Statement of the United Nations High Commissioner for Human Rights at the Thirty-First Session of the Human Rights Council

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UN Human Rights Council

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Following is the statement of the United Nations High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, at the thirty-first session of the human Rights Council in Geneva on 29 February 2016:

“Distinguished Presidents of the Human Rights Council and the General Assembly – and President Lykketoft, we are delighted and honoured to see you with us this morning
I would like first of all to welcome His Excellency Choi Kyong-Lim, who is presiding over his first session of the Council, and to thank the former President, Ambassador Rücker, for his sterling work.

I am honoured to address this Council on the eve of its second decade. This is an anniversary that calls for more than rhetoric: it cries out for action, and decisive and cooperative leadership in defence of vital principles.

Human rights violations are like a signal, the sharp zig-zag lines of a seismograph flashing out warnings of a coming earthquake. Today, these jagged red lines are shuddering faster and higher. They signal increasing, and severe, violations of fundamental rights and principles. These shocks are being generated by poor decisions, unprincipled and often criminal actions, and narrow, short-term, over-simplified approaches to complex questions. All now crushing the hopes and lives of countless people.

So the compression begins, once again. This resurgent broad-based malice, irresponsibility and sometimes eye-watering stupidity, altogether acting like steam at high pressure being fed into the closed chamber of world events. And unless it is released gradually and soon, through wiser policy making – where the interests of all humans override this strengthening pursuit of the narrowest, purely national, or ideological, agenda. Otherwise - as the reading of human history informs us – its release, when it comes, will be as a colossus of violence and death.

When the key drafters, representing States, wrote the UN Charter and drew up the protective fortress of treaties and laws making up our international system, they did not do so because they were idealists only. They did it for security, and because they were pragmatists. They had experienced global warfare, dispossession and the oppression of imperialism. They had lived “balance-of-power” politics, and its consequences – thrown violently into imbalance as it was by the feral nationalisms and ideologies of the extreme left and right. They knew, from bitter experience, human rights, the respect for them, the defence of them, would not menace national security – but build more durable nations, and contribute (in their words) to “a final peace”. And so, after the cataclysm of global war and the development of nuclear weapons, they created the UN, and wrote international laws, to ward off those threats.

Today we meet against a backdrop of accumulating departures from that body of institutions and laws which States built to codify their behaviour. Gross violations of international human rights law – which clearly will lead to disastrous outcomes – are being greeted with indifference. More and more States appear to believe that the legal architecture of the international system is a menu from which they can pick and choose – trashing what appears to be inconvenient in the short term.

This piecemeal dismantling of a system of law and values that States themselves set up to ward off global threats is deeply alarming. Instead of taking a reasoned and cooperative approach to settling challenges – including the rise of violent extremism, the growing number of armed conflicts, and the movement of people seeking safety – many leaders are pandering to a simplistic nationalism, which mirrors the simplified and destructive 'us' versus 'them' mind-set of the extremists, and fans a rising wind of prejudice and fear. This bid to find unilateral quick fixes for issues that have broad roots is not only unprincipled, it is illusory – and it contributes to great suffering and escalating disarray.

The protection of human life and dignity is crucial at all times. Warfare does not put a stop to these and other fundamental obligations of international human rights law. During armed conflict or occupation, a complementary body of law – international humanitarian law – provides additional protection, to safeguard the rights of those fighting, as well as civilians, the sick and wounded, and people who have laid down their weapons. It must be applied by all parties: States – including all foreign forces, in the case of external intervention – and non-State armed groups.

These two great bodies of law are being violated shockingly, in multiple conflicts, with complete impunity. In Syria, previous to the temporary cessation of hostilities which began last weekend, this has been the case for five long years. Neighbourhoods, schools, and packed marketplaces have been hit by tens of thousands of airstrikes. Thousands of barrel bombs have been thrown out of helicopters onto streets and homes. Mortar and artillery fire, and IEDs, have been used without regard for civilian life.

Hospitals, medical units and healthcare personnel are afforded special protection under international humanitarian law. But at least ten hospitals and other medical units have been damaged or destroyed in Syria since the beginning of January ­– more than one every week – and on several occasions a second strike has hit rescue operations. The repetition of these murderous attacks suggests that some parties to the conflict are targeting medical units deliberately, or with reckless disregard. They deprive huge numbers of people, many already suffering the effects of intense bombardment, of their right to health, and endanger their right to life.

Similarly, the deliberate starvation of people is unequivocally forbidden as a weapon of warfare. By extension, so are sieges, which deprive civilians of essential goods such as food. And yet over 450,000 people are currently trapped in besieged towns and villages in Syria – and have been, in some cases, for years. Food, medicine and other desperately-needed humanitarian aid is repeatedly obstructed. Thousands risk starving to death.

And yet Syria is far from the only armed conflict in which civilians have endured frightful attacks. Multiple medical facilities, religious sites and schools have been repeatedly attacked and bombed in Afghanistan, Iraq, Libya, South Sudan, and Yemen. Mindful as we all are of the attack against the Khaleq market in Nahem which left scores of civilians dead only two days ago. The damage done by these violations – in bloodshed, and needless suffering and deaths from treatable illnesses and wounds – is dreadful. I add my voice to that of the distinguished President of Médecins Sans Frontières: the normalization of such attacks is intolerable.

It is extremely alarming that so many conflicts, crises and humanitarian emergencies are currently raging, with repeated violations of the norms that protect people's rights and lives. In Afghanistan, Burundi, the east of the Democratic Republic of Congo; the countries around Lake Chad which have suffered the attacks of Boko Haram; in Iraq; Libya; Mali; the Occupied Palestinian Territory; Somalia; South Sudan; Sudan; Syria; Ukraine and Yemen, millions of lives are threatened, and millions of homes are destroyed. Survivors, particularly the most vulnerable, are forced to flee, and become exposed to further violations. Economies are being broken. Health systems and infrastructure are being destroyed. Children go hungry, unschooled, and many suffer multiple forms of violence.

The effects of these prolonged conflicts and emergencies will be endured for generations. And yet they continue – and even cease, apparently, to shock.
Whether they are the result of deliberate targeting or systemic incompetence, every single attack on civilians and protected civilian objects must be fully, transparently and independently investigated.

Conflicts in Syria, Iraq and elsewhere have unleashed a toxic brew of malevolent forces, including the commission of sickening crimes and atrocities, and the emergence of human trafficking gangs. These are the circumstances that migrants are increasingly fleeing. The trauma they have suffered is appalling; they deserve the international community's sympathy and compassion. To keep building higher walls against the flight of these desperate people is an act of cruelty and a delusion.

Migration is a basic fact of human history, and it requires global sharing of responsibility. The welcome of millions of displaced people after the Second World War was clearly a positive, as well as a principled, move for the States which opened their doors. Agreements to resettle and integrate the refugees and migrants of Cambodia, Laos and Viet Nam, and people fleeing war in the former Yugoslavia: these decisions not only brought net benefit to the host States, but also displayed moral leadership and international cooperation.

Today, instead, we see hostility, disarray, and a rising roar of xenophobia.

Anti-immigrant and anti-minority rhetoric scar societies. They might offer instant political gratification in some quarters, but they result in divisions that cut deep. Racist, discriminatory and xenophobic rhetoric makes it even harder for minorities and outsiders to access equal opportunities and basic goods. And so our societies are cleaved. Communities grow further apart.

"Ignorance leads to fear, fear leads to hate, and hate leads to violence. That is the equation," wrote Abu al-Walid Mohammad ibn Ahmed ibn Rushd, the great Islamic and European philosopher of Spain, 850 years ago. When leaders express, or ignite, waves of hate speech, as we have seen in recent months – hate speech against migrants, and specific ethnic and religious groups – they are setting off shock-waves, whose impact will lead to violence.

Similarly, when Governments clamp down against grassroots activists, journalists and political opponents – or scrap the guarantees of an independent judiciary – they are not acting to halt violent extremism. They are dismantling the integrity of their societies and the people's trust and respect for fundamental institutions. Crushing human freedoms will not protect us from terrorism. It creates dangerous divisions and grievances that will lead to more violence.

We must not throw our principles and our reason overboard because we are petrified by the grotesque abuses of a few thousand fanatics. So-called ISIL is a powerful force for ill. But its behaviour and its mindset are so inhuman that it can only thrive in an atmosphere of deprivation and hate. This is a threat that can be overcome, and indeed our societies have done so in the past.

The ancient Chinese philosopher Lao Tzu is said to have observed, "We join spokes together in a wheel, but it is the centre space that makes the wagon move." That central space is our values. Our principles are the force that create resilience, the capacity to resist threats.

I urge policy-makers to deploy those central values as they work to uproot the underpinning factors of violent extremism. Persistent discrimination, which creates bitter grievances and daily humiliations. Corruption, which stokes resentment, and is at the root of so much poor governance. Inadequate schools, and economic structures which deprive young people of opportunities. Failures to establish a sense of belonging in a society that is benevolent and respectful. Restrictions that hamper the full participation of the people in decision-making – so that they no longer believe in their own societies.

Measures which ensure respect for human rights will extinguish violent extremism more effectively, and more sustainably, than any crackdown. Justice and human rights are the essential foundation of loyalty. They are what is needed.

Similarly, sound policies cannot be built on a distorted image of so-called invasion by people who are manifestly fleeing countries no longer safe for human life. Their movement is a search for hope, out of despair. And while I do not belittle the logistical difficulties it may create, they are a threat to no society. A disorderly race to the bottom of policies by States is creating massive and unsustainable strain on countries neighbouring conflict, which cannot continue to manage this task alone. These policies are compounding human suffering, driving increasingly unprincipled decisions, and creating chaos.

We need a new, concerted set of policies which establish the hope that people will be able to live in fair and just societies in their own homes. Meanwhile, there must be a sane, principled and compassionate welcome given to people who are fleeing for their lives. I urge Member States to rise above the crescendo of xenophobia and gather lessons from the great integrative forces of history. Cities and civilizations have been irrigated by diversity, and have welcomed far greater movements of people in the past.

If global climate change can teach us one thing, it is that on this planet, there is no "them". There is only us.

And yet structural injustice and discrimination continue to deprive millions of people of their right to development. A shocking number of women are denied their fundamental equality, including their reproductive rights. Far too many people are excluded from vital resources by prejudice and by the force of crushing inequalities.

On these and other topics, I and my Office speak out, and act, to the full extent of our capacity – and here I would like to pay tribute to the Secretary-General for his Human Rights Up Front initiative, promoted also by the Deputy Secretary-General, which has given new impetus to the whole system to speak up on human rights. We do this work boldly, although we are dependent on States for resources, because the inherent dignity and worth of the human person; equality between all men and women; the economic and social advancement of all peoples – these human rights principles are the basis of peace.

The combined influence of 47 States is assembled here. We speak with the weight of the United Nations. Both individually and as the representatives of States, I urge you to act with courage and on principle, and to take a strong stand regarding the protection of civilians. The perpetrators of severe violations of this order must know that they will, at the first occasion, be sanctioned to the full extent of the law. I urge you to rise above national self-interest and heal divisions instead of fuelling them. To abide by and protect international humanitarian and human rights law. I urge you to deploy your diplomatic power to uphold peace and advance the protection of human rights for all people, in other States and within your own.

This Council has become an important institution within the United Nations, with growing influence and respect. I believe that the increasing integration of human rights concerns, within development and all other UN activities, makes it essential that the Council develop stronger ties to the Security Council and other bodies. In its second decade, the Human Rights Council must have important impact on world events – and help to ensure that the frightful human rights violations which we are seeing today are not the prologue to even greater suffering and chaos, tomorrow.”