- *Disarming for development.* Civil wars can last for decades—witness the recent histories of Afghanistan, Guatemala, Lebanon, Mozambique, Somalia and Sudan. The fuel for destruction in these civil wars is not nuclear bombs and chemical warfare, which attract attention, but the more mundane mines and light weapons. The abundance of supply can be gauged by the price: in some African countries an AK-47 sells for \$6, the price of a meal at McDonald's.

When weapons circulate, so do fear and the expectation of conflict, undermining investment and markets. Disarming for development can help restore an enabling environment for economic revival. During Albania's civil disturbances in 1997 civilians stormed government arms depots. Alarmed by the prospect of 600,000 weapons in circulation, the Albanian government, the United Nations and several international donors financed a "weapons in exchange for development" project in the Gramsch district. In return for 6,000 weapons and ammunition, the district received assistance for rebuilding physical and social infrastructure destroyed during conflict.

Bilateral aid agencies should raise concerns about the harmful effects of actions by other ministries of their governments—a protest in which the media and NGOs can participate. In particular, they should point to the damage to human rights from agreements for sales of the small arms and mines used so widely in civil wars. And companies that sell instruments of torture could be classified as rogue firms.

The Economic Community of West African States is working with the United Nations and other agencies to reduce the proliferation of light weapons. Economic revival is likely if weapons-for-development swaps

BOX 6.8

FEWER conflicts—a network for early warning systems

The Forum for Early Warning and Early Response (FEWER) is an independent consortium of intergovernmental and non-governmental organizations and academic institutions whose aim is to provide decision-makers with information and analyses for early warning of conflict and with options for early response.

FEWER is working with the United Nations, the Organization for Security and Co-operation in Europe (OSCE) and other organizations to implement a strategy for early warning and response involving the Caucasus, Central Asia, South-East Asia, West Africa and the Great Lakes region of Central Africa.

An early warning system requires an analysis of many sources of information and a built-in quality assurance system. The core analysis requires not only a factual understanding, but also an understanding of perceptions—often as important as facts—and of cultural sensitivities. And it should use a comprehensive methodology and standard formats for reporting and corroboration. Rigorous analysis, involving national, regional and international specialists, led to reasonably accurate predictions for the Democratic Republic of the Congo and the Daghستان-Chechen conflict.

This approach surveys the conflict prevention capacities of different actors in the region and brings together a coalition of the "willing"—governments, intergovernmental and non-governmental organizations, local communities. It then has them agree on four things: what is generating the conflict, what are the long-term peace

objectives, what and who are the potential spoilers and what tools are available to outline a programme for conflict prevention and resolution.

For the former Yugoslav Republic of Macedonia, early warning of conflict allowed an intervention in response. In 1999 the OSCE High Commissioner for National Minorities issued a powerful and effective early warning signal about the fall-out in the country due to tensions in Kosovo. The warning led to a reasonably swift donor response, in a conflict region of high political visibility.

To provide effective support to the international community in preventing conflicts and related human rights abuses, early warning systems must take the following into account:

- Political will and early warning are interdependent. Without political will—as in the two years preceding the Zaire crisis—early warning is irrelevant. But without proper early warning—based on accurate and adequate information, systematic and comprehensive analysis and real and effective options—all the political will in the world is unlikely to lead to effective action. And proper early warning is essential in developing political will, which takes time and trust. Proper early warning of the genocide in Rwanda might have made it possible to mobilize political will for effective intervention.
- Early warning information and analysis often reflect the interests of the stakeholder doing the collecting and analysing. There is a need for an independent early warning capacity with solely a peace agenda.

Source: Adelman 1999; FEWER 1999; van der Stoep 1999.

reduce tension and the expectation of conflict. Such swaps can also misfire. But when they work, as the aftermath of previous conflicts across the world has shown, the repairs and public works create a framework for economic revival.

Can anything be done to protect human rights while civil wars rage? Cynicism about the value of doing so is misplaced. The laws of war grew out of the vision of the founder of the Red Cross, and these laws have made an enormous difference. Now these rules of international engagement need to be extended to internal conflicts. How? No easy answers—but step by step, despite caution and differences, the international community is struggling to find some solutions. The Security Council is seeking consensus for strengthening the legal protection of civilians. Some countries still have not ratified the basic international instruments. Many can do much more to ensure that their military and police force are trained to work within the international standards applying to war.

STRENGTHEN THE INTERNATIONAL SYSTEM OF HUMAN RIGHTS

The modern international human rights machinery was established with the Universal Declaration of Human Rights. In the first two or three decades there was some action, much inaction and only limited achievements, in part because of the cold war. In the past decade implementation of international standards has gathered pace (see chapter 2).

The reporting procedures and monitoring strategies of treaty bodies have been strengthened over the past two decades. NGOs are participating more in reporting, often by providing “shadow” (alternative) reports that complement the information provided by governments. The treaty bodies, working through constructive dialogue, assist governments in implementing their treaty commitments. Although lacking real implementation power, they often raise sensitive questions and identify the most pressing human rights issues needing remedial action.

But the review process is slow and seriously under-resourced—a result of the number of

countries represented, the range of issues and factual detail on which countries are asked to provide information and the limited time available to the independent experts elected to the committees.

Proposed solutions include changes to expedite reporting and greater public involvement. Proposals have also been made for consolidating the six supervisory committees into a single treaty body, with more financial and staff resources to give it more teeth. Removing the inefficiencies is a priority. Without major reform and additional resources, it will be difficult to create a treaty-based culture of compliance.

The Rome statute to establish an International Criminal Court represents a vision of a new era—one of effective action against the most extreme violations of individual human rights within nation states. The court should reinforce the responsibility of states for protecting human rights and contribute to an international order that demands respect for human rights.

A new precedent for accountability in human rights was set by the Pinochet case. In this pioneering case one state, Spain, requested extradition from another, the United Kingdom, of someone accused of torture and related crimes while head of state of a third, Chile. Some African governments have used the International Criminal Court’s provisions in ways that provide impressive illustrations of the actions made possible by an increasingly supportive international human rights framework (box 6.9). Still, much remains to be done. For example, all the crimes of the wars in Bosnia and Herzegovina and Croatia and of Kosovo are still to be accounted for.

Future advances should focus not on creating new institutions but on consolidating and integrating the mandates of existing agencies. UNICEF, for example, has incorporated a rights-based approach in its programmes and is working with many states to implement them. It is working with civil society organizations and joining forces with others to secure the rights of children. And its campaign to change social norms that “validate” honour killings of women continues its emphasis on

A new precedent for accountability in human rights was set by the Pinochet case

discrimination leading to adverse economic, social and political outcomes for women.

UNIFEM's work on aspects of CEDAW and related areas is pioneering and wide ranging. UNESCO has a procedure for filing individual complaints for alleged infringements of rights to education, information, language and culture. The International Labour Organization, from its inception, has set standards and put in place mechanisms for protecting workers' rights and promoting their welfare. Its monitoring procedures provide an opportunity for partnerships for human rights and workers' welfare between the government, employers and trade unions.

UNDP is integrating human rights concerns into its work on human development, and its network of country offices is using an imaginative mix of advocacy and technical assistance programmes to build institutions in support of human rights. UNDP is also creating a unique advocacy asset—a network built around the global and national human devel-

opment reports. Written by national institutions, many of the national reports have already assessed the human rights situation in the country and offered policy recommendations. Thus where feasible, these reports can be the initial independent national assessments of human rights. UNDP's technical assistance programmes provide support for institutions of governance and organize training programmes and workshops. In all these endeavours the country offices and regional bureaux work closely with the Office of the High Commissioner for Human Rights.

With most UN agencies working on different aspects of human rights, a more coordinated and integrated approach could offer big gains in efficiency and efficacy.

SUPPORT REGIONAL INSTITUTIONS IN THEIR PROMOTION OF HUMAN RIGHTS

Most regions have taken human rights initiatives, encouraging action from allies and peers. The advantage of these initiatives is that they embed the advance of universal human rights in a culturally sensitive discourse. The danger is that in the name of pragmatism, they water down international standards and visions in order to reach agreement.

The regional human rights bodies reflect both achievements and shortcomings (box 6.10). Initiated in 1949, the Council of Europe devotes major efforts to protecting human rights and fundamental freedoms. From the beginning it included in its aims "the maintenance and further realization of human rights and fundamental freedoms". A core principle is universality of human rights, backed by promotion of "common standards throughout all member states, to the benefit of all, no matter who they are or where they are from".

The Arab human rights charter has sparked debate on whether it represents progress—and whether its provisions water down international commitments. Nonetheless, it is an important advance in the regional recognition of rights, embodying them within the cultural traditions that define people's lives.

In Asia NGOs have taken the initiative in developing a regional human rights charter—

BOX 6.9

African countries take the initiative in implementing the International Criminal Court's provisions

The agreement to create the International Criminal Court as a permanent mechanism of international criminal justice advances the principle of individual accountability in the world community for such crimes as genocide, crimes against humanity and serious violations of the laws and customs of war. The statute for establishing the court, adopted at a conference of the international community in Rome in 1998, achieved several important goals. It extended the court's jurisdiction to internal as well as international conflicts. And it affirmed the modern definition of crimes against humanity, recognizing that constraints on gross abuse of a population should not be limited to events during a state of war. This broad definition warns all governments of the possible consequences of violence directed towards their own people.

For many countries making the transition to democracy, the legal and political framework that the International Criminal Court represents has immediate practical importance. Some African countries are

leading the way. On 3 February 2000 a court in Senegal charged the former Chadian dictator Hissene Habre with "torture and barbarity". Habre, who ruled Chad for eight years starting in 1982, has lived comfortably in a smart suburb of Senegal's capital, Dakar, since fleeing his own country in 1990.

Senegal is one of the first countries to take advantage of the international conventions allowing crimes against humanity to be tried in countries other than those in which they were committed. It also has the admirable record of being the first country to ratify the Rome statute, in February 1999.

Ghana soon followed suit. In November 1999 its parliament voted unanimously to ratify the Rome statute, strongly affirming the importance of familiarity with its provisions by other African states as a safeguard for the wave of democratization on the continent. The parliament's actions received widespread support from the country's civil society organizations.

Source: Parliamentarians for Global Action 2000; Bassiouni 1999; *Economist* 2000.

complicated, since the region is the world's most populous and diverse. No other continent has such a mix of major religions, side by side with explicitly secular governments—nor such a mix of wealthy and poor nations. The Asian charter does not have the support of governments, and is meant more to mobilize civil society institutions within a framework of shared humane values.

GET COMMITMENT FROM GLOBAL CORPORATIONS

People's movements have galvanized public opinion against multinational corporations that flout human rights. Well-targeted campaigns have severely damaged their public image, and consumer boycotts have reduced their profits. In many cases the maligned firms have responded by developing codes of conduct to provide common human rights guidelines for global operations.

Critics of voluntary codes point to the need for mandatory actions monitored by a regulatory body—by the industry, an international NGO or a government body. Supporters point to the need for the codes to constrain the behaviour of subcontractors to the principal firm, as well as of national firms, where many of the rights violations occur.

Benetton, the Italian-based garment manufacturer, has gone beyond voluntary codes and expanded into public advocacy of rights issues—advocacy that has nothing to do with its operations. One of its campaigns pushes for the end of the death penalty.

Such campaigns mark an important and possibly decisive shift in private corporations' involvement in rights issues—an entirely different role in advocating issues that affect rights beyond their working environment. This socially conscious advocacy could offer a more effective force for change than project interventions related to a firm's operations. An interesting example is that of a private corporation that has pledged to refuse diamond sales for financing conflict (box 6.11).

Another interesting innovation is the partnership between firms and civil society organizations, to recognize violations of certain rights.

Liz Claiborne, Bell Atlantic and American Express have joined with labour unions, government agencies and non-profit agencies, such as Victim Services in Manhattan, that deal with domestic violence. These firms encourage their staff to report violations and provide counselling to employees who are victims of abuse.

Many firms are trying to rectify poor past performance. Take the Coca-Cola Company, being sued by minority employees for institutional bias. In response to the legal cases and

BOX 6.10

European regional initiatives for promoting human rights

Several European initiatives have extended the mechanisms for promoting human rights beyond the boundaries of the nation state.

Council of Europe

Genocide and suffering of people in Europe led to the creation of regional institutions aimed at preventing similar events by recognizing and realizing human rights and freedoms. Now with 41 member states, the Council of Europe continues to work towards democratic ideals, ensuring universality of human rights by promoting common standards throughout all member states.

The structures of the council include the European Court of Human Rights, which has dealt with about 4,000 cases since its founding. The court has passed judgements against nation states in several cases—secret surveillance using telephone taps without adequate security grounds, failure to protect children abused by their parents, expulsion of foreigners in circumstances violating their right to family life.

The Council of Europe has adopted resolutions on a range of human rights issues. These have included regulating the use of personal data in police records, ensuring the rights of conscientious objectors and of foreign prisoners and ensuring education on human rights in European schools. It has also adopted recommendations on many areas of human rights, such as AIDS and the abolition of capital punishment.

European Union

The European Union also plays an important part in making and implementing

human rights policies. One EU institution that appears to be acquiring greater importance is the European Court of Justice, based in Luxembourg. In 1989 an offshoot of the court, the Court of First Instance, was created to hear cases brought by firms and individuals, usually involving commercial disputes. The European Court of Justice has since then dealt with legal issues among member states.

Organization for Security and Co-operation in Europe

In January 1993 Max van der Stoep took up his duties as the first High Commissioner for National Minorities for the Organization for Security and Co-operation in Europe (OSCE), a post established as “an instrument of conflict prevention at the earliest possible stage”. This mandate was created largely in response to the situation in the former Yugoslavia, which some feared would be repeated elsewhere in Europe, especially among the countries in transition to democracy.

Three sets of recommendations have been elaborated to serve as references for nation states to respect the human rights of minorities and thereby reduce the chances of conflict—the Hague recommendation on education rights of national minorities (1996), the Oslo recommendation on their linguistic rights (1998) and the Lund recommendations on their effective participation in public life (1999).

An area where the European multilateral institutions failed, however, was in the prevention of massive human rights violations in Bosnia and Herzegovina.

Source: Council of Europe 2000; European Court of Justice and Court of First Instance 2000; OSCE 1996, 1998 and 1999.

media attention, Coca-Cola established quantitative targets for promoting diversity. “What gets measured gets done”, noted chief executive Douglas Daft. “Employee diversity is a

clear business imperative. . . my own salary will be tied to achieving these diversity goals.”

A SUMMARY OF ACTIONS TO REALIZE A VISION FOR THE 21ST CENTURY

Defining the comparative advantage of different institutions is the starting point of any implementation strategy (figure 6.1). Many institutions have multiple and overlapping roles. But each has comparative advantages, and concentrating on strengths can increase their effectiveness, particularly when partnerships recognize that other institutions are focusing on other elements of advocacy and implementation.

How useful is it to engage in finger-pointing on violations of human rights? Is it better to support countries by acknowledging progress and providing assistance for strengthening institutions? The answer, of course, is to do both. Finger-pointing is a necessary part of invoking

BOX 6.11

A diamond in the rough—global witness to sanctions busting in Angola’s civil war

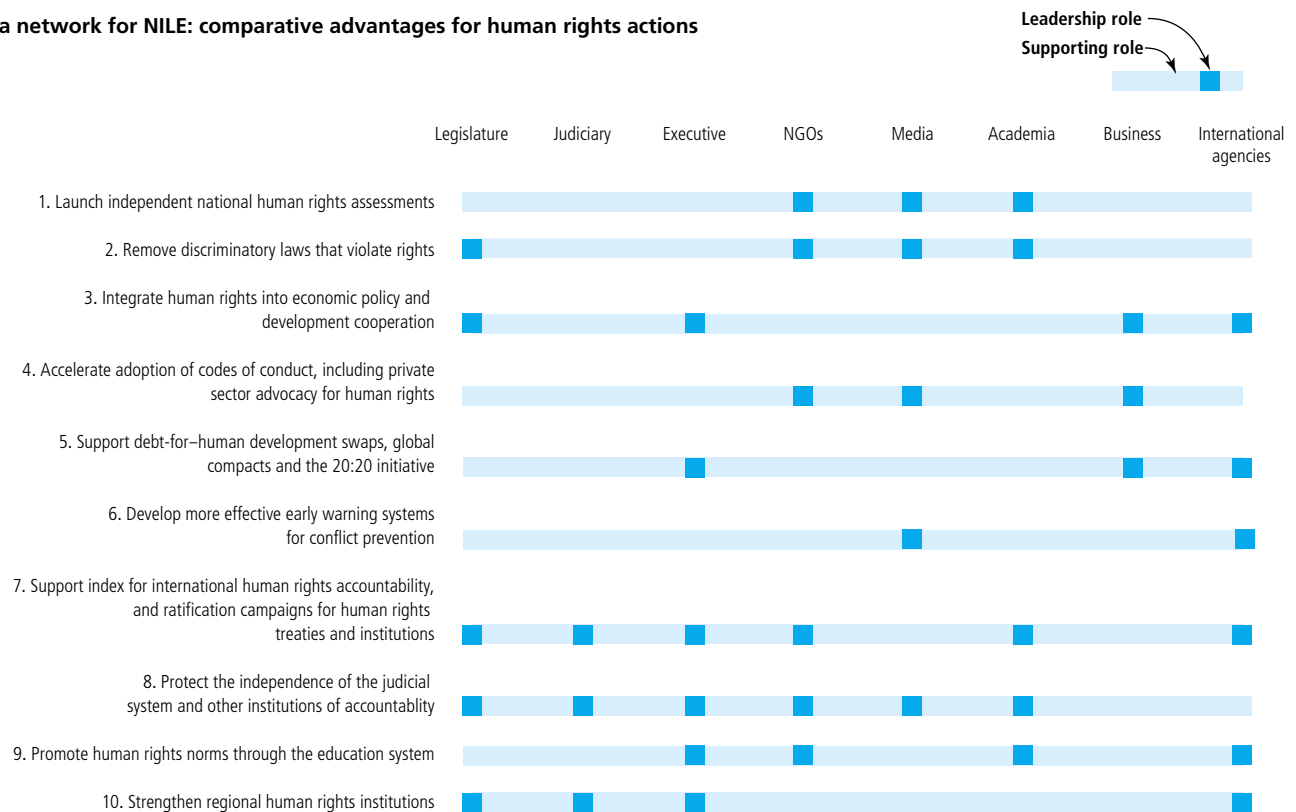
In Angola Jonas Savimbi and his rebel group UNITA, refusing to accept the results of an election they participated in and lost, went back to fighting in 1992, in arguably the world’s longest ongoing civil war. The United Nations later imposed sanctions on Angolan diamonds under the control of UNITA, which was selling them to finance purchases of arms and spare parts. But the sanctions were busted through support from some governments and the complicity of businesses operating through Antwerp, the major trading centre for diamonds.

A human rights group, Global Witness, exposed the complicity of de Beers, the South African conglomerate that effectively controls the world diamond market. The finger-pointing led de Beers to announce a commitment not to purchase any diamonds from the Angolan rebels. It also took related measures, which human rights groups have welcomed.

A UN report published in March 2000 calls for strong measures against governments or private parties that are busting sanctions aimed at preventing diamonds from financing landmines.

Source: UN Secretary-General 2000; Global Witness 1998.

FIGURE 6.1
Building a network for NILE: comparative advantages for human rights actions



Note: For an analysis of NILE—norms, institutions, legal frameworks and enabling economic environment—see the overview.

Source: Human Development Report Office.

accountability. And supporting good intentions requires pragmatic interventions for changing laws and building the implementation capacity of institutions. Some actors, such as NGOs, are better placed than others for finger-pointing. And the comparative advantage of intergovernmental agencies is implementing programmes that promote human rights and development.

The conceptual integration of human rights and human development, articulated in chapter 1, advances the common goal of political, economic and social freedom. Just as individuals have the right not to be tortured, they have the right not to die from hunger. Social arrangements must not only ensure the freedom of expression but also prevent severe malnutrition. Political and civil freedoms are vitally important—but so is the right to a standard of living that gives people dignity. Economic rights are as important as political rights, though the strategies and instruments to advance each may differ substantially.

A VISION FOR THE 21ST CENTURY

The 21st should be the century for the worldwide spread of freedoms. All people have the right to enjoy seven freedoms—from discrimination, from want, for personal development, from threats to personal security, for participation, from injustice and for productive work. Each of these freedoms requires a vision worthy of collective effort by the nations of the world. And the universality of human rights provides the foundation for this global vision.

- Women and racial and ethnic groups have suffered violent discrimination. Their struggles against deep prejudices have brought many gains in freedom. But with many battles won, the war is not yet over for the billions still suffering from discrimination. The human rights and human development movements will struggle for the changes in laws, norms and institutions that must liberate those remaining shackled by discrimination.
- Famines wiped millions from the earth during the 20th century, mostly because of inhumanity, not nature. Such violent deprivations are now rare, but freedom from want

remains a distant dream for millions of people. In the 21st century national and global economic systems have to honour obligations to those humiliated by want. The ultimate purpose of global economic growth is to provide people the dignity of being free from want, a point emphasized by the human development perspective.

- The frequency of torture in history provides a tragic indicator of the evil that lurks in the hearts of men. The elimination of torture, and the national and international prosecution of those who engage in it, are central to the continuing struggle for the freedom for personal security. There are other important dimensions to personal security. Many women who have been raped feel ashamed and face legal systems that reflect patriarchal prejudices. Freedom for personal security requires global coalitions for changing the laws, institutions and values that deny dignity and protection to women.
- The global gains in democracy are still very recent. The 21st century should give all people—for the first time in history—the right to choose their government and the freedom to participate in the decisions that affect their lives. Active involvement in civic institutions and unprecedented access to information and knowledge will enhance fundamental political freedoms.
- The arbitrary exercise of power has traditionally reinforced the helplessness of the powerless. When governments operated on the principle of the divine right of kings, rulers did not seek legitimacy for their power in any notion of justice. The struggle against such injustice demanded that social institutions be based on legitimacy, consent and rule of law. In the 21st century securing freedom against injustice will require institutions that protect people through transparent rules applied equally to all.
- All adults deserve the freedom to work without humiliation and exploitation. And children should be at school, not at work. Much has been achieved in protecting children and improving the working conditions of adults. Many enjoy the freedom for productive work. But millions toil in inhumane con-

The 21st should be the century for the worldwide spread of freedoms. All people have the right to enjoy seven freedoms

ditions, while others feel socially excluded by lack of work. In the 21st century dignity demands a commitment to including the ostracized and abolishing oppressive working conditions.

These are ambitious goals—yet there is nothing new in these aspirations. These are

the freedoms that have motivated people throughout history. The fight for these freedoms, across all cultures and races, has been the bond holding the human family together. What is unique to the 21st century is the possibility that these aspirations can become a reality for all people.

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