

Mary Robinson

“Globalization and human rights”

**21st Century Trust seminar on
*Globalization: rhetoric, reality and international politics***

Congress, Washington DC, 31 October 2003

Ladies and Gentlemen,

It is a pleasure to join you here today in Washington for the start of this seminar on *Globalization: rhetoric, reality and international politics*. I would like to thank John Lotherington and the 21st Century Trust for inviting me to share some thoughts with such an interesting and diverse group. I look forward to having the opportunity to hear your views and to test with you the ideas behind the work I am currently undertaking which seeks to address some of today’s major global challenges through increased attention to the legal commitments and policy tools provided by international human rights standards.

One of the benefits of being the first speaker at an event like this is that I can attempt to help set the scene for – and hopefully influence! – your discussions over the next two days. Let me begin by offering a snap shot view of the world today.

The picture I see is one of contrasts. It is a world of more connections – markets, people, ideas are linked as never before. Most people seem to have embraced these greater connections. According to a survey conducted earlier this year by the Pew Global Attitudes Project, overwhelming majorities of people interviewed from over 40 countries believe that growing international trade and communication ties are good for their countries and their families.

At the same time, it is a world of more divisions – between North and South, between multilateralists and unilateralists, between religious and secular, between the powerful and powerless. The same Pew survey also shows that people feel life has deteriorated in many ways over the past five years. They point to the lack of good jobs, to poor working conditions, to the spread of disease and the unmanageable costs of health care and to growing gaps between the rich and poor.

These divides can also be seen in statistics. According to the 2003 *United Nations Human Development Report*, some 54 countries – mainly in sub-Saharan Africa – are poorer now than in 1990. In 21 countries a larger proportion of people are going hungry. In 14, more children are dying before the age of five. In 12, primary school enrolments are shrinking. In 34, life expectancy has fallen. If present trends continue, this situation will only get worse. As the President of the World Bank, James Wolfensohn, has put it:

“In a world of six billion people, one billion own 80 percent of global GDP, while another billion struggle to survive on less than a dollar a day. [...] Over the next 25 years one and a half billion people will be added to the poor

countries. Many will experience poverty, unemployment and disillusion with what they will see as an inequitable global system.”¹

And if this challenge weren't enough, we all know that, post 9/11, the sense of a divided and insecure world has only intensified. Threats by terrorist groups have raised real concerns here in the United States and around the world about the future of open societies which ensure protection of basic civil liberties. As one expert has framed the problem, “For the first time since the middle ages, individuals or groups will possess destructive power that puts them on equal terms with the state.”²

Added to this mix of conditions is the growing movement of people across borders – often into countries that treat migrants as a threat rather than a boon to their societies. In response, a “fortress mentality” has taken hold in many prosperous countries because of perceived economic, cultural and security threats, spawning policies designed to keep migrants out or drive them underground – widening the divide further between those who have wealth and power, and those who lack it.

That is the snap shot of the world I see – a world of incredible human and financial resources, technologies and know how, and at the same time, a world of unspeakable poverty, insecurity, repression and injustice.

What does all of this mean for human rights? Are the complex processes we call globalization, on balance, helping or hurting efforts to implement human rights commitments around the world? Equally important, how could human rights commitments be more effectively brought to bear in efforts to shape an equitable globalization that benefits all people as world leaders committed to doing at the UN Millennium Summit in 2000?

It may surprise you to learn that I am half pessimistic and half optimistic about international human rights in the world today! I am deeply concerned, and pessimistic, about the erosion of civil liberties here in the United States, and in many countries throughout the world since 9/11, as analyzed clearly in the recent report by Lawyers Committee for Human Rights *Assessing the new normal: Liberty and security for the post September 11 United States*.³ I am excited, however, and even optimistic to an extent, about the potential for a rights based approach to development.

The project I have been developing since completing my term as UN High Commissioner for Human Rights – the Ethical Globalization Initiative —seeks to work with a wide range of partners who believe, as we do, that international human rights commitments can help address some of today's concerns about how globalization works.

My decision to start down this road came from what I heard again and again, as I traveled to over 80 countries during five years as High Commissioner – people's

¹ Address by James D. Wolfensohn, President of the World Bank Group, to the Board of Governors of the World Bank Group at the 2003 Annual Meetings of the World Bank and IMF.

² Robert Cooper, The Guardian, Thursday October 23, 2003

³ Lawyers Committee for Human Rights, *Assessing the new normal: Liberty and security for the post September 11 United States*, 2003, http://www.lchr.org/us_law/loss/assessing/assessingnewnormal.htm

frustration about their lack of means through which to participate in and structure the decisions that affect their communities and nations. In many ways, the people I met instinctively knew that problems close to home were most urgent. Courts and police were inefficient, over-burdened and, sometimes corrupt. This led to violations of basic civil rights. Social ministries were under-resourced or lacked qualified staff. This caused basic rights to adequate health care or education to remain either unfulfilled or well below minimum expectations.

But what I also saw and heard was that these problems were in part brought about by the shifting centers of power and influence, from the public to the private, from national governments to multinational corporations and international organizations. In developing countries in particular, most people see their respective national governments as being unwilling or unable to stand up to or influence their political and economic conditions, which are increasingly shaped by the policies of developed states, powerful non-state actors, and international rules and institutions. This results in gaps in accountability for human rights protection and an absence of transparency and broad public participation in critical policy decisions.

This situation raises a fundamental question: is the traditional state-based framework of human rights obligations adequate in a world in which the fulfillment of rights in developing countries often depends on the political and economic institutions of developed states, multinational corporations, and the structure of international institutions?

I am convinced that despite the many changes that globalization has wrought, primary responsibility for protecting human rights must remain with national governments. Indeed, the most effective way to safeguard human rights is often to strengthen the capabilities of national governments in developing countries to represent the interests of their people at the international level. Moreover, the best long-term strategy for securing working citizens' rights is to build the capacities of national governments, and enshrine standards in national legal systems.

But I also believe that if fundamental rights are to be implemented, it is essential to ensure that obligations fall where power is exercised – whether it is in the local village, the corporate board room, or in the international meeting rooms of the World Bank, the IMF or the WTO. Some will argue that suggesting the expansion of responsibilities for human rights beyond national borders could divert attention from the failings of national governments. But the argument is not over whether individual governments should be supported regardless of their behavior. The issue is the extent to which there is an international responsibility to help people who have been denied their fundamental rights and dignity and the larger consequences of not taking action.

As we are here in Washington, the home of the World Bank and the IMF, let us consider one example of this changing landscape: the issue of development. How would this central concern in today's globalization debates perhaps be addressed differently if human rights commitments were a bigger part of the discussion?

Economists and development experts will rightly note that the least developed countries face obstacles such as location, narrowly-based economies, under-

developed infrastructure and other governance shortcomings which have kept them in a poverty trap. But we must also acknowledge that development efforts have been hampered by the failure of rich nations to take on appropriate responsibility for adequately supporting developing countries committed to tackling poverty. Levels of official development assistance today, including here in the US, are far below internationally agreed targets. Even more damaging has been the resistance by rich countries to reducing the protection of domestic industries – particularly in the agricultural sector – where developing countries have the best chance of competing and generating the economic growth needed for development.

As you all know, one of the key issues on the table at the recent Ministerial meeting of the WTO in Cancun was agricultural reform. With more than three-quarters of the world's poor living in rural areas, most of them working as small scale farmers, agriculture is seen as a key test of whether the WTO can deliver on a pro-development agenda. But as we saw, the European Union and the United States failed to build, in advance of Cancun, domestic constituencies which would view deep agricultural reform as part of their long term national and common interest.

So how would greater attention to human rights change any of these realities? First, the human rights framework adds to development policy the notion that education, food, adequate housing and health care are rights, not merely needs. This implies that the poor should not simply benefit from more resources, but must have legal and political space to claim their rights and take part in decision-making. It implies that government policies should ensure access to justice, protect against discrimination, and fulfill economic and social rights. In designing social safety nets, and poverty reduction strategies, their policies must respect the right to an adequate standard of living, including food, housing, health protection, education and social security. Budgetary processes should be transparent and consistent with the right to information. The human rights framework, supported by international law, makes it possible to bring principles of accountability, non-discrimination and participation, which are also central values of development, into sharper focus.

To take a specific example, women's enjoyment of human rights without discrimination is crucial to development. Experience shows that discrimination against women is associated with high rates of poverty, malnutrition and ill health. When women are excluded from equal access to education, public services, or to economic resources and activity, economic growth is negatively affected by this failure to maximize the use of resources, including human capital.

Second, where choices must be made between different goals, the human rights framework can also help to rule out retrogressive choices that will harm those who are poor. When poorer countries are tempted or pressured – for example in the course of structural adjustment reforms – to cut social spending and social budgets or reduce the provision of health care, education or food security for the poor, the human rights framework affirms that economic, social and cultural rights must be respected. During periods of economic reform or market adjustment, it strengthens the position of vulnerable groups in relation to their governments, and strengthens the hand of vulnerable governments in relation to their donors or the Bretton Woods Institutions.

Finally, the human rights framework provides tools and mechanisms to measure progress, for example in relation to the Millennium Development Goals.⁴ Through the monitoring mechanisms created under the human rights treaties, UN expert committees, notably the Committee on Economic, Social and Cultural Rights, review how individual countries are implementing their treaty commitments, and what steps they have taken towards the ‘progressive realization’ of social and economic rights.⁵

Many in development organizations have recognised that processes and practices in development will change as a result of the application of a human rights-based approach. These changes are likely to include the use of human rights diagnostic assessments and impact analyses, which focus on the most vulnerable sectors of the population in, for example, determining the consequences of privatised service provision in terms of equality of access to health care, or water or schooling. I am aware, as President of Oxfam, of how a rights-based approach is enhancing their development work.

Of course, establishing ways to operationalize human rights and evaluate institutions and mechanisms for accountability in development programming is a defining challenge for development and human rights practitioners alike. An equally, if not more, formidable challenge is to combine the skills of human rights and economics in research, analysis and strategies to integrate human rights principles into economic policy making and into the institutions, policies and practices of globalization. I am pleased that two of the partners in the Ethical Globalization Initiative – Columbia University’s Earth Institute and human rights programs and the Geneva based International Council on Human Rights Policy – are working together to do just that.

For example, we will provide rigorous human rights analysis of specific trade issues which could be used by developing countries as part of their negotiation strategies at the WTO. We also plan to develop greater dialogue and understanding about how human rights commitments can be used as a constructive element of trade policy review and dispute settlement, a feature of the WTO system in which countries have the means to defend their interests concerning specific trade practices.

Let me close by stressing, especially as we sit here in the halls of Congress, that economic globalization goes to the heart of national interest. As a recent study – “Duties san Frontieres: Human Rights and Global Social Justice”, by the International Council on Human Rights Policy, points out:

“At the present time, when levels of mistrust and perceptions of insecurity are high, many governments appear to take policy decisions that are considered by others to be selfishly short-term, with damaging long-term consequences for everyone – including the states concerned.”⁶

⁴ Set of time bound and measurable goals and targets for combating poverty, hunger, disease, illiteracy, environmental degradation and discrimination against women agreed in September 2000, at the United Nations Millennium Summit. <http://www.un.org/millenniumgoals/>

⁵ Further information on work of UN human rights mechanisms available at <http://www.unhcr.ch/html/menu2/convmech.htm>

⁶ International Council on Human Rights Policy, *Duties san Frontieres: Human Rights and Global Social Justice*, 2003, p. 84 <http://www.ichrp.org>

Of course, policies based on national self-interest are not inherently antagonistic to responsible international behaviour in the WTO, the World Bank, the IMF, the UN Security Council, or elsewhere. But all of what I've said implies that a human rights approach requires that we think in new ways about national interest. We live in a world in which security and prosperity can only be achieved over the long term if we act in ways that take account of the rights of others. For the international financial institutions here in Washington, this means that with each new project or loan, we need to ask questions about the benefits for human rights and the potentially negative effects on human rights. We also need to be mindful of the human rights commitments governments have already made, and then be prepared to hold our leaders accountable.

I believe it also means we should think again, as governments did after World War II, about how the international institutions of economic cooperation relate to the wider multilateral system of international governance.

At the start of this century, world leaders agreed a common agenda aimed at making globalization work for all people. These commitments, laid out in the UN Millennium Declaration and distilled in the UN Millennium Development Goals, provide internationally agreed targets, including halving those in extreme poverty and hunger by 2015, achieving universal primary education for boys and girls by 2015; and specific targets for promoting gender equality and empowerment of women; combatting HIV/AIDS, malaria and other diseases, ensuring environmental sustainability and developing a global partnership for development.

In the end, we must not shrink from the notion that we can shape a more values-led globalization, one that ensures the basic rights to food, safe water, education, shelter, health care, and political participation are met in a sustainable way. In so doing, we must first see to it that our governments, operating independently and through the framework of international organizations, ensure that their own policies, practices, and programming do not exacerbate rights deprivation elsewhere. The same pressure must also be applied to multinational companies and other private actors – those who have benefited most from global changes. Only then can human rights be realized in a globalizing world.

Thank you.