TRANSCRIPT
Event
“The UDHR at 75: A Conversation with UN High Commissioner for Human Rights Volker Türk”

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FEATURING
Volker Türk
United Nations High Commissioner for Human Rights

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And we’re delighted to welcome High Commissioner Türk to Washington on his first official visit to the United States about six months, maybe, to the day almost of his taking office in August of 2022. He comes into this position at a landmark moment as we approach the 75th anniversary of the Universal Declaration for Human Rights this year, but also amidst a wide variety of human rights crises and abuses around the world from Ukraine to the situation of the Uighurs in China, and even in the last few days the evolving situation in Khartoum and in Sudan.

Fortunately, Mr. Türk brings with him a long career in the U.N. system and in international human rights that has prepared him very well for today’s conversation. Prior to his serving as U.N. high commissioner for human rights, Mr. Türk served as the undersecretary-general for policy in the Office of the U.N. Secretary-General, and he previously served as assistant secretary-general for strategic coordination as well. Prior to that, he had a long and distinguished career working for the U.N. High Commissioner for Refugees, both at headquarters where he served for six years as director of the Division of International Protection and other senior management positions at headquarters and then around the world in places like Malaysia, Kosovo, Bosnia-Herzegovina, Democratic Republic of Congo, and Kuwait. So a long and distinguished career.

We’re delighted to have you here, Mr. Türk. Let me first welcome him to CSIS. (Applause.) Thank you.

So thank you so much for being here today and for what I think will be a really interesting conversation at a really critical time. You know, before thinking about the bigger picture, I wanted to start with a topic that’s been in the news the last few days, and that’s the situation in Sudan. So as you arrived in Washington, over the last three or four days we’ve seen a fragile situation really start to fall apart – fighting around the country between the Sudanese armed forces and the Rapid Support Forces, and devastating consequences for civilians in Sudan. You were in Sudan last fall – your, I think, first official visit as high commissioner – and while you were there you called for a human rights-based approach to the – to the situation, to the transition to civilian rule. Obviously, that hasn’t happened. What’s your sense of what’s gone wrong over the last six months? And what needs to happen right now to get that – things back on track?
Volker Türk: Well, thank you very much, first of all, for the invitation. It’s great to have this exchange with yourself and with the audience as well.

On Sudan, it was a very deliberate choice to go first. It was my first official country visit, to visit Sudan. It was at the beginning of November last year. I went there because I was so impressed by what the Sudanese people have done ever since the throwing over the previous dictatorship with al-Bashir, and I admired the perseverance of the Sudanese people in that regard. And when I came to Khartoum and then we went to El Fasher in Darfur as well, I mean, I could witness that despite the fact that there was a military takeover a year earlier, in October ’21, there was incredible resilience and willingness and determination by the people of Sudan to go back to the civilian rule and to basically make sure that the military are no longer in power.

So I was very encouraged, actually, both by meeting civil society groups, human rights defenders, women’s groups, but also I of course met with the de facto authorities. I met with General Burhan. I met with Vice President Hemeti, the one who is now in charge of the RSF. So I met with both sides. And I was – I was actually very hopeful. I came out of that mission with a lot of hope. And you know, then they started negotiating in December. Over the last couple of months, there was some hope that indeed they would go back to the civilian transition. And in fact, we had already prepared a press statement for the 1st of April, when they were supposed to sign the transition. And then it didn’t happen. And last weekend, I mean, we were shocked by what’s happening.

You have to imagine the impact on civilians is enormous. I mean, the latest count is already 185 people killed – I mean civilians killed – over 2,000 people injured. My own colleagues, I talked to them over the weekend. They were telling me that they are basically hunkering down at home. One of our colleagues, there were RSF soldiers that went into their house, tried to loot whatever they had in the house. Finally, a more senior soldier came in to stop it. But it just shows what the situation is at the moment. And you can imagine for people – for the people of Sudan, a much-beleaguered population, this is incredible.

And I only hope that reason will prevail – that the two warring factions come to senses, that they actually think about their people, and that indeed, you know, that they go back to the negotiation table. And there is a lot of effort I know by the U.S. I had some meetings with the State Department yesterday. But I also saw the secretary-general over the weekend. I mean, he was in touch constantly with both sides and trying to figure out what we can do in this very, very tricky moment for Sudan.
Ms. Flacks: Yeah. You mentioned the role of the civilian population, the inspiring steps that they took to overthrow the previous regime. And it’s interesting that you didn’t feel this path was inevitable; that you think that there – you know, you saw an opportunity for success. What are some things that you think the international community – the U.N., the partner governments – can be doing to help empower citizens in Sudan to kind of regain control, to take the control away from these two military leaders?

Dr. Türk: Yeah. I mean, if you look at the situation, half of the population lives on $2 a day. You can imagine the poverty in the country. Which shows that, frankly, the country’s in free fall. So no one who has any responsible sense would think that having a war in this country is going to get the support of the population. I mean, the population is one of the most resilient populations I have seen when it comes to human rights. I mean, they continued to protest throughout the whole year ever since the military takeover in October ’21. So I think, I mean, we only hope that whoever talks to these leaders and whoever has influence over them actually brings back to them what the reality of the country is. They are not going to have any support from the population if they continue in this way. It just erodes the trust that is needed.

I mean, there is also Sudan is always interesting because you have, of course, the Khartoum situation, and for Khartoum it’s the first time that they are actually seeing this massive civil war type situation in their own – in their own backyard. Of course, we have had many other clashes. In Darfur, they have just continued. But also in Blue Nile state, in Kordofan, I mean, in various other parts of Sudan.

I met, actually – I met some of the internally displaced people within Darfur. After 20 years they are still internally displaced, which just shows how tired the population is. But there is a strong willingness to overcome for once and forever this saga, and I just hope that those two leaders are actually coming to senses.

Ms. Flacks: Yeah. It’s an incredibly resilient population, as you said.

Dr. Türk: Yeah.

Ms. Flacks: And so you’re rooting for the ways to empower them to take that control back.

And that’s a nice segue to, I think, a broader conversation – although I could talk about Sudan all day – of the role of human rights in peacebuilding. And you know, as we’re sitting here talking about the 75th
anniversary of the Declaration – Universal Declaration of Human Rights, which obviously came from World War II and the results of that conflict, but I think people forget also that it was seen as a peacebuilding tool, as a conflict-prevention tool as well. And so I’m wondering, you know, in your experience in other conflict situations or potential conflict situations, how you make the argument that respect for human rights is a tool of peacebuilding and conflict prevention.

Dr. Türk: I mean, first of all, I think it’s important to remember the history of, well, the U.N. Charter. When it was drafted, the principles and purposes were very clear; it’s about peace and security, I mean, coming out of these two horrible world wars that the world had faced at the time. But it was directly linked to human rights. And the Charter itself talks about the promotion and protection of human rights, both in the preamble but then also in a number of articles. So one of the important – well, we have always these three pillars: peace and security, development, and human rights.

The Universal Declaration of Human Rights was really the first manifestation of what this means concretely by making sure that, you know, fundamental freedoms, civil rights, human rights – which in the international arena we call human rights – are actually put forward as a principle of and a purpose of the United Nations. I mean, it’s clear that the best prevention strategy is to have strong human rights compliance, and that’s where it really starts. So whenever you – and I learned this when I was working for refugees because refugees, in a way, are the visible manifestation that something is going absolutely wrong in a country, because that’s why people flee, because of conflict, persecution, and persecution on account of different things – religion, political opinion, membership of a particular social group.

So it’s obvious that in order to address conflict human rights has to be at its core because it always brings us back to the plight of people: What are their aspirations? What are their rights? How can we advance them? And that’s why human rights have to be part and parcel of any peace agreement.

But it also has to involve – which is women, peace, and security agenda – it has to involve different groups. It has to involve the whole of society. It’s not just, as we saw in South Sudan, a deal between two or three men. It has to be a deal that is anchored in the society as a whole and involves in particular young people and women’s groups.

Ms. Flacks: Yeah.
Dr. Türk: That’s absolutely key.

Ms. Flacks: This is also the five-year anniversary of Pathways to Peace, right?

Dr. Türk: Yes.

Ms. Flacks: Which is this United Nations-World Bank joint approach to – as a strategy to prevent conflict by those two institutions, right? And they focused on sustainable peace and sustainable development, but human rights is the common thread between them, right? And what does that look like to you? What is a rights-based approach, to you – that sort of sustainable peace versus sustainable development look like to you? What are the principles that you want to infuse into that process?

Dr. Türk: Yeah. So – and I think it’s important to also clarify because sometimes the sustainable development agenda is seen as being apart from the human rights agenda. It’s actually not. If you analyze the Sustainable Development Goals, 95 percent are anchored in human rights obligations. So the Sustainable Development Goals are not just something that, you know, at some stage the world thought we have to do this. No, it’s actually anchored in the whole human rights framework.

It goes into economic/social rights, but these are rights. These are rights that people have. I mean, to get rid of poverty is a – I mean, the fact that we have poverty and abject poverty is a human rights failure. So it’s important to remind ourselves that the sustainable development agenda is intimately linked – in fact, it comes from the human rights body that has – and the mechanisms that have existed over the last 75 years.

But then, of course, then it’s human rights in and of itself. What does it actually mean if you break it down in the context of conflict and violence? It’s, first of all, to make sure that in the conduct of hostilities that it’s done according to a certain set of rules. You have the international humanitarian goal, but you also have international human rights goal, and that has to be respected. It’s clear about sparing the lives of civilians. It’s clear about how to protect and treat prisoners of war. It’s clear about what does necessity mean and how do you make sure that it doesn’t affect civilians.

But then, also, in the whole peacebuilding process, and actually finding peace and getting out of conflict, it’s the analysis of root causes, what are the grievances that were behind it; looking at gender, at the gender dimension of conflict. I mean, it’s interesting because we often see violent misogyny is a good early warning signal that things may go wrong in a country, and I think we have to be very clear about this. And I’m just
mentioning it because sometimes we forget the gendered impact or even the gender discrimination/gender inequality issues that are at the root of some of these wars.

I mean, I remember a very famous Croatian writer, Dubravka Ugrešić – unfortunately, she died earlier this year – she gave to me one of the best analyses from a gender perspective of the wars in the former Yugoslavia, especially in Bosnia and Herzegovina. And what she actually reminded us is it started with a very male-dominated, chauvinistic, and frankly misogynistic type of attitude that prevailed.

And I think so we need to always understand this: When we see violence in whatever form it occurs and it starts, what does this mean for the future? And one needs to, obviously, resist the beginnings of any of this. So that’s why the gender equality agenda is directly linked to it.

In actual frameworks, peace frameworks, I mean, look – or, ceasefire agreements – human rights are a core and have to be an integral part. Look at Dayton Peace Agreement. Annex 6 has a whole human rights agenda that is going along with it. So it’s clear that when it comes to transitional justice issues, when it comes to issues of how to regain peace, human rights are at the core and they need to be respected.

The same if you look at Ethiopia, for example. With the ceasefire agreement, it’s clear that there is a human rights component in it and transitional justice. And you’re not going to achieve any of – any peace that is sustainable if you’re not addressing the human rights issues at the core.

Ms. Flacks: Yeah, both the prevention aspect and then the long-term sustainable peace aspect, and putting human rights at the center of those.

So let’s talk about a few other contexts in which this is playing out. So you were recently in Haiti, a place that we’re seeing extreme violence and instability, and there’s been a pretty robust debate about the role of the United Nations in Haiti.

Dr. Türk: Over the years.

Ms. Flacks: You know, it’s a difficult history there. When you were there, you called for the deployment of a, quote, “time-bound, specialized support force” to help us address the widespread violence there. There’s a lot of mistrust among the Haitian population about international intervention, about the U.N. peacekeeping system. How would this intervention that you envision there be different than what Haitians have experienced in the past?
Dr. Türk: I mean, first of all, I was deeply shocked by the situation in Haiti. I mean, I think it’s never been as bad as it is at the moment. I mean, you have to imagine there are about 200 gangs that control maybe now over 60 percent of the metropolitan area of Port-au-Prince. It affects other parts of the country now. And behind these gangs are political and economic elites.

And when we try to address the situation, I think we need a multi-pronged approach. I mean, for instance, the Security Council last year decided on an arms embargo. It is absolutely critical that the arms embargo is actually enforced properly. And you know, there’s no one single arm that is produced in Haiti itself. I mean, they come from elsewhere. So arms embargo is absolutely critical.

The second is – and by the way, the gangs have much better – I mean, they have all kinds of very modern means of warfare and control than the police.

The second is sanctions. And the U.S. and Canada have started to sanction. The Security Council actually started to – I mean, to also agree with individualized sanctions against those who are behind the gangs, who support the gangs. And that, again, needs to be very forcefully implemented.

Then there is the whole judicial and police reform. And when I went, I had discussions with the interim government and with the prime minister and with the chief of police. There are efforts to make that work. There is an incredible amount of work to be done when it comes to building up a proper judiciary that is also protected so that they can actually go after these people who are behind the gangs, but also some of the gang leaders who are in charge. And then you need a police force that actually works properly and is equipped properly in these circumstances.

So they will not – at the current moment, they are not going to be able to do this on their own, so they will need international support. And they need to, in a way, work very closely with the – with the Haitian police because that’s the only way for them to be able to show some robustness against this type of violent control that the gangs exercise.

And it’s, for me, I mean, we – this is, obviously – it’s Hobbesian, actually. It’s really the – what Thomas Hobbes had in mind when it came to – before the creation of a state, you essentially are in this war of all against all. And it’s really that type of chaotic/anarchic situation that Haiti is in. There is no way they can do it on their own if they’re not supported with
some type of time-bound, specialized multinational force that would help the police do its job.

So it’s in support of the Haitian police, so Haitian ownership is incredibly important. These are some of the lessons learned from previous engagements.

Ms. Flacks: So that’s what I was going to ask. And how does that – how does that force or how does that international presence build trust among the Haitian population? How is the – what does that engagement look like in your mind? Obviously, they have a police support role that you envision, law enforcement role, but what’s the relationship with the civilian population?

Dr. Türk: Yeah. So I talked – I mean, again, I had a chance to talk to different segments of the Haitian society – civil society, but also, you know, actually, I met some of the victims of the gangs – and the sense that I got, I think initially, indeed, Haiti was seen as – I mean, the Haitians themselves are really tired of external interventions because there’s a whole history of it that hasn’t gone terribly well for them. But in this current situation, I mean, my sense is that there is broad consensus that something is needed. And as long as it’s done, as I said, in support of national ownership, because of course, for instance, intelligence gathering that you need in order to fight these gangs will come from the Haitians themselves, so they are not going to be able to do this with people who are just flown in and then go into these different neighborhoods. So they will need that intelligence information. So they will – I mean, if – as long as Haitian national ownership is guaranteed, and as long as there is strong police reform that is supported internationally, I think it can work and it would be able to work.

By the way, one thing I wanted to say because it links up with the Universal Declaration of Human Rights. We always talk about the American and French Revolution that, in a way, were the strong influences of the – of the big human rights movement that we enjoy today, but let’s not forget the Haitian Revolution 219 years ago. It was Haitian. It was slaves who stood up and were – said that’s enough, we want to overcome slavery, racism, and colonization. And they – and that is really the origin. I think it’s actually a human rights movement. It’s one of the first human rights movements.

Ms. Flacks: One of the earliest ones, yeah. Absolutely. Now –

Dr. Türk: And it’s important to remember that.
Ms. Flacks: That's a great reminder, especially as we – and we were going to come around to this later – but especially as we think about the circumstances under which the Declaration was adopted, at a time at the U.N. where there were only 68 member states, right?

Dr. Türk: Right.

Ms. Flacks: And many of the – most of the countries around the world were not represented in that conversation, and yet that text, those ideas, that definition of human rights has largely persisted for 75 years. It's been adopted, and maybe some of that is because its origins stretch far back beyond World War II and beyond that moment at the U.N.

Dr. Türk: Precisely.

Ms. Flacks: I want to talk about sort of moving from conflict prevention and addressing conflict to accountability for human rights abuses, and the situation in Ukraine because that's where we're dealing with – ironically, in the midst of conflict. This is one of the rare circumstances where there's a move towards accountability even during conflict. So of course, when it comes individual criminal accountability, we saw the ICC issue its first arrest warrants against Vladimir Putin and one of his senior advisors. And so we can talk about individual side of this, but I'm really interested in your thoughts about state accountability for this kind of abuse.

This has been more challenging, and particularly when it comes to great powers, large countries. It's really stretched the system. So of course, Russia was expelled from the Human Rights Council, but as we speak it's chairing the U.N. Security Council and setting the – setting the international peace and security agenda for the month, which is ironic. What's your sense of – what's your assessment of how well we're doing on state accountability for human rights abuses? And where do you actually see any – or, do you see any opportunity to make progress there, in these difficult situations?

Dr. Türk: First of all, I think there are some good examples from the past. I worked in Kuwait in the beginning of the '90s. As you know, invasion by Saddam Hussein of the country. Security Council was, thank God, at the time – I mean, it was a different time or the U.N. more generally. I mean, it was clear that that's unacceptable and, as a result, Kuwait was liberated. There was a U.N. compensation commission that was founded as a result of that, which basically meant that – and that was taken from Iraqi assets.

There was an individualized process for those who had incurred damages that they could make a claim, file the claim, and get compensation. And in
fact, it was only, I think, very recently that that commission ceased its work because it fulfilled – it fulfilled its work. And that actually shows it is about state responsibility at the end of the day. I mean, if you are in flagrant violation of the charter, and you have obviously done damage to not just another state but also to individuals – in fact, I know about it because refugees who had also suffered, who had lived in Kuwait, could file for compensation because they had damages as a result of what happened to them during the occupation.

So there is – there are interesting examples from the past that it’s worth looking at in the current context. I think we often in international law – we have, of course, human rights law, and that’s incredibly important. But general international law and the law of state responsibilities is something that one needs to bring forward more and more in this type of context. But on human rights itself, I mean, I know that sometimes there’s a feeling out there that it’s, perhaps, not as effective as it could be.

But I can tell you, had we not the different mechanisms in place, like commissions of inquiry – for instance, what the Human Rights Council in and of itself, which is an intergovernmental body, what they are able to do by having a fact-finding mission or a commission of inquiry establish is incredibly useful to make sure that we document and then report on human rights abuses. That could then – and it’s sometimes used also for criminal prosecution purposes at the national level, at regional level, or at the international level. And that’s very important for accountability.

There are other means as well. And in the ideal world you would have a court that decides on human rights issues more generally. But we have existing mechanisms that work. The International Criminal Court, for example, is one that increasingly has gotten involved – and, you know, look at the situation in Burma, in Myanmar, or now also in Ukraine. They are actually working very hard to make sure that accountability is served. But at the same time, we also need it at the national level.

So there needs to be a lot of support for the – I met with the prosecutor general when I was in Kyiv. And it is important that they get all the support they need because they have, I don’t know, by now, I think, 70,000 cases. Serious human rights violations, war crimes and so forth, that they need to be able to get the forensic evidence, and things of that kind.

Ms. Flacks: Yeah. And the ICC only going to ever be able to do the tip of the iceberg, right? The local accountability is going to be the bulk of it.

Dr. Türk: That’s right.
Ms. Flacks: But you mentioned the Human Rights Council and the opportunities there to debate these issues and send fact-finding missions, and that important role. I want to talk about another tricky situation, where we haven’t gotten that far in the Human Rights Council. So your predecessor famously on her – in her last minutes in office released a report on abuses by the Chinese government against the Uighur population and other Muslim populations in China.

There was an effort to put that discussion – to table that issue at the Human Rights Council. It was blocked. You know, China has been able to prevent sort of further fact-finding, and further discussion and debate about those abuses. With that avenue seemingly off the table – although, you tell me if you think there’s an opportunity there – where do you see the conversation about accountability and addressing abuses by China going?

Dr. Türk: So the report makes – first of all, does an analysis, a very strong analysis, of the situation for the Uighur and Muslim populations in Xinjiang province. But also, talks specifically about how to get out of this and makes recommendations, including on, frankly, changes in legislation, in the whole approach. There are, of course, different human rights mechanisms that, for instance, there was a review of China by the treaty body that looks at economic, and social, and cultural rights. There will be at some stage a universal periodic review of the – of China. So I’m sure that these issues will be part and parcel of the discussion.

The fact that the Human Rights Council is not discussing it doesn’t mean that my office is not following up on these things, because it is an office report that was published. And there are recommendations. And it is on me to make sure that we follow up on that. And that’s – if you see – I mean, there are different ways and means. You have both the treaty bodies. You have the number of the different mechanisms. You have the special procedure mandate holders. You have also my office that has to follow up on this.

Ms. Flacks: Yeah. And I would love you to be able to, if you can, talk a little bit more about what kinds of tools or approaches you have the capacity to deploy in these situations if you’re getting any traction in your engagement, either with the Chinese government or with other governments, to try and continue to address that situation. What are some of the approaches?

Dr. Türk: I mean, it’s clear that’s one of the biggest challenges that we have generally. Because, of course, you have the ability to speak publicly about things. And that’s part and parcel of my mandate. But I also have a
mandate to engage in discussions with governments on human rights issues. So it’s a bit of a difficult navigation –

Ms. Flacks: Yeah, a balancing act.

Dr. Türk: A balancing act which has to be done. But I can – for instance, I was in Venezuela, just to give you one example, where, again, you have a very, very difficult, very complex human rights situation. I was able – and, you know, one where, as you know, there are all kinds of different views about what’s actually happening in Venezuela. And I had a chance to meet with the civil society groups.

I had a chance to meet with human rights defenders and with victims. But I also met with the different parts of the administration and of the government, including with President Maduro, precisely to discuss. And you probably saw in my media statement at the end, it was very clear the type of issues that we discussed and we put forward, including on torture, on arbitrary detention, on issues of legislative reform.

And it was important, and the government agreed, to renew the presence of my office in that country. And they have been able to do quite a lot of work. And that’s not often done publicly, but it actually – and I heard it also from human rights defenders – it’s very much appreciated. Because it gives hope and provides a safe space for people who are faced with human rights issues in a particular country context.

So I think there are ways and means to do this job. It’s sometimes not obvious. Sometimes we have to go deep into our toolbox. Sometimes we succeed. Sometimes we fail. But at least we will never give up to do our utmost to address these type of situations.

Ms. Flacks: Yeah. And just like bilateral diplomacy, I know from my experience, so much of that happens behind the scenes that doesn’t get discussed publicly. You alluded earlier to the outreach that you also have to do to likeminded governments. You know, thinking through the tools that they have that you don’t have to deploy in these circumstances, which there are many.

We just had here in Washington and some other capitals a summit for democracy. This is a Biden administration initiative, now co-hosted by Costa Rica, South Korea, Netherlands, Zambia, with the idea that, you know, democracies, like-minded governments, are going to come together and put democratic principles and human rights at the – at the center of their domestic policy and their foreign policy. And that’s been a talking
point of the Biden administration for two years now, putting human rights at the center of foreign policy.

I’m interested to hear from you your impressions of what that means, to put human rights at the center of foreign policy. When you engage with like-minded governments around situations, whether it’s Venezuela or Sudan, do you see – do you see that conversation, that movement around language making a change in their actual policy? Is it rhetoric, or do you see kind of progress in like-minded governments engaging on human rights issues around the world?

Dr. Türk: Well, I mean, first of all, let’s be clear. That brings me back to the 75th anniversary of the Universal Declaration of Human Rights. It is important that we assume at the outset that governments would not want to be seen to be in violation of human rights. And that’s quite interesting, because whenever I have discussions, including with very difficult governments, they actually do not want to be called out. They do not want to be seen that they are violating human rights, irrespective of what type of governance form they have – be it a democracy or be it a more autocratic form of government. They actually do want to be seen, whether or not it’s reality or whether it’s perception, they want to be seen to be complying with human rights norms.

That gives us a lot of leverage. And it gives others a lot of leverage. And it actually helps to have an international discussion about human rights, because very often we hear the argument, well, this is interference in domestic affairs. This is a national sovereignty issue. Well, it is not because it is about international human rights norms. Which is why I think in any type of government, be it here, be it in Europe, be it in many countries in the global south, it’s important to look at human rights from essentially three different perspectives.

At the domestic level what can we do better? Because nobody’s perfect. At the regional level, I mean, we just discussed Haiti but we could, you know, discuss many other situations here as well, and Venezuela. And then there are issues at the global level of how to make sure that the normative framework that has been established over the last 75 years is not just lip service, but actually a deep commitment. And that does require a discussion among governments about how to help each other out when it comes to difficult situations.

And that’s not an issue of the type of governance form that they have chosen. It is an issue of actually bringing it back to the actual letter and to the norms that the Universal Declaration of Human Rights puts forward.
Ms. Flacks: That’s an interesting framing of helping each other out on human rights issues. That’s definitely the approach that the Biden administration has started to take, and the self-reflective we’re trying to figure it out here, let’s figure it out together. It’s not the perception of human rights conversations.

Dr. Türk: And I think it’s important – for instance, this administration has invited all special procedure mandate holders. And that’s great. Wasn’t always the case in the past, but it’s good that there is this learning exercise. But it also is a good signal to others who are not inviting the different mechanism of the human rights system to come and –

Ms. Flacks: Nothing to be afraid of.

Dr. Türk: Nothing to be afraid of. And that’s a little bit the sense that we are also trying to impart to others, because they need to be seeing it. OK, nobody’s perfect. We can all learn from each other. We can actually learn from comparative – from different comparisons. And if there are issues that are very serious, we need to be – I mean, we should accept the fact that it will have public scrutiny, also internationally. And we need to get to a different place when it comes to – actually, the Universal Periodic Review, in a way, did precisely that. But we need to almost make sure this becomes a much bigger issue, especially in situations where it’s very, very complex.

Ms. Flacks: So you talked a lot about the universality and universal acceptance of human rights. I want to talk a little bit about areas where it’s evolving, where the understanding of human rights challenges is evolving. One of the topics that came up, it was a big focus at the summit for democracy and in the conversations in human rights now, is the role of technology, and the unique challenges that technology is posing to human rights opportunities, yes, also, but also challenges. We’re seeing that in the context of the conflict in Ukraine, the kinds of war crimes the Russians are committing – you know, cyberattacks and also just using online technology to help target – help them target civilians.

So I think sort of two questions for you. One is, you know, do you think the international – the current international legal architecture is adequate to address the challenges that technology is facing? And then a related question, which is the technology is driven by the private sector. The abuses that stem from it are often committed by governments, but they’re facilitated by private companies. There’s been a real evolution, of course, in the last 10 years about expectations of the private sector, the U.N. Guiding Principles on Business and Human Rights came out. And now governments are pushing further in this. What’s your sense of the
evolution of expectations of the private sector when it comes to human rights and technology?

Dr. Türk: I mean, if one looks at the fourth industrial – I mean, the fourth industrial revolution, which is technology. I mean, if you look at it, and, I mean, this has been happening in the past as well – you always have a lagging behind of regulatory and normative frameworks at the developments that basically this type of revolutions actually bring forward. And we see that today, where you have seen how much technology is a force for good. It has changed the world in ways that we don’t even understand entirely, especially if you look at artificial intelligence these days.

And we – and I think one of the big aspects is that we need to constantly have almost a strategic foresight mentality in our own mind. And the impact – so it’s really looking into the future, looking at different scenarios, thinking also of future generations. I mean, the climate change debate, that’s one of the key aspects of it. And envision what could be potentially very beneficial, but also what could be harmful. And that’s where there’s a lot of catchup to be done.

Human rights offers a lot of the solutions, and especially when it comes to, you know, for example, one aspect is social media platforms. And you saw there is a different approach in Europe, there’s a different approach in the U.S. at the moment. I think it will be important to understand the power dynamics that are behind it. You mentioned the private sector and the big companies that are behind this. We know how much it has influenced even the democratic space, I mean, through harmful disinformation, for example, through all kinds of manipulations that happen in electoral processes. But also when it comes to hate speech, the propagation of hate speech, and incitement to violence.

So all of this is quite a mix. So there are obviously the very important beneficial aspects, the connectivity issues we have with technology that – but they always have to have the human rights content going along with it. So the norms – because it’s clear that that human rights norms apply both online as well as offline. But we need to concretize it, and we need to make sure that it’s not just understood by member states that have an obligation to regulate. The right to privacy is one issue, also here in the U.S. for example. But then also for companies to adapt.

And very often we understand that companies, if they know that a normative framework is in the making, they will adapt their practices. And in fact, we have had more and more tech companies come to us asking for help, because they see that there are huge issues that involve them. And you probably saw my open letter to Elon Musk on Twitter.
(Laughter.) When he fired – after he had fired his human rights team. But then it isn’t just about Twitter. It’s about all social media platforms. And that’s the type of work that we have to do.

Actually, I think the future of human rights – if we look into the future, I think it hinges a lot on – well, it is about human agency. And that’s about human rights, again. And so we will have to do quite a lot of work, and we need all hands on deck in order to address precisely how we ensure that the human rights component is the guiding light when it comes to technology in the future.

Ms. Flacks: So you think the fundamental framework is there, it’s about how you adapt it? Maybe we can ask ChatGPT what their advice is on how to do that. (Laughter.)

So I have just a few more questions for you, and then I’m going to actually open it up to questions from our audience in person as well as folks online. There is a button our website. If you’re streaming this, you can click “submit a question,” and I will get it here. So be thinking about your questions and I will turn to you in a minute. But I want to ask you two last questions. One is that you reference climate change. And I think we would be remiss if we didn’t touch on that as an area that is fundamentally connected to human rights, but isn’t always framed as a human rights issue. But we know, and as you’ve said, that thinking about it from a human rights perspective is going to be fundamental to addressing it.

But it’s an area that wasn’t a focus of the Universal Declaration of Human Rights. Just recently we saw the U.N. General Assembly pass – adopt a resolution saying there is the right to healthy environment. But that was a long time in coming. And there was some pushback against this idea that rights evolve. What’s your sense of where that debate is right now, and how we can incorporate a human rights approach into how we fight climate change?

Dr. Türk: Yeah. So, I mean, the fact that you didn’t have climate change mentioned in the Universal Declaration of Human Rights doesn’t mean that human rights wouldn’t be a very strong factor in the consideration of policies around climate change. I mean, just – for me, human rights is a bit – maybe it’s an organic thing, right? You have the – you have the roots. That’s the Universal Declaration of Human Rights. You have the tree, and you have the branches that go into all kinds of directions. I mean, maybe it’s a good image to use in the context of the environment.

And so you have, of course – coming from the roots, you have different areas that go into different directions. And the right to a healthy, clean and
sustainable environment that was adopted last year is one. And it’s good that – because human rights is about the interaction among each other, with each other, but also with nature and with the planet. Because this ensures the right to life, for example. It ensures the enjoyment of an adequate standard of living. So you can always bring it back to the human rights norms.

And we know, and we have done a lot of studies in the Sahel, for example, where we see the impact of climate change, and of climate change already now, on people’s lives, particularly women. I mean, there’s a whole gender – again, a strong gender dimension to it. On migration issues, on displacement issues, and so forth. And, I mean, look at Somalia. We know that – or Iraq.

We know if you do some of the mapping out – and if we are not meeting the threshold of 1.5 Centigrade, I mean, if you think of two – I mean, if the global warming goes up to, what could it be now at the end of this century, 2.8, almost 3 degrees more? I mean, just do the mapping around the world what this would mean, and which parts of the world would essentially either be flooded or become utterly uninhabitable. We already know this for Somalia, for certain parts, but also for Iraq, because if the temperatures go up to over 50 degrees Celsius, I don’t know it in Fahrenheit, but –

Ms. Flacks: (Laughs.) It’s really hot, yeah.

Dr. Türk: Well, it’s untenable. I mean, people wouldn’t be able to survive under those circumstances. So it does mean that, of course, that human rights are immediately affected. And one of the things – and when I talk about future generations – the rights of future generations are – we don’t have governance systems in place that actually take that into account. We don’t have – I mean, the short-term electoral cycles that we are used to are not very good for long-term planning. I mean, we saw this. You know, you have one – you have one administration come in that is very clear about climate change and based in science and reality. And then there’s others who basically deny it. And I’m not just talking about this country. I’m talking about other countries as well.

And that is – that’s very dangerous for this type of long-term issues, and the effect that it has and the impact that it has on future generations. Well, frankly, also on children that are born today. And then what does it mean for the end of this century, for example? And so there is – I mean, it is a human rights issue as well. And because it affects human beings, and it affects the exercise of their and the fulfilment of their rights. It affects their freedoms. So it does put a huge onus on governance, both at the
domestic level but also at the global level, because, of course, climate change is not going to be resolved by one country alone. It has to be everyone. And everyone has to buy into this.

But let’s also not forget – and this is often mentioned when it comes to common but differentiated responsibilities – climate change was brought about, essentially, by the industrialized world, with huge impact on the global south, which is why compensation and loss and damage come in as very important tools.

Ms. Flacks: But you see this very much as part of your human rights agenda.

Dr. Türk: Yes. Very much so.

Ms. Flacks: So we’ve touched on women and girls a few times, and I want to come back to one situation that we really would be remiss not to talk about, which is Afghanistan, where we’ve seen overall an incredible deterioration both of the human rights situation and the humanitarian situation, but one that acutely and particularly not just affects women and girls, but targets women and girls. And the recent bans by the Taliban on female aid workers and now female U.N. workers is exacerbating that. It’s an understatement to say it’s exacerbating that situation. You called it utterly despicable, which it undoubtably is. Where do we go from here in terms of being able to provide lifesaving humanitarian assistance and help to the people of Afghanistan, but also trying to protect the fundamental human rights of women and girls, and of all Afghans?

Dr. Türk: Yeah. Well, that’s one of the, again, huge, huge dilemmas. But it has to be said that when the U.N. works somewhere, there are certain principles that apply. And they come from the charter, they come from human rights law. I mean, we cannot – there’s no way that anyone of us can accept that anyone tells us that, you know, a certain – that women can no longer work for us. That’s just not possible. And it will – they will – the de facto authorities will have to understand that. And if they don’t, there will be consequences.

Ms. Flacks: Do you see the – do you see that conversation playing out in Kabul right now? Do you see those conversations happening in way that gives you any hope that there will be a resolution? Or do you think that – do you think that international organizations and the U.N. are going to have to walk away, potentially?

Dr. Türk: I mean, at the moment, the trajectory is a very negative one, I mean, because it started – I mean, there has been a – it’s almost like a chronicle of a death foretold, right? And I hope it’s – I hope that there’s reason it
comes back to the ones who want to be in charge of the country, despite the fact that they're not officially recognized as such. They are still exercising the power and the influence over people. So it’s – yes, it’s one of the biggest challenges, I think, that we have, because we cannot accept the fact that – I mean, it’s not in the interests of the country at all. I mean, you cannot ignore half of the population.

Ms. Flacks: Yeah. Yeah. So I’m not hearing the optimism there that you expressed earlier.

Dr. Türk: Not much, no.

Ms. Flacks: OK. Well, let’s not end there. Let’s open it up to questions. For folks in the audience, there’s a microphone here. If you want to ask a question, please stand up and do so. In the meantime, I’m going to ask some questions – I’m going to start with one online, and then we’ll come to you.

So the – sorry, I’m getting a lot of questions. While I sort – actually, we’ll go ahead with you, since I’ve got a lot of questions coming in.

Q: Thank you. My question is in relation to civil society and its role, in relation to your office. And I’m with Youth for Human Rights International.

And so we have a grassroots campaign internationally to educate people on the U.N. Universal Declaration of Human Rights. Of course, this is a big year. And so I was curious to know what is the best way for civil society to interact with your office to get advice on what to do, and also to let you know what we are doing, so that we can interact well?

Dr. Türk: I mean, I can – do you want me to answer, yes? Look, first of all, civil society is, of course, our – we are within the U.N. the organization that interacts probably the most with civic space and civil society. I also see, as you know, one of the big challenges that we face, that we see a lot of regression when it comes to civic space. And that’s a big worry for us. When we talk about democracy and so forth, I mean, we need civic space. I mean, in all countries around the world it’s a key thing.

For the 75th anniversary, we have a little secretariat in Geneva, and we can give you the names of those colleagues, because we also want to involve a lot of young people, youth groups, and so forth. And we have a whole campaign going on just precisely to involve young people for the Universal Declaration of Human Rights. So we can give you the contacts for that.
Q: Fantastic. Thank you.

Ms. Flacks: Thanks so much. So let’s take two questions, and then we’ll come back to Mr. Türk. Yeah.

Q: Thanks for being here. Rob Colorina AIAC Investments. We’re global investors.

My question to you is, with respect to the emerging markets, is there more of a step up you’d like – you all would like to see from that? And, you know, if so if there’s any region or any capacities? I’d be curious of your thoughts there.

Dr. Türk: Maybe do you want to get a third one?

Ms. Flacks: You want to do a third one? Yeah, OK, we’ll do one more, sure. Yeah.

Q: My name is Henry, Henry Atem. I run a foundation, a humanitarian foundation, in four countries – Ghana, Nigeria, Cameroon, and Central Africa. And my staff basically see human rights violations in a daily basis.

But I have two very short questions. The United States is a frontline defender of human rights, and has taken a lot of actions including sanctions on individuals and removing some from AGOA, the African Growth Opportunity Act. Recently you have some African countries especially trying to come back into AGOA. And I want to ask you this question, because they were, first of all, removed from AGOA because of human rights violations. In your opinion, if no progress has been achieved in terms of adhering to the conditions to which they were removed in the first place, would readmitting them be undermining human rights, especially during this 75th anniversary of the declaration?

The second question is, in your office last year, I think it was in June, you had the working group on arbitrary arrests. It made a lot of reports on Africa, basically in Nigeria and Cameroon. And in some of those reports, recommendations were made for some prisoners who were arrested in Nigeria, deported illegal to Cameroon, and today they have been sentenced life imprisonment. And in that report, we request for them to be released because of the arbitrary nature of the arrest and deportation. I don’t know how far you’ve engaged – your office has engage with the governments of Nigeria and Cameroon to solve the issue. Thank you.

Ms. Flacks: So I don’t know if you caught all of those. I’ll try to quickly recap. So we’ve got the asylum policy, human rights in emerging markets, any particular places you’re concerned about. I don’t know if you follow AGOA, is a U.S.
trade regime with Africa, but there’s a human rights criteria in there. So I think the question is how do you balance incentives versus potential sanctions, keeping folks out of regimes. And then this last question about sort of –

Dr. Türk: Nigeria, Cameroon, and arbitrary detention.

Ms. Flacks: Yeah, exactly. Yeah.

Dr. Türk: Look, on the asylum, first of all, the ’51 convention and the and the ’67 protocol relating to the status of refugees is a document that one needs to cherish. And I don’t think it is the time now to even offering it up to any negotiations. There would be some governments who would probably want to see that happen, but I can tell you it would be a disaster. I mean, if you look at what’s happening on the asylum and refugee front, I mean, you – we are on record about some of the issues in the U.K., for example, a couple of other countries. I mean, it’s very important that we come back to the very standards that the 1951 convention has put forward.

As you know, there was a Global Compact on Refugees that was adopted in 2018 by the General Assembly. It actually, despite the fact that it’s not legally binding, but it complements some of those aspects that are incredibly important, especially with responsibility sharing mechanisms, and so forth. And in a way, it has helped to – for instance, it has influenced the World Bank to give some funding and make it available for host countries that are particularly affected. So I think one – again, one has to look at the whole asylum regime from the perspective of hard law, some of the soft law standards that have been developed, but also in particular this global compact on refugees.

Of course, on the migration front that’s a very important area that needs a lot of evolution. It was created – we got the global compact on safe, regular migration adopted, again, also in 2018. There are, of course, a lot of labor standards that have been developed. But especially when it comes to potential displacement and migration as a result, for instance, of climate change and environmental degradation there are indeed areas that need further development. And they will have to be worked through.

On human rights and emerging economies, I mean, you know, some of the lessons learned from the past – and especially if you look at COVID and how COVID has impacted on economies – and not just emerging markets. Also higher – I mean, some of the middle-income countries, and of course LICs, I mean, the less-developed countries, has been enormous. I mean, there have been huge liquidity issues on the financial side. There have been issues of, as you know, on debt. A lot of countries actually are not
able to pay back – I mean, they are paying back their debt, but it comes at the expense of a very shrinking budget space.

And you have heard us, but also the secretary-general, be very clear about the need to reform the international financial architecture, and look at debt in a different way in the future, learn the lessons from it and, frankly, have a hard look at the Bretton Woods institutions, whether they’re still fit for purpose in the current environment, when we have climate change coming in, when we have the lessons learned from COVID and from the pandemic. And so I think that’s really absolutely key, that it’s an area, again, of human rights.

And we – I mean, I have my colleague Peggy Hicks with us. We are going to work, and colleagues are working on combining economic models and economic systems with human rights. Basically a human rights economy concept that is going to be extremely important, because, you know, economic models look at things in a different way than we would look at them. To marry both is going to be very, very critical.

On the issue of, you know, trade and human rights, and sanctions, I mean, you know, I won’t hide from you the fact that when it comes to – especially sectorial sanctions – that there is an issue. Because very often even if there are humanitarian exemptions, they don’t often work in the way that they should. So we need – I mean, I think it is important to use – to have the possibility of using individualized, targeted sanctions, as is the case in Haiti, where you actually identify individuals who are behind some of those horrible abuses. But then the question of more sectorial sanctions is a big issue. And I think it is – one needs to have a very fresh look at this.

And that also then comes along with trade and human rights. I mean, of course when it comes to trade agreements, when it comes to all kinds of issues in the financial side, it is clear that there is need for respect for international standards, and including, of course, human rights law. So there is a direct relationship that I would see. But sometimes let’s think more of incentives rather than of disincentives. And I think it’s sometimes the mindset that also helps influence the way we – and the respect that we have towards our partners.

And I think there has been – I mean, I know that from some of the discussions that we had in the past, on migration and refugee issues in particular, where there was a certain arrogance that came across. And that doesn’t help with partners that are already particularly affected. So I think it’s more of a way to come to a common vision around things, which, of course, has to include human rights. And that’s absolutely critical.
On the particular situation of arbitrary detention, I mean, the countries that you mentioned but also more generally in the world, I mean, we pushed a lot at the beginning of this year, using the Universal Declaration and 75 years of the Universal Declaration of Human Rights, as an entry point for governments to have a fresh look at people that they have arbitrarily detained. And we have had some successes. Sometimes difficult to talk about in public. We have had some releases of people who are, who were, arbitrarily detained.

But it’s a big concern for us because, frankly, this shouldn’t happen in the 21st century. We shouldn’t have people who are human rights defenders being detained and punished and sentenced to things. I mean, this is just – I mean, we should really find a way for the whole world to come together and say, this doesn’t make any sense. And maybe even more generally looking at incarceration in a different way in the future.

Ms. Flacks: Yeah. Can we keep you three more minutes to do two last questions? All right. We’ll go ahead with these last two questions.

Q: Good morning. Thank you so much for being here today. My name is Alejandra Ureta Melcon. I’m currently a graduate student at the American University.

My question is also related to the issue of climate change and ensuring protection of human rights. So I wanted to ask your thoughts on what tools are available for ensuring a baseline level of protection for climate migrants, who currently do not fit under the definition of a refugee and whose rights are threatened by – as a result of climate change, and what your thought is on some of the ongoing litigation and pathways that are being explored such as the relation to non-refoulement, which was a discussion in the Teitiota case. Thank you.

Q: Hi. Thank you for your enlightening remarks. My name is Grace Kang. I’m with the Institute for Corean-American Studies.

And my question is, if you could have a meeting with Joe Biden, what would you say to him? What would be your priorities and areas of emphasis?

Ms. Flacks: Thank you.

Dr. Türk: Well, on the first one, I mean, there is – I don’t know if you’re aware of the – where is the colleague – yes. There is the so-called Nansen agenda. I don’t know if you heard about that. It was drafted – when was it drafted? I think it was finished, if I remember correctly, in 2015. And it looked at – it
did an analysis of refugee law, displacement issues, and essentially external displacement as a result of climate change. And there are – I mean, there are some situations where you can actually bring refugees under the – you can bring people who flee environmental degradation and the consequences of it under the refugee definition. But I won’t go into the whole rhetoric of it but, I mean, there is some case to be made on that front. But it will not cover, obviously, those who flee entirely for reasons that are related to sudden onset disasters and, as a result, need to leave their country of origin.

And in that case, human rights law kicks in. Because human rights law, I mean, you don’t return people to situations of danger. I mean, that would be inhuman treatment. So you have different norms of human rights that actually come together. The Nansen agenda precisely tried to consolidate some of these emerging norms. But when it comes to slow-onset disasters, which essentially is migration, when it comes to land relocation that sometimes happens because certain parts of a country are no longer inhabitable, so you actually have to move people out, it’s going to be very, very – I mean, to actually look into this is very important.

On what would I – look, I think that human rights is at the core of governance. And it’s good to have this at the core of it. But it’s also important to then become very concrete what this means, both in the domestic, regional, and global contexts. And to have that type of conversation I think is important to have. Great.

Ms. Flacks: We’ll have to leave it there, but thank you so much for being here, High Commissioner Türk.

Dr. Türk: Thank you very much.

Ms. Flacks: A round of applause. We appreciate it. Thank you very much. (Applause.)

Dr. Türk: Thank you. Yeah, thank you.

Ms. Flacks: Thank you. Thank you all.

(END)