

Still Powerful: UDHR @ 70

Summary of the panel discussion

Held on Human Rights Day, 10 December 2018

Introduction: Andrew Gilmour, Assistant Secretary-General for Human Rights:

- We cannot claim that human rights have been achieved and are respected everywhere. Yet the 70-year-old Universal Declaration of Human Rights remains the standard and its principles have stood the test of time.
- But are these principles relevant in solving today's cutting-edge human rights issues of climate change, extreme inequality and digital space?

Moderator Sherine Tadros, Amnesty International

- "The very idea that there should be a set of rights that all people have just by virtue of being human beings and all States should respect - that idea is being questioned by leaders all over the world right now. But worse than that, the idea is being portrayed as idealistic, naive and against national interests."
- The rights enshrined in the UDHR "came from desperation", from a time when the world was emerging from wars that had exterminated 17 million people and the drafters were seeking a way to avoid such a situation ever happening again. They believed these rights – "a common standard for achievement for all peoples and all nations" - would ensure peace in the world.
- "That link between peace and human rights, or rather, conversely, between the lack of human rights and war, was so obvious and prevalent back then, yet seems to have been forgotten today. We have to do better in reminding people of the consequences of this collective amnesia" because we are now witnessing another cycle of war, of death and a violently insecure world order.
- Does this mean that the 70-year-old Declaration is no longer useful in our time? When it was written, its drafters had no idea of the sorts of human rights problems that might face the world 70 years later. Does it have anything relevant to say?

Digital space: Brett Solomon, Access Now

- Article 19 of the UDHR refers to the right to seek, receive and impart information and ideas through any media and regardless of frontiers, "anticipating" the internet.
- But unless the rights enshrined in the Declaration "are reinforced with code, encrypted with protocols, programed by laws and subject to transparency, the UDHR will continue to be hacked."
- The same rights that people have offline should be protected online, as affirmed by the resolution of the Human Rights Council.
- But how do we do this when technology is up-ending long-term rules that have protected our rights?
- What does our right to privacy mean when we are monitored and spied upon? How do we exercise our right to freedom of expression when the digital spaces we use are controlled by

private companies or by repressive States that do not stop users' content being attacked, taken down and hacked? And what does the right to information mean for the billions of people trapped behind firewalls? How do we ensure non-discrimination in the age of the algorithm when "online bias is baked into digital prejudice and where we have very little influence and almost no power to escape." It's not just digital, economic and political rights that are at risk but also social economic and cultural rights.

- Exercising our rights today depends more and more on connectivity to the internet. But what happens to those who are not connected, who don't have digital literacy or who are forcibly disconnected from the internet? And what about those facing the end of net neutrality?
- It is the duty of the State to protect our rights, but country after country has failed us and continues to fail us. For example, encryption which is the modern-day pathway to privacy, is now illegal or being seriously undermined in dozens of countries. The so-called securitization of the internet is not actually making us safer.
- Companies are also responsible for protecting our rights. Companies know more about their users than most sophisticated government security agencies, but who are the companies accountable to? CEOs are not human rights lawyers and companies are more interested in market share than international laws. Tech companies are antithetical to freedom of expression and the right to privacy – lack of transparency is the hallmark of the tech sector.
- Addressing the human rights problems posed by new technologies requires a universal and multi-stakeholder approach, involving governments, international groups and organizations, tech companies and users themselves.
- Whoever controls the future of the internet controls the future of the world.
- To ensure new technology protects our rights as a rule and not as an exception, the Universal Declaration of Human Rights has never been more important.

Climate Change: Alex Loznak, student

- Climate change is an existential threat to civilization. The principles of the Universal Declaration can help guide us as we deal with this.
- Article 3 guarantees the right to life, liberty and security of person. Article 7 pertains to equal protection of the law. Article 17 provides that no one shall be deprived of their property without due process. And Article 25 provides the right to a standard of living for the health and well-being of every person. "All these rights are now infringed by climate chaos."
- Climate change is "inarguably" one of the greatest threats facing his generation, the generation who may inherit an unlivable planet.
- He along with 21 other young people, filed a case in 2015 against the US federal government challenging its policies on climate change in an effort to make it more responsive to the concerns of future generations. The case is currently before the US Supreme Court as well as the 9th Circuit Court of Appeals.
- Clearly it is a constitutional violation for the government to knowingly poison the air its citizens breathe or the water they drink and kill its citizens.
- Young people in the Netherlands and Columbia have also taken out human rights cases against their governments and secured judicial judgements requiring the government to take action to mediate carbon emissions and deforestation.

- The right of youth to equal protection is abridged because we must shoulder a disproportionate impact of climate change within our lifetimes.”
- Inspiration and hope come from the activism of today’s young people who are forcing governments to listen to their concerns and take action to protect their right to a stable climate and healthy atmosphere.

Extreme inequality: Nadia Daar, Oxfam International

- Human rights are under severe threat by extreme inequality.
- For many millions of people today, their basic human right to dignity and equality, guaranteed by the UDHR, has been crushed by the seemingly intractable reality of extreme economic inequality.
- Forty-two people now own as much wealth as the poorest half of humanity – 3.7 billion people.
- “Welcome to the economy of today, an economy with levels of wealth never seen before in human history and yet where 1 in every 9 person goes to bed hungry every night. This is economy of the 1%” where, in 2017, 2 more billionaires were created every single day and 82% of all new wealth created was captured by the 1% at the top while the bottom 50% got nothing.
- “Don’t think that extreme wealth is harmless.” It comes with the ability of the super rich to buy elections, to buy impunity from justice, to buy media and to help ensure that their wealth keeps getting bigger by buying favorable laws. Laws that ensure they get even more financial and political power and so can ensure more policies that work for them and disfavor the other 99% of humanity. It’s a vicious cycle that further entrenches inequality.
- And tax systems are a clear manifestation of this. Africa alone loses \$14 billion a year in tax contributions because of tax havens used by the super rich. Oxfam calculates that this is enough to pay for health care that would save the lives of 4 million children and employ enough teachers to get every African child into school.
- This extreme inequality is not ‘normal’. It’s not that some people work really hard and others are ‘unlucky’. “I hear this word ‘unlucky’ used a lot to describe people born into poverty, but the truth is this isn’t accidental or bad luck. Nor is it inevitable. This is man made. And I do mean man made.”
- “Women bear the brunt of poverty and wage inequality the most. In the home women take on unpaid care work and outside the home get paid less to work more. Economic and gender inequality are intricately connected and cannot be addressed in isolation.”
- Inequality is not humanity’s inevitable fate but is the result of policy choices. And therefore “we can make a different choice of policies to create the kind of economy we want to see.”
- The three markers for achieving a human economy are progressive taxation, strong spending on health, education and social protection, and progressive labor policies especially concerning women.
- Some governments are taking action. For example, South Korea has increased the minimum wage, is taxing rich corporations and individuals more and is spending that money on universal social protection. Senegal is 13th highest in the world in terms of the proportion of its budget spent on education. And in Iceland it is illegal to pay women less than men.
- “Fighting inequality is not some utopian ideal – these governments are already showing that a more human economy is possible and achievable. We can make the right policy choices that will end extreme inequality and make the economy work for everyone and not just the few.”

- “The rights of the UDHR are not just aspirational. These are rights that we should all be guaranteed. We all deserve these rights.”

Conclusion: Andrew Gilmour, Assistant Secretary-General for Human Rights

- “We are living in an era of backlash against the undeniable progress that has been made in the last 3 decades, up until now. Human rights defenders are denigrated, humiliated, harassed, put under surveillance, put in jail. Countries are passing laws to prevent human rights defenders from being able to do their work.”
- Everyone, especially young people, should use all legal methods at their disposal to resist the backlash against human rights and stand up for human rights.
- A starting point is enabling as many people as possible to be aware of their rights enshrined in the Universal Declaration of Human Rights for unless people are aware of their rights, they cannot be expected to defend them, let alone those of others.