

****EMBARGOED TILL 12:01 AM NEW YORK TIME ON 8 DECEMBER 2006****

UNITED NATIONS



NATIONS UNIES

THE SECRETARY GENERAL

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ADDRESS TO MARK INTERNATIONAL HUMAN RIGHTS DAY
New York City, 8 December 2006

My dear friends,

Thank you all for being here. I could not ask for better company, on the last International Human Rights Day of my time in office, than this group of courageous human rights leaders from around the world.

I don't need to tell you, of all people, that the United Nations has a special stake, and a special responsibility, in promoting respect for human rights worldwide. But equally – and less happily – I don't need to tell you that the UN has often failed to live up to that responsibility. I know that ten years ago many of you were close to giving up on any hope that an organization of governments, many of which are themselves gross violators of human rights, could ever function as an effective human rights defender.

One of my priorities as Secretary-General has been to try and restore that hope, by making human rights central to all the UN's work. But I'm not sure how far I have succeeded, or how much nearer we are to bringing the reality of the UN in line with my vision of human rights as its "third pillar", on a par with development and peace and security.

Development, security and human rights go hand in hand; no one of them can advance very far without the other two. Indeed, anyone who speaks forcefully for human rights but does nothing about security and development – including the desperate need to fight extreme poverty – undermines both his credibility and his cause. Poverty in particular remains both a source and consequence of rights violations. Yet if we are serious about human deprivation, we must also demonstrate that we are serious about human dignity, and vice versa.

Are you any more confident today than you were ten years ago that an intergovernmental organization can really do this job? I fear the answer may be No, and that the first steps of the Human Rights Council, which we all fought so hard to establish, may not have given you much encouragement. So this morning I suggest that we try and think through, together, what is really needed.

First, we must give real meaning to the principle of "Responsibility to Protect".

As you know, last year's World Summit formally endorsed that momentous doctrine – which means, in essence, that respect for national sovereignty can no longer be used as an excuse for inaction in the face of genocide, war crimes, ethnic cleansing and crimes against humanity. Yet one year later, to judge by what is happening in Darfur, our performance has not improved

much since the disasters of Bosnia and Rwanda. Sixty years after the liberation of the Nazi death camps, and 30 years after the Cambodian killing fields, the promise of “never again” is ringing hollow.

The tragedy of Darfur has raged for over three years now, and still reports pour in of villages being destroyed by the hundred, and of the brutal treatment of civilians spreading into neighbouring countries. How can an international community which claims to uphold human rights allow this horror to continue?

There is more than enough blame to go around. It can be shared among those who value abstract notions of sovereignty more than the lives of real families, those whose reflex of solidarity puts them on the side of governments and not of peoples, and those who fear that action to stop the slaughter would jeopardize their commercial interests.

The truth is, none of these arguments amount even to excuses, let alone justifications, for the shameful passivity of most governments. We have still not summoned up the collective sense of urgency that this issue requires.

Some governments have tried to win support in the global South by caricaturing responsibility to protect, as a conspiracy by imperialist powers to take back the hard-won national sovereignty of formerly colonized peoples. This is utterly false.

We must do better. We must develop the responsibility to protect into a powerful international norm that is not only quoted but put into practice, whenever and wherever it is needed.

Above all we must not wait to take action until genocide is actually happening, by which time it is often too late to do anything effective about it. Two years ago I announced an action plan for the prevention of genocide, and appointed a Special Adviser to help me implement it. While his work has been extremely valuable, much more needs to be done. I hope my successor will take up this banner, and that member states will support him.

Second, we must put an end to impunity.

We have made progress in holding people accountable for the world’s worst crimes. The establishment of the International Criminal Court, the work of the UN tribunals for Yugoslavia and Rwanda, the hybrid ones in Sierra Leone and Cambodia, and the various Commissions of Experts and Inquiry, have proclaimed the will of the international community that such crimes should no longer go unpunished.

And yet they still do. Mladic and Karadzic, and the leaders of the Lord’s Resistance Army – to name but a few – are still at large. Unless these indicted war criminals are brought to court, others tempted to emulate them will not be deterred.

Some say that justice must sometimes be sacrificed in the interests of peace. I question that. We have seen in Sierra Leone and in the Balkans that, on the contrary, justice is a fundamental component of peace. Indeed, justice has often bolstered lasting peace, by de-legitimizing and driving underground those individuals who pose the gravest threat to it. That is why there should never be amnesty for genocide, crimes against humanity and massive

violations of human rights. That would only encourage today's mass murderers – and tomorrow's would-be mass murderers – to continue their vicious work.

Third, we need an anti-terrorism strategy that does not merely pay lip-service to the defence of human rights, but is built on it.

All states agreed last year that “terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes” is “one of the most serious threats to international peace and security”. They were right. Terrorism in itself is an assault on the most basic human rights, starting with the right to life.

But states cannot fulfil that obligation by themselves violating human rights in the process. To do so means abandoning the moral high ground and playing into the hands of the terrorists. That is why secret prisons have no place in our struggle against terrorism, and why all places where terrorism suspects are detained must be accessible to the International Committee of the Red Cross. Leading promoters of human rights undermine their own influence when they fail to live up to these principles.

We must fight terrorism in conformity with international law, those parts of it that prohibit torture and inhumane treatment, and those that give anyone detained against his or her will the right to due process and the judgement of a court. Once we adopt a policy of making exceptions to these rules or excusing breaches of them, no matter how narrow, we are on a slippery slope. The line cannot be held half way down. We must defend it at the top.

Fourth, let's not content ourselves with grand statements of principle. We must work to make human rights a reality in each country.

Of course, protecting and promoting human rights is first and foremost a national responsibility. Every member state of the UN can draw on its own history to develop its own ways of upholding universal rights. But many states need help in doing this, and the UN system has a vital role to play.

Over the past decade, the UN has rapidly expanded its operational capacity for peacekeeping, and for development and humanitarian aid. Our capacity to protect and promote human rights now needs to catch up.

World leaders recognized this at last year's Summit. They agreed to double the budget of the Office of the High Commissioner for Human Rights over the next five years, and as a result the Office is now rapidly expanding. It is helping states build their capacity, giving them technical assistance where necessary, and bringing urgent situations to the attention of the international community. In some countries, such as Colombia and Nepal, its monitoring missions are making a very important contribution to the resolution of conflict.

But the Office's capacity is still far short of the needs it has to meet. I hope the quality of its work will persuade member states to authorize further increases in the years ahead.

Meanwhile, we must realize the promise of the Human Rights Council, which so far has clearly not justified all the hopes that so many of us placed in it.

Of course it's encouraging that the Council has now decided to hold a special session on Darfur next week. I hope against hope that it will find an effective way to deal with this burning issue.

But I am worried by its disproportionate focus on violations by Israel. Not that Israel should be given a free pass. Absolutely not. But the Council should give the same attention to grave violations committed by other states as well.

And I am also worried by the efforts of some Council members to weaken or abolish the system of Special Procedures – the independent mechanisms for reporting on violations of particular kinds, or in specific countries.

The Special Procedures are the crown jewel of the system. They, together with the High Commissioner and her staff, provide the independent expertise and judgement which is essential to effective human rights protection. They must not be politicized, or subjected to governmental control.

Instead, the Council's agenda should be broadened to reflect the actual abuses that occur in every part of the world. That means that the periodic review of all countries' human rights performance, which the Council will establish in the course of next year, must go beyond the work that the treaty bodies are already doing.

But of course the universal review cannot be a substitute for addressing country-specific situations. Many countries will continue to need technical assistance, or in-country monitoring mechanisms, or both, and some will continue to merit condemnation. Human rights abuses do not occur on paper. They are committed by real people, against real victims, in specific countries.

The world needs an intergovernmental body that deals with human rights. And it needs an intergovernmental body that works. That can only be achieved by a broader leadership. All states that truly believe in human rights, in every part of the world, must work together to transcend narrow interests and make the Human Rights Council live up to its promise. It is a historic opportunity – and history will not be kind if we let it pass.

The truth is, it's not enough just to have the right principles and say what we think should happen. We also have to ask who is going to make it happen. **Who can we look to for support? Who is going to insist that these principles are acted on?**

First, I look to Africa to take the lead.

Africa's many conflicts are, almost invariably, accompanied by massive human rights violations. Unless Africa wholeheartedly embraces the inviolability of human rights, its struggle for security and development will not succeed.

As I said when I first addressed African heads of state, at Harare in 1997, to treat human rights as an imposition by the industrialized West, or a luxury of the rich countries for which Africa is not ready, demeans the yearning for human dignity that resides in every African heart. Human rights are, by definition, also African rights. It should be every African government's first priority to ensure that Africans can enjoy them.

South African heroes, like Nelson Mandela and Desmond Tutu, have shown the way. The African Union led the way among international organizations on the responsibility to protect, by proclaiming in its Constitutive Act “the right of the Union to intervene in a Member State ... in respect of grave circumstances, namely war crimes, genocide and crimes against humanity”. It has also tried harder than anyone else to act on that doctrine in Darfur, and to bring the former Chadian dictator Hissène Habré to justice.

This is encouraging, but much more needs to be done. In practice, many African governments are still resisting the responsibility to protect. Many, even among the most democratic, are still reluctant to play their role in the Human Rights Council by speaking out impartially against all abuses. They can, and must, do more.

Secondly, I look to the growing power of women – which means we must give priority to women’s rights.

The “equal rights of men and women”, promised by the UN Charter 61 years ago, are still far from being a reality. The UN can and must play a greater role in empowering women, and to do so, will require a strengthening of the UN’s gender architecture. I strongly encourage member states to make this a real priority.

And thirdly, I look to civil society – which means you!

We need dedicated individuals and dynamic human rights defenders to hold governments to account. States’ performance must be judged against their commitments, and they must be accountable both to their own people and to their peers in the international community. Thank God, then, for the growth in human rights NGOs we have witnessed in the last decade. There are now an estimated 26,000 of them worldwide, specializing in issues from trafficking to torture, from HIV/AIDS to the rights of children and migrants.

This community is the UN and its Member States’ essential partner in the struggle for human rights. Without the information you collect, the treaty bodies would be helpless. Without the spotlight you shine, abuses would go unnoticed. In return, we must do everything to protect you from harassment, intimidation and reprisal, so you can carry on your vital work.

Dear friends,

Throughout my time in office my biggest concern has been to make the UN an organization that serves people, and treats them as people – that is, individual human beings, not abstractions or mere components of a state.

Of course I know that individuals don’t exist in a vacuum. Man is a political and social animal, and individual men and women define their identity by their membership of groups. That’s why human rights must always include rights to collective self-expression, which are especially important for minorities.

But no one’s identity can be reduced to membership of a single group, be it ethnic, national, religious, or whatever. Each one of us is defined by a unique combination of characteristics that make up our personality. And it is that individual person whose rights must be preserved and respected.

The task of ensuring that that happens lies at the very heart of the UN's mission. And of all our tasks it is the one which can least safely be left in the hands of governments, or of a purely intergovernmental organization. In this task more than any other, the UN needs free spirits like yours to fill the leadership vacuum and hold world leaders and the United Nations to account.

So it's no mere figure of speech, dear friends, when I say that I leave the future of the UN's human rights work in your hands.

Thank you very much.