

DO HUMAN RIGHTS REALLY MATTER IN TIMES OF CRISIS?

Salil Shetty

Issam Fares Institute, American University of Beirut

12 April 2017

Index: ACT 30/6070/2017

INTRODUCTION

I am happy to be back in Lebanon, for the first time since Amnesty International's Regional Office for the MENA region was established here.

These are dark and uncertain times for the world, when sometimes it feels like we are spinning right out of control. Things are not easy here in Lebanon – in the midst of a region torn apart by conflict, buffeted by political turbulence, and hosting a vast refugee population.

Yet the Lebanese people exude an admirable spirit of resilience – something we need in greater supply in the world now.

These are troubled and cynical times. But as Amnesty International establishes a new presence in Lebanon, I am here to talk about human rights and how they are still extremely relevant for us to confront the massive challenges to justice, equality and dignity in the world. What difference can we really make?

A TIME OF CRISIS – A GLOBAL OVERVIEW

Let me start by some reflections about the state of the world.

DEMONIZATION, REPRESSION AND CONFLICT

In the past year many parts of the world have been experiencing something that the Middle East, along with Africa, Asia and Latin America has known for a long time – political leaders, often with growing public support, using a hateful rhetoric of “us versus them” to justify repression and fuel conflict.

In the name of protecting national security or collective interests, governments around the world have been turning a blind eye to war crimes, shutting out those who seek asylum, and passing laws that undermine freedom of expression and fair trials, and justifying torture and mass surveillance.

The spread of a rhetoric which dehumanizes and demonizes others on the basis of their identity has had catastrophic consequences in this part of the world.

Whether it was President Trump's campaign rhetoric and policies putting discrimination into practice, or President Erdogan's massive backlash against journalists, or President Xi's huge crackdown on dissent, or ongoing trends of repression in countries as diverse as Venezuela, Ethiopia, India, Russia and the Philippines, the world in the last year has seen a massive onslaught on human rights and the ideas of human dignity and equality.

Governments in the Middle East and North Africa are emboldened by this trend. They have launched attacks on civilian populations, committed war crimes, and cracked down on peaceful activists, using the same dehumanizing and demonizing rhetoric of "us versus them".

Millions of people have been tossed about by turmoil, torment and tragedy. Their homes and livelihoods have been ripped apart. This is the horrific effect of armed conflicts marked on all sides by appalling crimes and abuses – and by unrelenting state repression elsewhere.

Six years of fighting in Syria have created the greatest man made humanitarian disaster of the century, and civilians unable to escape the armed conflicts in Iraq, Yemen and Libya have paid a very heavy price.

GLOBAL REFUGEE CRISIS

The political and human rights crisis in this part of the world has been so intense that in 2016 alone, tens of thousands of people considered it better to risk their lives in perilous attempts to cross the Mediterranean Sea than remain in their home countries, or countries of exile.

Yet many of those fleeing the horrors of war have found themselves abandoned as countries increasingly turn a blind eye to their plight. In Europe, a deal with Turkey ignoring human rights obligations has dealt a serious blow to refugee rights across the continent, while asylum seekers languish in limbo on the fringes of the continent – or in containers on the Hungarian border, as though they were livestock waiting to be herded.

Meanwhile in 2016, more people drowned trying to cross the Mediterranean than ever before.

Few countries are more affected by this globalized shirking of responsibility than Lebanon. This country shoulders a huge responsibility for a million refugees, while with few notable exceptions the world's richest countries have turned their backs.

FAILURE OF THE INTERNATIONAL COMMUNITY

And in the face of spiraling conflict and crisis, the international community has shamelessly prioritized trade and corporate interests and security ties over any concern for human suffering. It has turned a blind eye to grave human rights violations across the region.

The USA and UK have continued to supply arms to the Saudi-led coalition in Yemen, despite clear evidence they have been used to commit war crimes.

In Iraq, arms from the USA, Europe, Russia and Iran have been used by paramilitary militias combating the self-titled Islamic State to commit revenge attacks.

The USA has agreed to further boost its already massive military aid to Israel, despite the fact that its forces have continued to commit serious human rights violations in the Occupied Palestinian Territories.

And instead of speaking out in the face of a huge crackdown against people defending human rights in Egypt, governments around the world have continued to export arms there with absolutely no consideration for the Egyptian government's appalling human rights record.

After the three horrific church bombings this past weekend, the announcement of a state of emergency is a dismaying veneer which conceals the government's persistent failure to address sectarian violence and protect Egypt's minorities.

The colossal human cost paid by civilians for the conflicts in Syria, Yemen, Libya and Iraq has continued to escalate as world leaders and the UN failed to act decisively to end war crimes and other serious violations.

In fact, four of the UN Security Council's permanent five member states – France, Russia, the UK and the USA – are actively supporting forces committing some of these violations.

Meanwhile, Russia and China have repeatedly used their veto to block any Security Council action to address the conflict in Syria – Russia has vetoed seven resolutions, China six. It is a story of abject institutional failure.

Last week's appalling chemical weapon attack in Idlib underlined this yet again. We need to see the UN Security Council adopting a resolution that would ensure an investigation on the ground, and ensure those responsible are held accountable. The US airstrike on the Syrian air base is not a substitute for justice and cannot be seen to be.

More than that, the US forces must strictly adhere to their responsibilities under international humanitarian law – the laws of war – and take all possible measures to protect civilians when they are carrying out military action. Over 7,000 airstrikes carried out by the US-led coalition in Syria since 2014, as well as thousands more in Iraq, have killed hundreds of civilians.

For six years, we have called on the UN Security Council to refer the situation in the country to the International Criminal Court, to freeze the assets of President Assad and other senior officials, and to impose an arms embargo on the Syrian government. Those actions could have prevented countless atrocities and saved lives on a huge scale.

Yet instead we have seen deadlock. And the more states backpedal on fundamental human rights commitments, the more we face the prospect of a domino effect – where more and more leaders abdicate their responsibility for human rights and lead us into a dark future where ever greater brutality prevails without consequences.

HUMAN RIGHTS ARE NEEDED MORE THAN EVER

I have painted a sorry picture of the state of the world. Of course there are positives too. People almost everywhere have more access to tools which help them mobilize and demand change. Demands for accountability and rights are in some places growing much louder. In parts of Africa, protests erupted in the past year which would have been unthinkable only a few years ago – and in some cases had a real positive effect.

But this is nonetheless a pivotal moment. A moment when, confronted by massive injustice and growing contempt for international norms designed to protect people, we have to ask whether we are prepared to stand together for the key principles underlying human rights.

So let me turn to the title of my talk: do human rights really matter in times of crisis?

Yes. They do.

More than any other time, in fact. It is in times of crisis that we see most starkly the need for human rights.

At a time of extreme contestation of what constitutes truth, and an era where “fake news” is almost celebrated, the rule of law based on real evidence is more essential than ever. International human rights law and humanitarian law are long-established standards and norms, and are critical to be able to distinguish right from wrong.

Human rights give us a framework to interpret and describe why what we see is wrong. And they give us a legal architecture to hold governments to account and demand change.

And what is the alternative to addressing the massive challenges the world faces without international solidarity and accountability, without a shared commitment to uphold the equal and inalienable rights of every person?

Nothing illustrates this more clearly than the global refugee crisis. Lebanon bears a heavy burden today, but without even the notional agreement between states to cooperate, the only choices would be for Lebanon to carry the weight of the crisis entirely alone, or for defenceless women and children to take their chances against Syrian and Russian bombs and armed groups.

The full realization of our human rights may be far from the reality now, but if we give up on the aspiration the world risks spinning out control and becoming a still more chaotic and dangerous place. One where hospitals can be bombed without even the threat of consequences, where refugees have no future but to hope for the largesse of states under no compulsion whatsoever to offer them a home.

A globalized world where countries do not cooperate on massive challenges which affect all humanity is a nightmarish vision.

But a human rights framework alone is lifeless without people willing to stand together and demand justice. Our leaders need to hear that demand from us.

So let me now talk about some of the ways that Amnesty International, as the world's largest human rights movement, is responding to crisis in the world, and making a difference.

We are a campaigning organization and our role is speaking truth to power – tirelessly and without fear or favour. Our job is to shine a light on abuses, to hold the perpetrators to account, and prevent them from happening again.

We begin our work with building a strong evidence base through our rigorous research. And we use that to call for justice and protection of human rights.

We use a variety of levers to press for change. We use old and new media to highlight abuses wherever they happen. We lobby governments, companies and inter-governmental bodies such as the UN directly. We mobilize public pressure through our global movement of campaigners. We use strategic litigation in the courts to seek crucial victories. And we underpin this with our human rights education programme, empowering people to lay claim to their rights.

SHINING A LIGHT ON ABUSES WITHIN CONFLICTS

Firstly, we are shining a light into the darkest places to raise the alarm, and as a basis for campaigning to end abuses, seek accountability for them, and ensure they are not repeated.

At the end of last year we released the findings of our investigation into the appalling abuses by militias and government forces in Iraq in the state against so-called Islamic State. Our team has gone back-and-forth on the ground to document abuses and violations by all sides in the battle for Mosul and the devastating effect it has on civilians.

Our team has also been investigating attacks by the US-led coalition, finding they are disproportionate and leading to an alarming rise in civilian casualties. Our recent press release on this has added significant pressure on the US to investigate what was one of the worst airstrikes in recent memory, and we continue to call them out.

We show no favouritism here. A pick-and-choose approach to human rights would be deeply harmful. So we have also criticised actions such as the execution of IS suspects accused of large scale crimes such as the Speicher massacre.

In Syria, as well as documenting abuses on the battleground, we have been shining a light into the darkest recesses of detention centres run by the government, and also armed groups.

In February we released a report on the campaign of killings happening inside Saydnaya Prison on a horrific scale – on a weekly or bi-weekly basis, groups of detainees are hanged in utmost secrecy. In five years, as many as 13,000 people were hanged secretly in Saydnaya. Most of them, we believe, were civilians opposed to the government.

There was huge worldwide media coverage and global anger in response to our findings. President Assad was forced to react. The next stage is to ensure that any peace or reconstruction talks include a focus on detainees and disappearances.

CALLING OUT GOVERNMENTS WHO FUEL CONFLICT OR SUPPORT REPRESSION

Secondly, we call out governments who fuel conflicts or support repressive states.

In Yemen, we have unearthed evidence of arms supplied by countries including the USA, UK and Brazil – including internationally banned cluster munitions – being used in attacks by the Saudi-led coalition. We are now engaged in efforts to hold these countries accountable through parliamentary inquiries and litigation.

We have pointed out the sheer absurdity of the US and UK earmarking around 450 million dollars of aid to Yemen in the two years since the conflict began, while transferring more than 10 times that amount – 5 billion dollars' worth – of arms to Saudi Arabia in the same period. Those arms have been used to fuel a conflict that has shattered the lives of thousands of civilians, forced three million people to leave their homes, and left Yemen confronting a humanitarian disaster which leaves more than 18 million people in desperate need of help.

But we have also documented abuses by Huthi forces on the other side, including their shameful recruitment of children.

FIGHTING FOR JUSTICE

Thirdly, we fight for justice and accountability.

In situations where war crimes and crimes against humanity are committed – as happens with frequency in this part of the world – the road to justice is long and full of obstacles. Many lessons from the past remind us of the fact – including our own work.

But for all its grim news, 2016 also gave us the conviction of Radovan Karadzic for genocide, war crimes and crimes against humanity committed in Srebrenica.

And the life sentence handed to former Chadian president Hissene Habré for rape, sexual slavery and the killing of 40,000 people.

Justice may be slow in coming. But with commitment and persistence, we have to hold onto hope that it will come.

There are some glimmers in this part of the world. It was difficult to imagine only a few years ago that Israeli violations in Gaza and the West Bank could be examined by the International Criminal Court, given the backing Israel receives from the US and others. But Amnesty's innovative research on the 2014 conflict is now being used by the Office of the Prosecutor.

And one day, we hope, accountability will come too for Syria. We are working and will continue working towards that.

Against the backdrop of Security Council deadlock and reckless use of the veto, the General Assembly took the rare step in December of establishing a mechanism to work towards investigating serious crimes committed since 2011.

Universal jurisdiction offers another route to justice: national courts can try international crimes. The first such case against high-level Syrian officials was taken up a couple of weeks ago by a Spanish court.

Our Justice for Syria campaign will be running for the next year, building pressure on states to push for accountability. We must build the momentum for a long struggle ahead.

TRANSITIONAL JUSTICE

In post-conflict situations, our human rights work is vital to restoring the rule of law. Victims are often marginalized in these processes for the sake of political expediency – I have recently visited Sri Lanka, where this remains an ever-present risk eight years after the conflict ended. But it is vital to put victims and their demands for justice and reparation at the centre of a transitional justice process.

This is sometimes a difficult message to give. But future stability is staked on justice and reparation for victims. Time and again this is clear.

So when we document abuses in Iraq, Yemen and Syria we need to look at it not only in terms of accountability and non-repetition, but also reparations. The right of people to return to their land and homes, in a safe environment, and obtain compensation for their losses.

In Lebanon, tomorrow you will be marking the anniversary of the beginning of the armed conflict that lasted fifteen years. It has continued to impact your lives two generations later.

Huge numbers of people disappeared during the conflict – the vast majority of them civilians taken at checkpoints, or killed in military operations or revenge

attacks. Years later, their families are still demanding a meaningful acknowledgement of their plight and a serious investigation. They want to know the fate of their loved ones, in the hope their remains could be returned.

They demand nothing more than to the truth, and we stand with them to seek the justice they deserve.

Some families believe their loved ones were taken in Syria and remain there in detention. The Lebanese government has a responsibility to seek information about their whereabouts and fate, beginning with investigations right here.

All too often conflict has its deep roots in the fertile soil of repression and abuse. So in the end we must change the ground from which conflict erupts. That is slow, painstaking, difficult work. But we see some small steps forward, and cumulatively they add up to something.

In Tunisia, the Truth and Dignity Commission has held public hearings over the past six months where victims have come forward to speak of their torture or the disappearance of their loved ones over the past few decades. The commission has an uphill battle ahead but the mere fact that the hearings are taking place and are televised live has provoked debate in Tunisia about the past and the kind of future people want to see.

Every single abuse is one too many. But every time there is an outcry for the arrest of someone defending human rights leading to their release, or a small step forward in seeking accountability in Palestine or Syria, it bends the arc of history a little more towards justice.

THE HUMAN RIGHTS ABUSES OF THE FUTURE

Beyond the present, we are also looking at where the human rights abuses of the future are coming from. As William Gibson said, “the future is already here – it’s just not very evenly distributed”.

And sadly the way it is distributed poses big challenges for the future.

Conflict is already changing, with drones and killer robots being used increasingly. And we expect more of this, turning our assumptions on their head. When artificial intelligence kills, who can be held responsible? When counter-terrorism operations target people before they have done anything on the basis of algorithms that determine they are likely to carry out violence, how can they defend themselves?

We need to be prepared for this. Amnesty will be opening a hub in Silicon Valley later this year to ensure that our voice is heard in the development of new technologies which will make all of this increasingly possible.

PEOPLE POWER MATTERS

Amnesty International began in 1961 with the simple idea that people everywhere can unite in solidarity for justice and freedom. It was an idea that won us a Nobel Prize in 1977.

Since that time, we have grown into a global, grassroots movement of 7 million people, and national chapters in around 70 countries. We remain united by the idea that our solidarity and collective campaigning can be a powerful force for change.

Because we are a movement of people on behalf of people, we are independent of any political ideology, economic interest or religion. We are funded by ordinary people, and we don't take any money from governments for our research and campaigning work. We investigate and expose abuses wherever they happen. We lobby governments and corporations, we make sure they keep their promises and meet their obligations. We stand hand-in-hand with our partners on the front lines to campaign for change, and we mobilize millions of activists around the world to join with them.

Of course, we are not naïve about people power – especially in this part of the world. Syria's tragedy began with an uprising six years ago. In Egypt, many of the hopes of the so-called Arab Spring have been cruelly crushed.

But sustainable people's movements are crucial for positive change. Especially when those in power and their international allies stand in the way of change.

There is a strong sense of disillusionment in many parts of the world, including in Lebanon. Longstanding political deadlocks, the shadow of civil war, the threat of sectarianism, and overspill from Syria – all of this casts a dark shadow over people's hopes for a decent future. Many people have a sense of being taken hostage by a political class unwilling or unable to deliver basic services for people.

Yet, as so often around the world, people stand up in the face of government failures. Civil society in Lebanon is showing real leadership in tackling racism and xenophobia. I saw it for myself in Tripoli, where some inspiring work from young activists are trying to counter the marginalization of young people – a critical intervention to try and break continuing cycles of violence.

That was only one window into the crucial work that many across this troubled region are dedicating themselves to. From Bahrain to Morocco, Egypt to Iraq, people are putting themselves at great personal risk to stand up against violence, repression, sectarianism and brutality. I want to pay tribute to their enormous courage.

And it is often women who lead the way. This region has countless examples of women campaigning for equality and the end of discrimination.

In Saudi Arabia, women activists have led the movement for gender equality – the women to drive movement, and the campaign against guardianship laws has propelled gender equality into the spotlight and fueled public debate, although of course there is a long way to go.

In Egypt, amid a troubled and grave history of sexual harassment, women activists have campaigned for accountability and action by the state, and often provided services to support those affected when the state failed. And here in Lebanon, women have been mobilizing online and offline to push for the implementation of the family violence law a decade after it was enacted by parliament.

The power of people determined to seek change is vital. And the challenge is to build and sustain movements which are geared to a long-term struggle, backed up by solidarity from around the world.

And as Amnesty, we need to stand with people's movements and support their calls for freedoms and human rights. We will be doing that increasingly visibly over the coming months through a global campaign to support brave people defending human rights. Watch this space.

Over the years, Amnesty has chalked up many successes, all of which has taken time and sustained pressure from people. The growth of international human rights law which we have helped to frame, including the Arms Trade Treaty recently. Thousands of prisoners of conscience freed. A massive reduction in the number of countries using the death penalty: 104 countries have fully abolished the death penalty for all crimes, compared with only 16 in 1977 when Amnesty started campaigning on this.

Now we are working to underpin the human rights movement with education – so that tens of thousands more people are able to understand and claim their rights.

Thousands of people have taken our Massive Online Open Courses over the past two years, learning about freedom of expression and refugee rights, and many more are impacted by our work in schools.

We will be establishing an Amnesty Human Rights Academy here in Beirut, helping young people to understand their rights, mobilize together to claim them, and join other defenders of human rights at the forefront. I am not going to say much about that now as I don't want to reveal too much before the launch, but we hope you will join us. The more people who are actively involved in this struggle, the more we can achieve together.

CALL TO ACTION

Amnesty is growing deeper roots in this region. We have regional offices operating here in Beirut and in Tunis, and are in the process of opening an office in East Jerusalem. We have national sections in Algeria, Israel and the OPT, Morocco and Tunisia.

And we want our roots to grow intertwined closely with yours – and to bring something which will galvanize and strengthen civil society throughout this region. One of Amnesty’s great strengths is how we link the local to the global, and the global to the local.

The struggle for human rights is arduous, to be sure. But we can choose to say NO to the brutal repression, the contempt for civilians in conflict, the cycles of violence that seem to go on and on.

We can paint a different picture, sing a different tune. We want to stand together to support bold, innovative action to make an impact in the Middle East, and globally.

Human rights are nothing if not universal, and nobody is exempt from upholding them. So we do our work equitably – as proved by the pushback and criticism we draw from all directions. Just as we have held governments in the Middle East to account for their often brutal repression of human rights, so we strongly condemned torture and renditions by the USA, and have long called for the closure of Guantanamo.

Now states which have traditionally championed human rights (even if selectively) are turning their backs, our work has grown further – whether it is President Trump’s executive orders, or Europe’s discrimination against Muslims and undermining the whole framework of refugee protection.

Lebanon has taken millions of refugees while the US is seeking to shut its borders to vulnerable people who have who have escaped the rubble of Aleppo, or fled war and famine in Yemen. These are people fleeing conflicts and other serious threats, and they deserve protection.

So we have launched a campaign calling on President Trump to stop abusing his power, to uphold the US’s commitments to the world’s most vulnerable refugees and to end the discriminatory travel ban from six Muslim-majority countries and against refugees. We want to show the President that there is a massive groundswell of global support for refugees and against discrimination. So I call on you today to join our action against the US executive order and stand up for refugees and against discrimination.

Confronted by injustice, we choose justice, equality and dignity.

Let me finish by inviting you to join hands with us. Too become part of our global people’s movement for human rights. To show that ordinary people coming together can create extraordinary change.

Shukran.