



WORLD FEDERATION OF UNITED NATIONS ASSOCIATIONS
FEDERATION MONDIALE DES ASSOCIATIONS POUR LES NATIONS UNIES

A peoples' movement for the United Nations



Report on the Global Online Dialogue on the Universality of Human Rights

In collaboration with UNA Flanders-Belgium
conducted with Real Time Delphi Software of the Millennium Project



Dignity and justice for all of us

Presented in Paris, 3-5 September 2008 at the DPI/NGO Conference
«Reaffirming Human Rights: the Universal Declaration at 60»

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*“... Now, therefore, The General Assembly, Proclaims this Universal Declaration of Human Rights as a **common standard of achievement for all peoples and all nations**, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive... **to secure their universal and effective recognition and observance**...”*

Preamble of the Universal Declaration on Human Rights

On the occasion of the 60th anniversary of the Universal Declaration of Human Rights, the World Federation of United Nations Associations (WFUNA) conducted its first ever global online dialogue on the universality of human rights. The results are presented in this paper as a contribution to the United Nations DPI/NGO conference to be held in Paris 3-5 September 2008 on the topic “Reaffirming Human Rights: the Universal Declaration at 60”.

WFUNA acknowledges the invaluable contributions that Mr Theodore Gordon of the Millennium Project made to the design and conduct of the global online dialogue and that Professor Jan Wouters and Professor Neri Sybesma from UNA-Belgium/Flanders made to the preparation of this report. Thank you, too, to everyone who participated in the dialogue and gave us all the benefit of their ideas and insights.

A Note on Methodology

With the support of the Millennium Project, a website was set up using the Real Time Delphi (RTD) software which enabled people to login as often as they wished, to modify their answers and to see what had been written by everyone else who participated in the RTD dialogue. Twelve questions, formulated in collaboration with the Office of the High Commissioner for Human Rights and human rights experts, were put forward to facilitate the RTD dialogue. The questions were designed to collect views and opinions from Civil Society Organisations (CSOs), including United Nations Associations (UNAs) and non-governmental organizations (NGOs) affiliated with the UN, international organizations, academics, private sector, amongst others. Over 840 written comments were collected. Please see the attached Annex listing the 12 questions and the order of importance attached to them.

The website was launched on 27 May and remained open until 20 June 2008. It was widely promoted through extensive NGO networks, and the results testify to the fact that participants came from all over the world and from diverse backgrounds.

Regional and Professional Distribution of Participants

Region %	Employment %
Europe 24.58	Consultant 2.54
Latin America 7.63	Private Sector 5.08
Middle East/North Africa 2.54	Government 4.24
North America 38.98	CSOs, including UNAs 50.85
Pacific Asia 4.24	University 14.41
South East Asia 9.32	International Organization 8.47
Sub Sahara Africa 12.71	Other 11.86

Sixty years after the Universal Declaration on Human Rights (UDHR) was drafted, **do people around the world think that the Universal Declaration of Human Rights still reflects a universally accepted concept of human rights?**

The short answer is yes. The validity of the Universal Declaration of Human Rights (UDHR) continues to be widely and unequivocally reaffirmed based on two beliefs:

- Human rights and freedoms are inherent in the nature and dignity of each human being
- There is a need for a globally accepted set of basic ethical standards and principles that is equally applicable to all cultures, religions and political systems

The longer answer is more complex and opens up issues of the meaning, relevance and action implications of the universality of human rights in an age of ever increasing global interdependence.

And here there is a dichotomy. On the one hand, there is strong evidence that over the course of the last 60 years the efforts of the United Nations, in close collaboration with governments, courts of law, teachers, civil society activists, as well as national, regional and international human rights institutions, have built a global constituency in support of the UDHR principles.

On the other hand, and for various reasons, public policy work on human rights has been lagging behind the awareness raising efforts, such that there are now perceived to be widening gaps between the UDHR principles and the promotion and protection of human rights in practice.

This report, on the results of the RTD dialogue organized by the World Federation of United Nations Associations and compiled with the assistance of UNA Belgium-Flanders, begins by reporting on the participants' views on the validity of the UDHR. Next, gaps between implementation of UDHR principles and practical realities of the world are addressed. Lastly, there is a compendium of suggestions and reflections provided by participants regarding public policy that could be considered at the DPI/NGO Conference.

Validity of the UDHR principles

The views of participants on the continuing relevance of the UDHR threaded, like a spider's web, in and out of the responses to the twelve questions of the Real Time Delphi dialogue.

The following are the views that were most prominently expressed:

- The draft of the UDHR was produced by a group of people who represented different cultures, religions and philosophies and who aspired to a common goal: the foundation of freedom, justice and peace in the world.
- On 10 December 1948 the General Assembly adopted and proclaimed the UDHR by forty-eight votes in favor, none against, and eight abstentions.
- Over the course of the last sixty years, all new members of the UN have accepted its legitimacy as *the* universal standard.
- The UDHR has been translated into more than 350 different languages, which makes it the most widely translated document in human history.
- The United Nations and other international bodies have moved to put the UDHR general principles into formal treaty law through a growing compendium of covenants, conventions and treaties that deal with specific human rights. International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights (both 1966), Conventions on Racial Discrimination (1965), Discrimination against Women (1979), the Rights of the Child (1989), and against Torture (1985) are only some examples of international instruments which have led to improvements in the lives of millions of people.

- Human rights of specific groups are continuously being identified, defined and defended with the principles outlined in the UDHR as their basis. New instruments relating to the rights of indigenous peoples and people with disabilities have recently been established.
- It is widely recognized that the basic human rights principles outlined in the UDHR are essentially interdependent, indivisible and relevant to everyone (cf. Vienna World Conference on Human Rights, 1993).
- There can be no contradiction between rights. Civil and political as well as social, economic and cultural rights are required for one's well-being and protection.
- Each individual, group or society has different needs and demands, which is often reflected in the level of importance attributed to particular rights.
- The UDHR states clearly its principles while leaving ample room for appropriate interpretation when it comes to implementation.
- Such flexibility guarantees universality and enriches the intellectual debate. It complements rather than undermines the concept of worldwide human rights; the universal idea of human rights thus acts to safeguard diversity in the world.

The question, "**From your experience, what do you think of the belief that all human beings are born free and equal in dignity and rights?**" scored 9.40 out of 10 on a scale of importance (cf. Annex of this report), demonstrating a great enthusiasm among participants for the question that addresses the fundamental content of human rights. Nevertheless, 60 years after the adoption of the Universal Declaration of Human Rights, participants clearly recognized that the principle of equal dignity and rights is far from being realized for millions of impoverished people worldwide. It is striking that respondents seemed most concerned about the promotion and protection of economic and social human rights.

They highlighted the following points:

- The rights to food, to clean and drinkable water and to adequate shelter are prerequisites for enjoying a life in dignity.
- The rights to adequate education, healthcare, employment, and freedom of movement are undermined in both developed and developing countries by the increasing power of multinational corporations and various forms of organized crime.
- Slavery and the trafficking in persons have not yet been eliminated everywhere.
- Various forms of discrimination, are, if not institutionalized, practiced daily in many societies: those most vulnerable include refugees, indigenous people, disabled persons and women.

Participants drew attention to the issues of overpopulation, over-consumption, misuse of resources and the detrimental consequences for the environment, in both developing and developed countries. Negative aspects of nuclear power are seen as a threat to human rights.

There is growing concern that developments in science and technology are creating new forms of discrimination, especially regarding access to information, respect for the right to privacy, genetic modification of food, and the violation of the rights of the unborn child.

The climate change which the world is experiencing is serious and must be addressed. There is need for more international cooperation if the issue is to be dealt with more effectively.

Directions for Human Rights Policy

Heads of State and Government agreed at the 2005 United Nations Summit that human rights, peace and security, and development are interdependent and should be addressed together. However, participants observed that the national policies of governments on issues of security and development make very little or no reference to human rights. In this context, the first point to emphasize is that all policy making at the national level should include affirmation of human rights principles.

Article 29 of the UDHR states that limitations on the exercise of rights and freedoms are only acceptable “when determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and meeting the just requirement of morality, public order and the general welfare in a democratic society”. This may allow authorities to take into account local or regional particularities.

One participant cites various “reforms” (e.g. immigrant reform, welfare reform) that have been carried out recently by several Western states, as mostly repressive and adversely affecting human rights.

As new global issues emerge, like climate change, that require a whole-of-government policy framework, it is essential to integrate the protection of human rights into policy formulations.

Governments should consider a form of direct democracy on important issues.

A respondent spoke of the Fourth World Conference on Women, which took place in Beijing in 1995. While some participants were most concerned with expanding the right to a gay marriage, others were anxious to address life-threatening issues such as female genital mutilation, inadequate access to safe birth centers, health care for mothers and babies. She posed the question: how do you find the balance between pushing to open up new frontiers of freedom when so many people lack basic economic and social rights?

Rule of Law

Most participants consider that a more effective enforcement system is essential at the national level. States should be held accountable for human rights violations. Regional judicial bodies and review systems should make States comply with their human rights obligations. The European Court of Human Rights was cited as playing an important role in bringing about the conformity of national legislation with human rights standards.

One participant wrote that the Anglo-Saxon law system encourages people to think in terms of “liability” and that this in turn encourages conduct that is “lawful”, but which may not reflect a sincere attitude to the protection of human rights.

Some participants focused on the role of customary international law. As not all States are party to relevant conventions and thus escape international scrutiny, customary international law should be drawn upon to strengthen the enforcement of human rights. This way, even those States which are not bound by a relevant human rights instrument would fall under an obligation to respect the widely recognized UDHR principles.

It would be useful to undertake a review and evaluation of the body of international human rights law that has been derived from the UDHR, including an assessment of the human rights record of non-states parties.

A participant concerned about the protection of the cultural rights of indigenous people sees the need for an “escape clause”, that is, one that permits individuals to opt out of a given human rights instrument and to assert their right to live by, and to be treated according to, their cultural traditions.

All governments should set up a National Human Rights Institution, which could include in its various functions the monitoring of the government’s implementation of international human rights instruments, both at home and abroad.

What more should the UN and other international agencies do to strengthen the observance of human rights worldwide?

The participants see the main task of the United Nations as making states more accountable for their observance of human rights. An effective enforcement system is needed which can act proactively. The UN should point to the positive consequences of properly observing human rights

Some respondents call for a World Court of Human Rights, whose judgments could be effectively enforced. It should cover all and every major entity, both governmental and non-governmental, including business corporations that may be responsible for breaching international human rights norms.

The International Criminal Court is seen as a step in the right direction, although its functioning and position should be further strengthened.

The United Nations needs to expand its network of NGOs in order to include more regional NGOs and youth organizations.

The UN should encourage and facilitate cooperation between governments, civil society, international agencies, and business corporations. Furthermore, the United Nations should keep the eyes of the international community focused on human rights issues through education and mobilization.

The Universal Periodic Review System should be strongly supported so that it may be genuinely respected by governments and other stakeholders.

There is a need for UN-employees who serve at the national level to be educated in human rights, so that they reflect these values and principles in their working relations with governments.

What more could governments, civil society organizations and business corporations do to strengthen the observance of human rights?

As indicated by many participants, it is up to governments to correct injustices and shape a community in which everyone can enjoy a dignified life. Cooperation between governments, civil society and business corporations is seen as being of utmost importance. They should work together by using their own strengths and mutually cross-pollinate. In dealing with human rights issues, civil society, governments and business corporations should take into account their own cultural differences. Eclecticism can be encouraged as part of the consensus and not be seen as a threat to it.

People working in the three sectors should study human rights to understand and fully implement them. It is up to governments to educate all officials and law enforcement agencies in the practical application of human rights treaties.

To be in conformity with Article 2 of the International Covenant on Civil and Political Rights, States should enforce to the best of their abilities the compliance of corporations within their territories with human rights obligations, especially with regards to privatization and the outsourcing of basic public services, such as water.

In order to ensure the adherence to the rights to education, social security and health care, governments must be continually made aware of their obligation to use their available resources to the maximum extent, as provided for in Article 2 of the International Covenant on Social, Economic and Cultural Rights.

Participants recognized that NGOs have contributed immensely and indispensably to the advancement of human rights over the past sixty years in encouraging governments to respect human rights. However, more needs to be done. Networks that include all major stakeholders must be formed in order to ensure observance, especially concerning economic, social and cultural rights.

With advances in technology, it is possible for civil society organizations to work across political borders and geographical barriers, which enhances their potential capacities to collect data and share information. One participant asks civil society to devote more attention to environmental issues and problems related to

indigenous people. Another calls for more interaction between human rights programs worldwide and work on violence against women and children.

Concluding comment

The World Federation of United Nations Associations warmly welcomes feedback comments from the participants in the DPI/NGO conference in Paris on this report, including suggestions for a follow-up global online dialogue on a related topic.

Annex 1
Importance of the topics and number of respondents

	Average	Number of Respondents
<p>1. TOPIC: Universal acceptance of the Declaration of Human Rights <i>Question:</i> In your view, does the Universal Declaration of Human Rights reflect a Universally accepted concept of Human Rights?</p>	8.97	102
<p>2. TOPIC: Intrinsic human rights <i>Question:</i> From your experience, what do you think of the principle that all human beings are born free and equal in dignity and rights?</p>	9.4	91
<p>3. TOPIC: Identifying the priority of specific human rights <i>Question:</i> If you accept that all human beings are entitled to certain basic human rights, what rights would you give highest priority to?</p>	7.91	80
<p>4. TOPIC: Commonality of human rights <i>Question:</i> Do you think these human rights are common to all cultures, beliefs, religions and value systems? Please give your reasons.</p>	8.28	74
<p>5. TOPIC: Contradictions between human rights <i>Question:</i> Do you see any contradiction between individual human rights and collective rights or between civil and political and economic and social rights?</p>	7.82	65
<p>6. TOPIC: Barriers to realization of human rights <i>Question:</i> In your part of the world, what do you think are the principal barriers to the realization of the rights contained in the Universal Declaration?</p>	8.97	59
<p>7. TOPIC: Means of strengthening regional implementation of human rights <i>Question:</i> If you were making recommendations to strengthen the implementation of human rights in your region, what would be your principal recommendations?</p>	8.59	56
<p>8. TOPIC: Impacts of science and technology on human rights <i>Question:</i> To what extent do you think scientific and technological advances over the past 60 years have helped or curtailed the protection of human rights?</p>	7.44	52
<p>9. TOPIC: Impacts of political, environmental, and economic factors <i>Question:</i> What aspects of the current global political, economic and environmental situation do you think have the greatest impact on the protection and enjoyment of human rights?</p>	8.79	50
<p>10. TOPIC: Organizational participation <i>Question:</i> Does your organization participate in any of the United Nations programs and activities for human rights, such as the Human Rights Council, the Treaty bodies, ECOSOC Commissions, the ILO, UNICEF or UNESCO? If so, please give one or two examples of your participation and evaluate the outcomes</p>	6.80	51
<p>11. TOPIC: Identifying other UN actions and policies <i>Question:</i> What more should the UN and other international agencies do to strengthen the observance of human rights world-wide</p>	8.48	50
<p>12. TOPIC: Identifying actions that might be taken by corporations and other organizations <i>Question:</i> What more could governments, civil society organizations and business corporations do to strengthen the observance of human rights in your country?</p>	8.75	52

