

AI Index: ACT 30/11/97

We are all human -- we all need human rights

On 10 December 1948 the General Assembly of the United Nations (UN) proclaimed the Universal Declaration of Human Rights. It declared that “the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want” is “the highest aspiration of the common people”.

Still the cornerstone of the UN human rights system, the Universal Declaration identified human rights — civil, cultural, economic, political and social — which remain vital to everyone’s well-being. Most have since been codified in international human rights treaties and incorporated into the constitutions and laws of many countries. The Universal Declaration helped establish that human rights are an international responsibility, not simply the internal affairs of states. It set out the principle that all human rights are universal and indivisible. This means that all human rights should be enjoyed by all people, at all times, and that no one set of rights can be enjoyed at the expense of other rights.

In 1993 the intergovernmental community, which had grown to 171 states, adopted by consensus the Vienna Declaration and Programme of Action at the UN World Conference on Human Rights. The Vienna Declaration affirmed and built on these principles. It opened the way for the creation of the post of the High Commissioner for Human Rights and called for women’s enjoyment of all human rights to be a priority for governments and the UN.

In 1998 the UN will mark the 50th anniversary of the Universal Declaration and will undertake a five-year review of the implementation of the Vienna Declaration and Programme of Action. In the years since 1948, the Universal Declaration has become legally binding on all states as part of customary international law. In addition, a growing international community has reaffirmed and expanded the rights in the Universal Declaration into a solid body of international human rights standards. First to be agreed were the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights, adopted by the UN in 1966. Since then, international human rights treaties and standards have elaborated practical measures to prevent violations such as “disappearances” and extrajudicial executions. New standards are still being developed to prevent torture, to protect children in armed conflict and to support human rights defenders.

This collection of international human rights standards constitutes a collective agreement by governments on the criteria by which they will be assessed on how they treat the people under their jurisdiction. The end of the Cold War was an opportunity for governments to renew their commitment to human rights standards by using them impartially in responding to human rights violations in any part of the world. Instead, governments have continued to disengage from this commitment because it conflicts with their own economic, security or political self-interest.

Despite government intransigence, human rights are rooted in common concepts of human dignity and justice, as the growing number of local non-governmental organizations shows. Human rights defenders, particularly those whose rights have been violated because of their stand on the human rights of others, show that the need for all people to enjoy all human rights is global. The claim that local traditions and values take precedence over universal principles of human rights is untenable in the face of their testimonies.

The universality of human rights, far from denying diversity, can only benefit from it. The contribution of different cultures, at the local or global level, enriches our understanding of human

rights. If the rights set out in the Universal Declaration are to become a reality, they have to reflect all our experiences and all our needs for human dignity and justice.

Sometimes, however, cultural practices are both the context of human rights violations and used to justify them. One such example is violence against women, deriving from women's position in the state, the community and the family. Over the last decade it has been recognized that this is a major obstacle to women's enjoyment of their human rights. The fact that such human rights violations may be widespread, persistent and sanctioned by tradition does not justify their continuation.

UN human rights standards and the machinery to implement them have neglected the development of economic, social and cultural rights in favour of civil and political rights. The continuing grave and persistent violations of civil and political rights more than justifies this level of attention, but the relative neglect of other rights cannot be justified. The assumption has been that civil and political rights could be defined in law and enforced by courts at no great cost since they largely require that the state refrain from interference in the lives of its citizens. Economic, social and cultural rights, it is claimed, cannot be invoked in courts of law or applied by judges, although this argument is increasingly challenged by human rights experts. Even those governments who say they prioritize economic rights over civil and political rights have failed to support the development of standards or mechanisms which would enhance their population's enjoyment of these rights.

There is no hierarchy of human rights. The Universal Declaration recognizes freedom from fear and freedom from want as two sides of the same coin. People cannot advance their economic, social and cultural rights without the political space and civil freedom to do so. And violations of civil and political rights, such as torture or unfair trials, add nothing to a state's economic development. Just as human rights are indivisible and interdependent, so too is the work of all human rights defenders and all parts of civil society.

The attention that will be given in 1998 to the Universal Declaration of Human Rights and to the Vienna Declaration and Programme of Action is timely. It is the occasion to remind ourselves, as well as the world's governments, that the Universal Declaration was proclaimed as "a common standard of achievement for all peoples and all nations" and that its observance depends on every individual, every society and every government. In the 50th year of the Universal Declaration, Amnesty International asks you to *sign on the dotted line* and make this commitment:

"I promise to do everything in my power to ensure that the rights set out in the Universal Declaration of Human Rights become a reality throughout the world."