

# Center for American Progress



## ***Press Conference with Democracy and Human Rights Leaders Regarding Reform of the U.N. Human Rights System***

### **Featuring**

**ANTONIO MANUEL DE OLIVEIRA GUTERRES, Global Alliances  
BRIAN KAGORO, Crisis in Zimbabwe Coalition  
GEORGE SOROS, Open Society Institute**

### **Moderated by**

**ANDREA SANHUEZA, *Participa***

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**APRIL 28, 2005**

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ANDREA SANHUEZA: (Introductory remarks in Spanish.)

ANTONIO GUTERRES: Thank you very much. I think we all agree that there is a huge credibility gap in the way the international community and the U.N. system in particular deal with human rights all over the world. We don't lack values, we don't lack a solid doctrine, we have the Universal Declaration on Human Rights, we have a number of resolutions approved by the General Assembly of the United Nations – very clear on what must be done to promote and protect human rights all over the world.

The question of credibility is in the way those things are managed in practice. I want to pay tribute to the work of successive various high commissioners on human rights, but obviously things cannot be properly managed if they're managed by a commission on human rights that works for a few weeks every year that has a composition that changes based on a rotation logic among different regions in which you allow countries that have an extremely bad record on human rights to be present and that of course has no credibility in the international community.

Beyond that, the initiative of any resolution comes from the different member countries, not from a systematic mechanism of review, which means that it is much more conducted by international politics than by a real concern with the problems of human rights of the people anywhere anytime.

That is why it is so important – the proposal of Kofi Annan – at the present moment to replace this commission by council on human rights elected by two thirds by the General Assembly in which every member is elected by two thirds in the General Assembly and that will be a permanent body together with the Security Council and the Economic and Social Council; with the three pillars working together. Peace and security, economic sustainability and development and social cohesion, and of course democracy and human rights.

This is a very important proposal. Of course it will not be a magic solution for all problems. We all know how difficult it is to promote values in today's world where interests are so relevant in the behavior of governments, of countries, of politicians, even of so many entities of the civil society. But it is a major step forward – a major step forward not only because of its composition, but because there will be a mechanism of peer review of every country each three years, which means that the agenda cannot be conducted by – as a political instrument, but will be conducted by a concern about human rights all over the world.

Now being so, I think it is the duty of all countries that are members to the Community of Democracies to clearly support this proposal in the General Assembly that is to come and to make sure that this huge change in the way the UN system deals with human rights is effectively made. If I may add something personal, I think it is also the duty of the countries that belong to this Community of Democracies in the future, if this proposal is approved, to make sure they vote for members of the council that represent countries in which human rights are effectively

promoted, protected in the way that people can feel relieved and in the way that the credibility of the UN system relating to human rights can be reestablished.

Thank you very much.

ANDREA SANHUEZA: Thank you very much.

Mr. George Soros?

GEORGE SOROS: I'd like to very strongly endorse and reinforce what Mr. Guterres has said. This is, I think, what all these nongovernmental organizations that are involved in this conference really want to impart as a message to the official delegations. It's probably too late to include this in this communiqué because I think the communiqué is largely already prepared, but I hope that the delegates will take home the strong message that it's wonderful to have the oath of declaration and the principles; the principle that it is in the interest of all democracies to promote democracy worldwide. That is what has brought us here together. But if it can't go beyond empty declarations of principles, if we can't even agree on a clearly constructive step that would make the U.N. function better, then we really have to ask ourselves what the hell we are doing here and why we are coming together. So I feel very strongly – I realize that there is another proposal on the table, the high level committee proposed a different structure which would have made every member of the United Nations a member of the Human Rights – what is it?

ANDREA SANHUEZA: Commission –

GEORGE SOROS: No, it's not the commission. It's the council.

But that I'm very glad that the Secretary General did not embrace that proposal because it would have merely perpetuated the present situation. There is a strong feeling among diplomats that you have to maintain that dialogue and by all means let's maintain the dialogue. But unless there is some discrimination against human rights violators, then we will just have this empty talk that we have had before. So this is a proposal that would take the United Nations forward, it would help the cause of human rights, and I think this needs to be endorsed.

Now, there's also been some talk about addressing individual problem countries because what to do about tyrants – that is a great unresolved problem of the prevailing world order. What to do with the likes of Saddam. I've had some very severe disagreements with the U.S. government on the subject of Saddam Hussein and the invasion of Iraq, but the problem remains and I am thrilled that President Bush has embraced the Warsaw Declaration and the importance of promoting democracy, and even if we have differences there is common ground to be found.

However, I think one has to be realistic and accept that if you have – if you try any kind of official action it will not go very far and I think this is where civil society can play a role by selecting individual countries and trying to form a sort of informal working group and I think one could start with Belarus because that is a very blatant case and I was hoping that somebody from Belarus would be at this press conference, but unfortunately he's engaged in another meeting,

but we have somebody here from Zimbabwe who can talk about the situation there. I think there it is more difficult to form a caucus. In the case of Belarus I think it is a much more clear-cut case because there is Russia that can be held accountable for the human rights abuses in Belarus. But I think it would be interesting to hear about Zimbabwe.

ANDREA SANHUEZA: Thank you, Mr. Soros.

Brian?

BRIAN KAGORO: Let me prefix my brief remarks with an indication that an international system really making it function is like making – trying to make peace with imperfection. The current system with respect to situations such as obtain in Zimbabwe is dysfunctional for several reasons that have already been pointed out.

Firstly it relies on unilateral action taken by a concerned country and often then it becomes hostage to what I think the previous two speakers have referred to as international politics. In the particular case of Zimbabwe, the resolutions were sponsored – first few were sponsored by the U.S., members of the EU, in the last – in the 53<sup>rd</sup> session by the Dutch. And of course it's easy to dismiss in the polarized framework within which Zimbabwe has been discussed as simply an attempt by – a new imperial attempt by Europeans to interfere or to meddle in internal affairs. So the reason why organizations such as my own would support the Secretary General's proposal are the following.

First, it allows for a clear framework, a clear baseline of right and wrong within an agreed framework and that baseline of right and wrong is applicable equally to all countries. Under the current systems, human rights are used often – or are perceived to be used in the commission as a weapon for the strong and that it's very rare to have weak countries raise human rights resolutions – specific country resolutions. And the response of the weaker nations has been to adopt a no-action counter to whatever specific country resolution has been held. And evidently the major [sufferers] there are the people who are subject to human rights violations, and Zimbabwe has been one such case. Often the people who are victims of human rights violations become victims of broader geopolitical considerations.

The particular concern in the last three or four years has been any resolution sponsored either by the UK or by America has been dismissed as an attempt to engage in regime change and evidently with the shoddy performance on human rights record of both the UK and the U.S. in Iraq, it seems a bit of a contradiction to have the two countries sponsoring country-specific resolutions to deal with instances of police or military brutality in Zimbabwe when they are themselves implicated in similar brutality in Iraq.

But the current proposal allows us to move away from the unilateralism that we've seen in the current system. You have a more multilateral approach to the problem of human rights. It also allows you to deal with specific country issues as well as in the broad sense under the peer review system, or the proposed peer review system, to have every country covering not just civil and political, but social, economic, and cultural rights, as well as the right to development.

In my view, this allows us to break the divide: the false dichotomy created between the concern only with civil and political rights and in particular electioneerism (ph) as opposed to a broader concern with the welfare of people, especially the poor. And I think that what the Secretary General is proposing will assist us in breaking what I believe to be two dialects of the same language. Rights are rights; they're indivisible and in fact this framework allows us to treat them as indivisible.

And the last thing that I wish to look at is what was lacking in the international system, what resulted in the polarization is that the approach was not dialogic. It was not – it was based more, as I said, using human rights as a weapon – using it as a punitive weapon against those noncompliant states and often the noncompliant state either would find recourse in aligning with other states that felt threatened by a specific action in the U.N. But what made it worse – even where the commission would have a resolution, the follow-up and the implementation was so weak. And in the proposed reform I think it will strengthen the follow-up and also strengthen the authority of the body that will have adopted the resolution. It will allow the council to bring human rights issues to the attention of the world much quicker and allow for concerted effort and action much quicker, and the countries that are involved will be participants as opposed to just pariah states that are ostracized.

Thank you.

ANDREA SANHUEZA: Thank you Mr. Kagoro.

Now we have some time for questions or comments to our panelists, so the floor is open.

Q: (Off mike.)

BRIAN KAGORO: (Off mike) situations the Secretary General took the proposals that were made by the panel and presented them as if they were his own proposals. As it was said, in this specific case there was an amendment to the high level panel work and the proposal coming from the Secretary General is, in fact, different because instead of diluting the problem – making a huge human rights committee or council or whatever with all the councils in the world and then creating a technical committee to deal with specific problems – what he has done is to create a council in a framework of three councils dealing with the three main pillars of the international [community's] problems and creating a system in which the election of the members can if not fully guarantee, at least create positive conditions for only countries that respect human rights to be present there.

We should not discuss those things together they have nothing to do with each other. Let's fight against corruption anywhere, everywhere, within and without the United Nations – or outside the United Nations system. We have to be clearly, clearly, extremely firm in punishing any form of gender related violence wherever in the world, but that should not avoid a reform that is necessary, that is positive and even if it doesn't solve all the problems of the international community dealing with democracy and human rights, it will be a major step [forward] and all major [steps forward] should be made. Even if this proposal would come from anyone we wouldn't respect, even if this proposal would come from any country we wouldn't like for any

specific reason, I consider that this proposal should be supported because it is good in itself and it's a progress in dealing with human rights protection all over the world.

GEORGE SOROS: The United Nations is a very imperfect organization. Its main limitation is that it is an association of sovereign states and the states have their own interests – they usually put their own interests ahead of the common interest. So for instance the Oil-for-Food scandal, while the secretariat is not totally blameless, the really big abuses were done at the behest and the knowledge of the member countries. The billions of dollars that were stolen, you know, were in Jordan and Turkey and there the United States and others knew about it and the secretariat had absolutely no control over it.

Now, there were some abuses within the secretariat too, but they were relatively small compared to the abuses by the members. Now, this a tremendous limitation and that is why I was hoping that an association of democratic countries can do something to improve the functioning of the United Nations and that's why it's such a big test for this conference to – whether they are willing to endorse a proposal that would clearly improve the United Nations. The fact that the United Nations is very imperfect goes without saying, but making it better would be something worth doing.

Q: (Off mike) regarding peacekeeping, the Rwanda situation and the Darfur situation in southern Sudan, how would you compare the two of them, where in Rwanda basically hands-off and the United Nations did absolutely nothing – it refused to act when General Dallaire on the ground was asking for troops and action. Meanwhile in Darfur it appears that they're doing something. Do you actually think they're doing something or just this is international pressure that has brought – that has been brought onto Sudan – and they have stopped their raids of – into the local population and the other aspect of creating a permanent military force to – of the United Nations to impose peacekeeping in certain parts like the Darfur region, for example.

GEORGE SOROS: The failure to intervene in Rwanda is a dark, dark, really dark spot on the United Nations and actually it's probably the darkest spot on Kofi Annan's career also because he could have taken a different position when he was – when there were troops there that wanted him to intervene and they could have saved a lot of lives. And in the case of Darfur, there isn't yet enough political will on the member countries to take some more positive steps, so while we are sitting here the situation in Darfur is still deteriorating.

BRAIN KAGORO: I was going to just suggest that Darfur perhaps must also be read as part of broader politics that's gone on. We talk about Darfur now, but as early as 1996 we were talking about a half a million people dead in Rwanda. There were over three million people that had died in the Sudan and the Sudan was not even on the agenda of the then OAU, never mind the African Union. So there's something I think fairly sinister about – Darfur has just become perhaps the dramatization of what the problem in southern Sudan has been. It's been going on since the early '80s and in a sense most of us on the African Continent do not feel that enough is being done.

In fact it has been handled better than Rwanda, but a lot more could be done to deal with the southern Sudanese problem. The southern Sudan and the resolution of the southern Sudanese

problem is related to two things. Firstly, the oil interests that some major countries have; and secondly, its capacity, I think, to complicate the Afro-Arab as well as the Anglo American-Arab relations. So in a sense the slowness of the [move] on – and the reluctance to move quickly on southern Sudan should be, I think, explored as a much more complicated issue than simply reluctance.

Q: Yes, my name is (unintelligible) from International Idea. My question regards the issue of foreign policy and I think we can accept that for a considerable time U.N. member states' foreign policies will continue to be driven by national interests and beyond endorsing the proposals that have been made by the Secretary General, what practical steps can the Community of Democracies and probably civil society in that context take in order to foster or to promote democratic foreign policies, because I'm looking at a situation in Zimbabwe where despite South Africa being presented with irrefutable evidence on torture, extra-judicial killings, still its national interests in terms of the geopolitical interests that are of benefit to South Africa have taken precedence over the broader cause of promoting and protecting the rights of citizens in Zimbabwe who are bearing the brunt of the abuses that are being meted out by the Zimbabwean regime. So practically what can Community of Democracies do to foster democratic foreign policies of its member states?

GEORGE SOROS: I think it could do a lot more than it is doing but it doesn't have the political will or the cohesion to act in unison. If you take the case of Zimbabwe, obviously you have all the baggage of the colonial past that makes Western powers – disqualifies Western powers from intervening, but that's where the African countries – the neighbors – could have a much stronger effect. And when you look at, let's say, what happened in Togo, actually there are cases where the African countries are able to exert pressure on their neighbors and help to contain conflict or prevent abuse of democratic processes. So there is a lot more that could be done. What is lacking is political will. And there's a lot of hypocrisy and we really have to question coming here; what's the point of all these countries coming together and making lofty declarations if they are not willing to take any practical steps?

MR. : I would just like to say something about this. We have been talking basically about reacting to situations where there is a violation either of peace or democracy or of human rights, but in my opinion the missing dimension in this debate is that the most important thing is prevention. And prevention is creating the conditions that are favorable to development of democracy and to respect of human rights everywhere in the world. And we can witness today in different parts of the world – probably more in Africa, also in Latin America, in some areas of the Pacific – we can see emerging democracies struggling to survive in extremely difficult situations and this is a matter of debt, it's a matter of trade, it's a matter of opportunities in several fields in which the international community as such acts in a way that makes it extremely difficult for democratic governments to deliver. There is no democratic dividend and so in the populist approach it's very easy for someone that comes and says, "Look what these guys are doing: they're really not improving the conditions of life of the people so let's follow me with another kind of regime."

I think that to be able to define strategies of the international community, of the international institutions that has to do with U.N., with Bretton Woods, with all the other

agencies working together in a common strategy to improve the conditions for democratic governments to be able to deliver a democratic dividend to their people is extremely important for the future. And here I believe it's much [easier] to put everybody together if there is real political will.

When we come to the tragic situation in which the international community is reacting to a disastrous event or to a terrible situation prevailing in some part of the world, then specific interests tend to be mixed with principles and values and then sometimes when the international community intervenes it is too late, too little, and not always in the right direction.

BRIAN KAGORO: There are two tragedies perhaps that we must reflect upon. The first is a situation such as obtains in [Belarus] and Zimbabwe and Myanmar and elsewhere where an internal authoritarian regime oppresses its own people. That – I think we conversed that – we have applied our minds to.

The second one, which seems to elude our conversation, is where a democratic country, a democratic state adventures into another country and is responsible for gross human rights violations. This is the conversation that I'm not hearing and perhaps was intimated to by one questioner and this is exactly what discredits – as a human rights activist in a country where you have dictatorship, the entire discourse on human rights is discredited by this very notion that you have a perfectly democratic country that will pass the test to be invited to the Community of Democracies being responsible for tyranny elsewhere and then of course this complicates the notion of who is invited to the table.

Does the violation that matters have to be a violation in country or does it have to be a violation anywhere in the world. That's one conversation a person like me would grow very dissatisfied if I didn't hear emerging in this conversation. And the second one – as a democracy like South Africa – a country that came out of a very painful and difficult history – failing to act or being complicit in the violation of human rights by its failure to act or its choice not to act positive. This is another conversation we must have because it determines the whole discussion that we're having here about who is invited to the table, who qualifies to be part of the Community of Democracies, because if democracy is a value – a value exercisable with respect to ones own citizens and exercisable with respect to the universal global citizenship – then violation of the very core principles of human rights, of the right to participation and other rights, must be applicable as a restraint, as a disqualifying index for invitation to these meetings.

That way will be seen to be evenhanded. That way we will be seen to be fair. That way will make sense. We'll stop giving tyrants a good name and then this would be my concern because we apply standards selectively and that's why tyrants continue to make sense and that's why they continue to get standing ovations in the general assembly of the United Nations.

GEORGE SOROS: Yeah, but you know democracies like South Africa and the United States pay quite a heavy price for the policies that they follow. I think that South Africa is suffering from its failure to have a more constructive policy toward Zimbabwe. It affects the South Africa standing in the world, the amount of investment that goes there, it's a black spot on South Africa. And similarly, if you look at the United States, the United States has lost

tremendous influence and power in the world as the result of the policies it has followed after 9/11 with the invasion of Iraq.

You know, when United States – when President Bush proposed his doctrine of preemptive strikes – the Bush Doctrine – the Bush Doctrine said that the United States must be able to project its overwhelming power in any part of the world, and at the time America was able to do it and then they projected it in Iraq and as a result they are not able to do it anymore. We have lost that power because we have bogged down in Iraq and because the rest of the world is extremely suspicious and negative about American policies, so this is a misunderstanding on the nature of power and influence that you have; that it's if you have the military power you can do – might is right, and it isn't.

Now, you are right that it does make position of human rights activists much harder because America had been sort of – had a certain moral standing to be an advocate and was a powerful advocate of human rights and now it's an embarrassment.

ANDREA SANHUEZA: Okay, organizers tell me we have time for one last question so your question please.

Q: Do you think that the presence of Russia here at the Community of Democracies as a full member of the Community of Democracies appropriate or not?

GEORGE SOROS: It's not.

ANDREA SANHUEZA: Well thank you very much to our panelists and for your participation. Thank you.

(END)