

**MARY ROBINSON**  
**FROM RHETORIC TO REALITY: MAKING HUMAN RIGHTS WORK**

**London School of Economics and Political Science**  
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Distinguished faculty and students,  
Ladies and gentlemen,

I was delighted to take up the invitation, offered by Professor Peter Townsend, to speak to you today. Peter Townsend's long and distinguished career has combined academic research on the nature of poverty with sustained advocacy of policies to eliminate it. He has been an inspiration to me, and to countless others, over many years.

Professor Emeritus he may be, but he has not retired from his commitment to the poor and to the realisation of universal human rights. As acting director of the new LSE Centre for the Study of Human Rights he steered this new academic initiative successfully to its formal launch today. He also managed to publish a major edited volume on poverty, in which his own contribution is a powerful analysis of poverty as a human rights cause. Let us salute this world scholar and world citizen, this human rights theorist and activist, and let the new Centre work for his ideals.

The Centre is, of course, the result of the hard work and dedication of a team of people, all committed to a shared vision of the importance of human rights in the world today. It owes much to the energy and enthusiasm of its first director Professor Fred Halliday and the support of the Director of the School, Professor Tony Giddens. Allow me to pay tribute to Dr Sigrid Rausing whose generous donation from the Rausing Trust has made the expansion of the Centre possible. Dr. Rausing's work in the field of human rights and her vision in seeing how that work can be promoted - not just on the front line of NGO activism, but also through education and research, - are gifts both to this institution and to the wider human rights community.

The leadership of the Centre is now in the hands of Conor Gearty. As we say in Ireland, there could be no better man. Conor reminds me that I was responsible for his first ever visit to

continental Europe. That was during my short career as tour manager from Ireland for student visits to EU institutions. Thankfully for both of us, we cannot exactly recall how long ago that was. But I have watched his career develop since with admiration. His challenge will be to interest and involve the rich and diverse scholarly expertise within this renowned School in the programme of the Centre.

### **The UK and Ireland context**

The mushrooming of interest in the study of human rights at graduate level in both the UK and Ireland, especially over the last decade is wholly welcome. There are human rights centres also at Nottingham, Durham, Glasgow and Strathclyde. There are centres in both Northern Ireland universities and there is a thriving programme at the National University of Ireland, Galway. Nor must I forget the longest established, Essex University, and I salute my friend and recent colleague in Geneva, Kevin Boyle, who is in the audience.

I am particularly happy to learn of the efforts to construct co- operative links between the different human rights university programmes on both islands. Co-operation has been stimulated by the process of incorporation of the European Convention on Human Rights in the UK, a process that will be completed, it is hoped, very soon in Ireland. These developments and, in addition, common membership of the EU, which has adopted a formal Charter of Rights and Freedoms, can facilitate a flow of research and ideas as well as students and professors between all parts of the islands. At a time of uncertainty in the Peace Process, it is important for academics to play a role in ensuring the strengthening of the intellectual links between the countries. One way to do so is through joint work on the implementation of human rights.

The development of university human rights programmes is ultimately consumer led. The ever increasing interest from young people in undertaking professional training in human rights through graduate study is a way to measure the relevance of the ideal of universal human rights in our time.

I fear I may disappoint some of you who thought the lecture title would lead me in a different direction.

Realities that I do not propose to address today – and yet which I know are on all our minds – are the terrorist attacks of a year ago on 9/11 and the subsequent attacks including last week in Bali, together with the Security Council consideration of Iraq, and heightened tension relating to North Korea.

I have spoken before of a shadow over human rights after 11 September. It is a shadow that remains. Last week, Lord Woolf, speaking to the British Academy, reminded us of what must be the unshakeable human rights position: He said; “In defending democracy, we must not forget the need to observe the values which make democracy worth defending.”

What I will focus on instead is what I believe the deeper global response in an interdependent world must be. We must address the underlying and unresolved human problems of injustice and despair. Our failure to address these problems of the human family incubates indiscriminate rage and violence.

### **From rhetoric to action on human rights**

That leads me to the theme of my lecture, one that was constant for me while High Commissioner for Human Rights and which will remain such in my current work. That theme is simply described. It concerns implementation and delivery. How do we move *on* from proclaiming the rights of people and the obligations those rights give rise to on the part of states and the international community, *towards* the realisation of those rights and obligations? How do we use the great steps that have been taken to date both to define rights and commit states to those definitions, into truly effective collective action at national and international levels to secure those rights for everyone in our world, without distinction?

As some of you may have heard, the new work I have set out to do concerns the global context in which these questions are posed, the context of globalisation. The objective is to find more effective ways of making human rights values and legal standards play a bigger role in globalisation processes. At the same time, the practical focus of my current work will be on how developing countries can best be supported in building their own national human rights protection systems. But before speaking on those topics, let me raise some general points,

which relate to moving human rights from rhetoric to reality while at the same time are very much linked to global issues.

### **Rhetoric and reality: a broad view of human rights**

My first observation would be this: if we are to move to effective action, then the concept of human rights should be broadly defined. We must take the Vienna World Conference consensus seriously, namely, that human rights means all human rights as set out in the Universal Declaration of Human Rights - economic, social and cultural rights as well as civil and political rights. Can we honestly say that in most developed countries this is fully understood and accepted? And yet, if the principle of indivisibility of human rights is not fully embraced in developed countries, how effective can efforts be to insist that economic globalisation should be shaped by the international law on human rights?

The Universal Declaration on Human Rights (UDHR), the modern root of international human rights, was intended to set out universal common standards or targets of achievement for all humanity. Does any one imagine that the Universal Declaration would have achieved the universal legitimacy that it has gained over the last half century, had it not recognised economic, social and cultural rights? If the Declaration had proclaimed only the rights to liberty, to freedom of speech and religion, freedom from torture and fair trial, if it had been silent on the right to an adequate standard of living including food, safe water, health care, education, work and housing, -would it have become a universal document, perhaps the most important document ever agreed through the United Nations, the fulfilment of which is the aspiration of all human kind?

I think not. It would rather have perished under the charge that the Declaration was the projection of western values and culture on the rest of the world.

Awareness of human rights ideas has been deepened in the United Kingdom by the incorporation of the European Convention on Human Rights through the Human Rights Act of 1998. As the second anniversary of the implementation of that Act was marked, one of your Centre fellows, Francesca Klug, wrote recently, incorporation has not proved as dramatic or unsettling for the British way of life as some predicted. What then would the impact be if the UN Covenant on Economic, Social and Cultural Rights had been incorporated? Norway has done this and the house has not fallen down.

Last May, the UN Committee on Economic, Social and Cultural Rights considered a periodic report from the UK. The Committee was told in no uncertain terms that there were no plans to incorporate the Covenant. Indeed, the Government representatives left the impression that these rights were not of the same nature or priority as civil and political rights incorporated under the Human Rights Act. The Committee in Geneva duly expressed its disappointment and made some strong criticisms of the UK in respect of several rights issues including concerns about discrimination over student loans. That provoked one newspaper in Britain to declare

*What business is any of this of the UN? The organisation was founded in October 1945 with the principal aim of maintaining international peace and security. A subsidiary purpose was to promote respect for human rights and fundamental freedoms.*

*But what its founders had in mind was discouraging governments from chopping their citizens' limbs off or torturing them to death. It was no part of the plan that the UN should start poking its nose into the finer points of British education policy.*

In my view, that is a wrong but rather widespread attitude even among some NGOs and perhaps even within some universities.

Is the problem, perhaps, that the emphasis on the European Convention and its jurisprudence has obscured the other commitments of the UK Government under the parallel European Social Charter or under the International Covenant on Economic, Social and Cultural Rights? It is certainly rare to find any linkage made in official statements to the full catalogue of rights and freedoms set out in the Universal Declaration. Of course the work and programme of the Department for International Development, DFID, is an admirable exception. But DFID is concerned with the international and not the national level.

Similar observation can be made about Ireland. It has constitutional language that refers to social and economic rights as non-justiciable principles. A recent Supreme Court case confirmed that non-justiciable status, but made no reference to the obligations of Ireland under the International Covenant on Economic, Social and Cultural Rights, (ICESCR) and it appears not to have occurred to any lawyer before the Court to raise such arguments.

In the case of the United States, the ICESCR has never been ratified. Different administrations have consistently rejected the idea of international economic social and cultural rights, notwithstanding that they were drafted into the UDHR from proposals that came from the United States. And notwithstanding the key role played by Eleanor Roosevelt in the process.

A key provision of the ICESCR, Article 2, concerns obligations of international assistance to developing countries in progressively securing economic, social and cultural rights. That provision is clearly relevant to any advocacy seeking to build an ethical approach to globalisation.

In summary then, one part of the transition from human rights rhetoric to human rights reality in developed countries, such as Britain and Ireland, is to take the indivisibility of rights seriously. A task of the new Centre, I hope, will be to ensure that academic and scholarly attention is paid to the national and international implementation of economic and social rights obligations as well as civil and political rights.

### **Linking Human Rights with Democracy and Development**

My second observation is that the study as well as the practice of human rights today requires greater conceptual and policy linkage to both democracy and development. That is hardly a novel idea. It was spelled out as part of the Vienna World Conference on Human Rights almost a decade ago. But it needs more attention from Governments, from academics and from civil society groups in both the developed and developing world. Human rights work, - whether at the level of theory or in implementation of policies - has reached a level of maturity where it can integrate the insights and tools from disciplines and professions other than the purely legal. In other words, human rights are no longer just a lawyer's preserve. There is space and need for much broader intellectual and scholarly attention to the subject, as well as for integrating human rights into the practical and policy programmes that seek to advance human development and security.

Significant progress has been made in this direction. Looking back over my five years as High Commissioner, I have seen important breakthroughs, crucially beginning with the mainstreaming of a rights-based approach throughout the UN system. It is also to be seen in the strong links now made between human rights and human development and in the work being

done on human rights and human security. I have particularly noted the way that civil societies in every region are learning to use the commitments of their governments, in ratifying human rights covenants and conventions, as a means of securing transparent and participatory decision making on the whole range of human rights issues: economic and social as well as civil and political. In this work UK NGOs have been in the vanguard.

Over the past year, in particular, I witnessed a transformation in how human rights activists, despite having different agendas, were linking their activities with groups addressing economic and social development, the environment and other issues of global concern.

This process reached new levels at the Johannesburg World Summit on Sustainable Development. The cry in Johannesburg was “no sustainable development without human rights.” Global civil society has recognised that the path to sustainable development requires explicit respect for international human rights standards. Unfortunately, this affirmation was largely resisted by governments in the official texts of Johannesburg. But the reality is that the debate has moved on ahead of them.

In Johannesburg, the broad human rights agenda, covering civil and political as well as economic, social and cultural rights was pressed by civil society as being of direct relevance for many of the issues on the Summit agenda, from access to clean water to HIV/AIDS. Indeed, as I witnessed at Johannesburg, whether the topic was corporate social responsibility, ecological issues or economic development, the environmental, development and human rights communities have never been so joined in common mission and shared agenda as they are today.

Equally important, while these new or strengthened linkages are being made at the international level, powerful movements for change are also underway at the national level. NGOs are increasingly using the tools arising from the reporting of the legal commitments that governments have made, under the six core international human rights instruments, to engage in a deeper democratic discourse.

Human rights advocates in every region are either working with their governments in preparing the reports to the six treaty monitoring bodies, or are preparing parallel or alternative reports. In addition, development NGOs, such as Oxfam, are adopting a rights-based approach

in their work in countries around the world. They are aware of the human rights covenants and conventions the country in question has ratified, they know what reports have been submitted indicating measures taken by the government and the comments on that of the relevant committees, and they know if there have been visits and reports by any of the special rapporteurs of the UN Commission on Human Rights. They are linking this information to their own development work, and in particular to how they seek to empower civil society groups in using this framework to push for results.

## **Towards Ethical Globalisation**

A key challenge is to ensure that effective participatory tools are developed through which civil society groups ensure that governments translate their human rights obligations into practical actions. This challenge is all the more complex in an age when state power is diminishing because of the forces of globalisation. While few would question that the primary responsibility for protecting human rights remains with national governments, there is increasing recognition that it is essential to ensure human rights obligations fall where power is exercised, whether it is in the local village or at the international meeting rooms of the WTO, the World Bank or the IMF.

As power shifts upward and downward, should human rights scrutiny not follow in both directions? In a world where markets, ideas and peoples impact one another as never before, has the time not come to reconsider how we think about human rights, and how we develop a shared sense of responsibility for their realisation?

These are some of the issues that I am planning to explore in my post-UN work. I want to make the case that because a majority of countries around the world have ratified UN human rights instruments such as the Convention on the Rights of the Child, ratified by 191 countries, the Convention on the Elimination of Discrimination Against Women, ratified by 170 countries, or the International Covenant on Economic, Social and Cultural Rights, ratified by 145 countries, they have accepted certain responsibilities, both at home and abroad.

Essentially, my argument is that the binding human rights framework must become part of the rules of the road of globalisation. These human rights commitments, along with legal commitments made on environmental, labour and other standards, must play a bigger role in shaping the decisions of governments in every policy arena, domestic or international. Only then will we be able to ensure a more values-led, ethical globalisation.

One of my partners in this project, the Geneva-based International Council on Human Rights Policy, is working on a draft report which explores the extent to which richer countries are under an obligation to ensure that economic, social and cultural rights are respected and fulfilled in poorer countries. Drawing on legal, ethical and practical arguments, the draft builds a strong case for internationalising responsibilities for these rights.

In an age where we debate the intervention of outside military forces to stop genocide and crimes against humanity, we ought not to shirk from the notion that the governments of more powerful countries should do what they can to ensure that basic rights to food, safe water, education, shelter, and health care are met in the developing world. At a minimum, our governments ought to ensure their own policies and practices do not exacerbate rights deprivation elsewhere.

As I have emphasized, I would like to see more multi-disciplinary thought and action aimed at bridging existing professional and disciplinary barriers. A human rights expert will point out that by ratifying international instruments, countries have a legal obligation to ensure that they adhere to the terms of the instruments. They will contend that civil society has a responsibility, together with other non-state actors - such as business and trade unions - to ensure compliance by their governments. But what does this mean to an economist or a policy analyst? How can the language and approach of human rights be further refined to be of more relevance in other disciplines?

I would welcome the opportunity of exploring with you how the great strengths of this institution - in the field of economics and other social sciences - could be brought to bear in addressing these questions.

### **Building national capacities for human rights**

The second area I will be focusing on is to help - in a low-key way – to fill a gap which concerns me greatly in human rights at the international level. We still do not put adequate emphasis on helping developing countries to build their own national protection systems for human rights. By national protection systems, I mean the entire institutional arrangements that function under the national constitutional and legal order to ensure that human rights, based on the international commitments of the State, are advanced enjoyed and defended. That means the courts, the legislature, as well as national human rights institutions or human rights commissions. It also means the educational system and human rights education programmes. It includes space for civil society, human rights defenders and support for their relationship with the formal system of promotion and protection of human rights.

In the context of development, the importance of human rights and democracy to sustainable development is increasingly recognised. Yet too little attention has been given to building effective institutions. Human rights cannot be realised in the absence of effective and accountable institutions. Where courts are corrupt, over-burdened and inefficient, basic civil rights will be violated. Where social ministries are under-resourced, disempowered or lack qualified staff, basic rights to adequate health care, education and housing will remain unfulfilled. Institution building and reform is neither easy nor particularly newsworthy – it is, however, essential.

A recent report on capacity building from the Human Rights Centre at Columbia University and the Banyan Tree Foundation was based on discussions between experts involved in human rights capacity building activities around the world. The report, titled, Capacity Building by Human Rights Organizations: Challenges and Strategies, highlights many key issues which need to be addressed if we hope to improve the effectiveness of capacity building initiatives. These include the importance of education in empowering local citizens to know and claim their rights, addressing North-South power imbalances chiefly through providing more support for Southern NGOs and deepening North-South learning, and improving co-operation between international and local organisations to jointly challenge the structures that perpetuate human rights abuses at the local, national and international level.

### **Focus on Africa**

I plan to focus on addressing such issues initially through the framework of the New Partnership for Africa's Development (NEPAD). Whatever reservations there may be about the lack of civil society participation, African government leaders have committed themselves through NEPAD to delivering pluralistic States with transparent administrations, effective institutions and sound regulatory frameworks, all underpinned by the rule of law and respect for international human rights standards.

African leaders have made the commitments. But questions hang over how innovative approaches such as the peer review mechanism, whereby governments will hold each other accountable for good governance, will be implemented. Clearly, resources - both financial and intellectual - are desperately needed if we hope to see changes. Building a national protection system must be country-led, requiring both the political will of the government and the

involvement of civil society. And help from the outside must be offered in support, so that the approach is truly sustainable.

My hope is that new and existing links between universities, research centres and professional legal bodies in the North and other parts of the South with counterparts in individual African countries could be developed. In this way, increased resources could be marshalled for projects to support human rights capacity building in these countries.

What is clear to those of us involved – The Aspen Institute, the State of the World Forum and the International Council on Human Rights Policy - is that we will need to engage a broad range of other partners in achieving the objectives I have outlined.

### **A role for LSE**

It is at this point that I would look to institutions such as the LSE and its Human Rights Centre for your ideas and engagement.

Let me be provocative: while human rights centres are to be welcomed, the reality is that so many academic centres exist in northern universities, and so few in the global South. The study of human rights – above other areas of academic inquiry – must show a concern for the inequalities that result from a lack of power and influence. LSE and its new Centre should look for more ways to ensure partnership with universities in the South, and do so in a way which helps to build capacity in those Southern universities.

I would highlight the role you could play in bridging the divides between human rights and other academic disciplines. In a university much of this work is done via visiting professorships, scholarly exchanges and teaching. Those associated with the Centre are determined to make the Master's course in human rights a truly international qualification, not just for human rights activists but also for those from different international bodies, government and business circles.

Think of what could be done if some of LSE's traditional strengths could be used to deepen human rights discourse. Whether it is through the use of statistics to help strengthen understanding of rights deprivation, comparative public sampling of opinions on human rights issues or using economic analysis to buttress arguments for extra-national obligations for the

realisation of economic, social and cultural rights, the possibilities are limitless. I am impressed with your publication Global Civil Society 2002, and welcome the fact that this will be updated annually.

The Centre is ideally situated to act as an educational and scholarly bridge, connecting the aspirations of the human rights community and of human rights activists with the worlds of academe, of economics, politics and of business.

## **Conclusion**

Ladies and Gentlemen,

Let me conclude by going back to basics. In 1941, Franklin D. Roosevelt envisaged a future where there would be freedom from fear, freedom from want, as well as freedom of speech and freedom of religious worship. Those four freedoms are at the core of a more ethical globalization in this century, a globalization which must be shaped by a strong gender perspective. Virginia Wolf put it well when she spoke of the role of women in peacemaking: "We can best help you prevent war, not by repeating your words and repeating your methods, but by finding new words and creating new methods."

Let me turn to another woman I admire greatly, Aung San Suu Kyi, and quote from a piece she wrote on "Freedom from Fear"

Within a system which denies the existence of basic human rights, fear tends to be the order of the day. Fear of imprisonment, fear of torture, fear of death, fear of losing friends, family, property or means of livelihood, fear of poverty, fear of isolation, fear of failure. A most insidious form of fear is that which masquerades as common sense or even wisdom, condemning as foolish, reckless, insignificant or futile the small, daily acts of courage which help to preserve man's self-respect and inherent human dignity. It is not easy for a people conditioned by fear under the iron rule of the principle that might is right to free themselves from the enervating miasma of fear. Yet even under the most crushing state machinery courage rises up again and again, for fear is not the natural state of civilized man.

The wellspring of courage and endurance in the face of unbridled power is generally a firm belief in the sanctity of ethical principles combined with a historical sense that despite all setbacks the condition of man is set on an ultimate course for both spiritual and material advancement.”

Women and men in every region of the world are realizing that human rights is not so much about words or rhetoric, but about holding governments accountable for the legal commitments they have made. I hope it will be central to the mission of the new Human Rights Centre here at LSE to provide civil society groups world wide with support and guidance in their efforts in making human rights work.

Thank you.