

Roundtable on Human Rights²

Human Rights: Key to Sustainable, Peace, Security and Development?



Human Rights: Daring to Make Canada an International Leader

Patrick Quealey - Canada25 Ottawa Chapter

“Peace, in the sense of the absence of war, is of little value to someone who is dying of hunger or cold. It will not remove the pain of torture inflicted on a prisoner of conscience. It does not comfort those who have lost their loved ones in floods caused by senseless deforestation in a neighbouring country. Peace can only last where human rights are respected, where the people are fed, and where individuals and nations are free.” – The Dalai Lama

¹ Patrick Quealey was Born in Montreal, and has called Toronto, Waterloo, Washington DC, London UK and Ottawa home. He received his bachelor's degree from the University of Waterloo and holds a Masters degree from the London School of Economics. He has been a member of Canada25 for three years

² The Roundtable was sponsored by the National Capital Branch of the Canadian Institute of International Affairs (CIIA) on the topic of *Human Rights: Key to Sustainable, Peace, Security and Development?* It was held on January 14 2005 at Foreign Affairs Canada (FAC) in Ottawa in preparation for FAC's consultations with Civil Society Organizations prior to upcoming meetings of the UN Commission on Human Rights.

Speakers at the CIIA Roundtable included: Marie-Lucie Morin, Associate Deputy Minister, Foreign Affairs Canada; Alex Neve, Secretary General, Amnesty International Canada; Stephen Toope, President, Pierre Elliott Trudeau Foundation; Jean-Louis Roy, President, Rights and Democracy (International Centre for Human Rights and Democratic Development); and Christopher K. Penny, Assistant Professor of Law, Norman Paterson School of International Affairs, Carleton University.

Participants at the CIIA Roundtable included representatives from Canadian government departments, members of the CIIA and Canada25, representatives of other Civil Society Organizations (CSOs), students from the Norman Paterson School of International Affairs and other interested individuals.

On Friday January 14th delegates from *Canada25*³, attended the CIIA's Roundtable on Human Rights, discussing human rights in the context of sustainable peace, security and development. The following article will outline the content of the Roundtable and provide commentary from the perspective of those Canada 25 members in attendance.

The Roundtable was divided between the opening remarks by Lucie-Marie Morin the Associate Deputy Minister of Foreign Affairs Canada, the three invited speakers, and a lengthy and insightful question and answer period. Summaries of what was discussed by the speakers at the Roundtable are provided below, as well as Canada 25's perspective on the issues discussed.

Marie-Lucie Morin, set the tone for the meeting by clearly stating that the United Nations declarations on human rights express a global ideal. An ideal the international community continues to struggle to bring about. She also noted that more often than not the United Nations (UN) has been unable to actualize the ideals it has set for itself. The need to reform the UN system, specifically the Security Council, and the UN Commission on Human Rights remains a challenge.

Further to this, Steven Toope, President, Pierre Elliott Trudeau Foundation, suggested that the UN cannot, and given its current state, probably would not be able to protect human rights in any meaningful way. Toope makes it clear that this is due to the fact that the United Nations is only as effective as the collective will of its member states. There is often a severe lack of political will among UN member states to stop or reverse human rights abuses. Toope stressed that the key to ensuring effective actions to protect and enhance human rights through the UN is to reform its key organs, namely the Security Council. Ultimately, no matter how much reform is encouraged, the process is likely to be lengthy. As such, Toope stated that the UN and its organs should stop giving individuals affected by human rights abuses false hope as to the extent of its ability to protect them.

Alex Neve, Secretary General, Amnesty International Canada, indicated that without the protection of individual human rights there would be no sustainable peace, security or development. Any actions taken by states or other actors that erode the human rights of individuals will ultimately lead to insecure communities and insecure states. Neve also suggested that governments must be proactive and begin working to allow individuals to have speaking rights and some level of influence in international fora. Jean-Louis Roy, President, Rights and Democracy, added to this view by encouraging governments and Inter-Governmental Organizations, such as the UN, to give increasing support to, and assist in empowering civil society groups.¹

While significant progress has been made on protecting human rights through the UN system since the end of World War Two, it is important not to put too much faith in the traditional functions of the international system. Despite the noble intentions of the Roundtable's participants, far too much faith was placed in the status quo of the international system. The progress of the past sixty years on human rights and human security remains extremely fragile.

3 Canada25 is a non-profit, non-partisan organization that brings the voices and ideas of Canadians, aged 20-35, to the nation's public policy discourse and takes action on issues of local and national significance. Created in 2000 by six young Canadians, Canada25 now numbers over 2000 members and is rapidly expanding. Canada25 recently published 'From Middle Power to Model Power: Recharging Canada's Role in the World' a report concerning Canada's foreign policy.

4 Strauss, Scott. (January/February 2005). 'Darfur and the Genocide Debate'. *Foreign Affairs*. Vol. 84. No. 1.

5 The Economist. (February 24th, 2005). 'African Democracy'. *The Economist*.

6 The Economist. (October 21st, 2004). 'Myanmar's Prime Minister Ousted.' *The Economist*.

The desire to promote human rights in order to achieve sustainable peace and development was strong among participants. Much of the discussion focused on how to make the UN more effective and how it could be reformed, specifically the findings of the UN High Level Panel. Further, there was much excitement at how reinvigorating the UN system was the key to protecting human rights. Despite this, the people in Darfur are still being persecuted and dying by the thousands (70,000 civilian deaths and an estimated 1.8 million more displaced since February 2003)⁴; the citizens of Zimbabwe continue without a credible or democratic government⁵, Myanmar⁶ addresses dissent of any kind with an iron fist, Iran⁷ continues with two governments – one elected and one with autocratic power, and Somalia⁸ remains a wasteland. We can do better.

C25's recent report entitled *From Middle Power to Model Power: Recharging Canada's Role in the World* recognizes that our modern world has come to function more through networks than hierarchies and that human rights must focus on the primacy of the individual. Both of these findings are vital to what steps Canada should be taking internationally to protect and promote the human rights of our fellow global citizens.

Countries that are capable of establishing trusting relationships, are comfortable with diversity and difference, and are skilled at managing conflicts, will have a distinct advantage in creating, managing, and working within networks that attempt to solve the world's problems. Simply put, in the 21st century no single organization or state will be able to solve the problems of the world. Canada must realize this, above all else, before it can truly begin to play a leadership role in protecting human rights.

Secondly, Canada must not think of itself as a neutral country. Canada has defended its values of liberal democracy, human rights, transparency, freedom and the rule of law, with the pen⁹, the courts¹⁰, its diplomats and ultimately with blood¹¹. Canada does not, and should not, have a neutral foreign policy.

Canada should be applauded for encouraging UN reform and championing the *Right to Protect*¹² doctrine, which outlines when and how states may override the principle of sovereignty to promote the ideals on which the UN was founded.

If Canada is to have an activist foreign policy that respects and encourages human rights, it must not limit its ability to act by chaining itself to networks and organizations that do nothing to further these goals. Canada should work through, or create, ones that do. Ultimately, Canada needs to stop assessing its influence in the world solely on the basis of its size or position within an obsolete global hierarchy.

Networks

The Canada25 *Model Power* report states that networks are systems whose members are connected directly to one another, where behaviour is governed by simple norms. Networks are often self-organizing, adaptable, and capable of reorganizing themselves relatively

⁷ Maloney, Suzanne. (August 2001). [Policy Brief #87: America and Iran: From Containment to Coexistence](#). Brookings Institution.

⁸ <http://www.cia.gov/cia/publications/factbook/geos/so.html>

⁹ Canada played a key role in the drafting of the Charter

¹⁰ Ambassador Philippe Kirsch of Canada chaired the negotiations leading to the establishment of the International Criminal Court. Ambassador Kirsch was subsequently elected as a Judge of the ICC and is serving as its first President

¹¹ Canada's participation in WWI, WWII, The Korean War, the action in Kosovo, rebuilding Afghanistan and a multiplicity of peacekeeping missions.

¹² <http://www.iciss.ca/>

quickly to focus on new challenges. The interconnected structure of a network enables its members to engage each other directly, and share expertise, experience, and concerns. In a network, influence rarely flows from a central agency outwards, but is instead generated internally, based on the ability of its members to innovate solutions and collaborate.

As such, a reformed, more representative and effective UN can only improve the state of human rights around the world. However, Canada cannot, and should not, tie itself to one organization to further its foreign policy goals. At this point, the legitimacy of the UN's declarations on human rights vastly exceeds its ability to prevent human rights abuses¹³. Canada should remain focused on working multilaterally to effect change and further its foreign policy goals. However this does not necessarily mean *all UN, all the time*. As Thomas Hobbes once wrote, 'covenants without swords are but words.'

In the past Canada has demonstrated its willingness to work outside the UN to protect the rights of individuals such as in Kosovo in 1999 (the event that originally prompted the creation of the Commission on State Sovereignty which produced the *Right to Protect* doctrine). The time it will take to reform the UN in order to make it a truly effective venue for protecting and enhancing human rights will be geological. Given this, Canada must pursue its foreign policy goals, in this case the promotion of human rights, through multiple fora.

During the round table discussion Stephen Toope stated that "NATO was wrong" to intervene in the former Yugoslavia despite the consistent failure of traditional diplomacy and the ongoing and terrible abuses of human rights that were occurring¹⁴. He also stressed that the UN should be the sole body to authorize military action and not other multilateral organizations such as NATO, or coalitions, such as the one in Iraq.

With regard to Canadian foreign policy, we must ask ourselves whether it is in Canada's interest to focus solely on protecting the UN, or to focus on protecting and enhancing the human rights of individuals? If doing both proves to be mutually exclusive Canada must be willing to work through any multilateral network that furthers its policy of protecting and enhancing the human rights of individuals.

The destructive and ad hoc nature of the coalition currently intervening in Iraq should give us pause. Canada must ensure that any action it takes without explicit UN approval is governed by specific and multilaterally agreed to norms – enter the *Right to Protect*.

Canada should continue to work for effective UN reform and act through the UN system where it achieves identifiable results in protecting human rights. However, there will be situations where the UN will not be able to respond to human rights abuses in an effective way. In such situations Canada should use, and or assist in the creation of, other international networks of states, civil society organizations and even the private sector to further our foreign policy goals regarding human rights. Such a network could be part of, or result from, the proposed L20 initiative.

Empowerment of the Individual

If the security of the individual is compromised through his or her inability to access basic human rights, the security of the individual's community, nation, and region will also be

¹³ Rwanda, Bosnia, Kosovo, Darfur and countless others.

¹⁴ http://news.bbc.co.uk/hi/english/static/kosovo_fact_files/default.stm

compromised. By virtue of this, if there are gross violations of individual rights, the world will never be secure or safe. As Michael Mandelbaum states, “Human rights ensures a buffer between anarchy and tyranny.”

Traditional thinking for promoting individual rights has focused on directly pressuring governments that tolerate or perpetrate human rights abuses, such as the use of sanctions in Iraq and Yugoslavia. This focus is inadequate and outdated; history, both recent and ancient, has proven this. In fact, both Saddam Hussein and Slobodan Milosevic used the sanctions in question to bolster their regimes, and further harm their citizens.

Given the difficult nature of interfering directly in the internal matters of another state and the extreme and unpredictable nature of using military intervention, there are numerous ‘soft’ approaches to promote the empowerment of individual human rights. These ‘soft’ approaches would promote sustainable peace, security and development from the bottom up.

Canada must work with civil society – that is the collectivity of individuals making up a country – to persuade, influence and pressure their own authorities to take the necessary steps to protect their human rights. Most recently we have seen the citizens of the Ukraine, with assistance from countries like Canada, force their government to hold free and fair elections.

Canada can play a crucial and specialized role to assist individuals in attaining their human rights. Canada is uniquely positioned to work with civil society and individuals within countries to promote free and fair elections, an independent and impartial judiciary, reorganizing and strengthening health systems, a professional police force free of corruption, and a free and independent media among many other such institutions. By helping individuals and other actors build key domestic institutions, Canada will be ensuring that there will be no need for international intervention to protect human rights, as we will have helped the affected publics do it themselves.