



**3RD WORLD FORUM ON
HUMAN RIGHTS
NANTES - FRANCE
30 JUNE - 3 JULY 2008**

From local to universal,
a fight for
Human Rights

secrétariat international permanent
droits de l'homme et gouvernements locaux
nantes, pays de la loire, france

**3RD WORLD FORUM ON
HUMAN RIGHTS
NANTES - FRANCE
30 JUNE - 3 JULY 2008**

From local to universal,
a fight for
Human Rights

This book was written by Boris Martin,
with the contribution of Céline Bretel, Marie Ernoult,
Olivier Nouvel, Michel Taube, Élise Thiébaud and Souhila Zitouni.

Thanks to Flora Barré, Charlotte Boulanger, Clémence Cottineau,
Marie Cuq, Carla El Chammass, Anne-Laure Gauvrit, Céline Le Goff,
Florence Leroux, Carine Monga-Nzefa, Anne-Cécile Orain, Bérangère Tam,
who wrote the summaries of the discussions.

Co-published by SPIDH - Cabinet Martinez

© SPIDH (International Permanent Secretariat Nantes – Pays de la Loire
“Human Rights and local governments”): secretariat@spidh.org

Franck Barrau, Adeline Cheriff, Amanda Rio de Pedro.

Special thanks to Mr Emmanuel Decaux,
president of SPIDH Board of Directors

Translation and text layout

Cabinet Martinez

3RD WORLD FORUM ON
HUMAN RIGHTS
NANTES - FRANCE
30 JUNE - 3 JULY 2008

From local to universal,
a fight for
Human Rights

████████████████████
secrétariat international permanent
droits de l'homme et gouvernements locaux
nantes, pays de la loire. france
████████████████████

**The 3rd World Forum on Human Rights was organised
with the support of:**

Nantes Metropolitan Council

the Pays de la Loire region

the Loire-Atlantique county

City of Nantes

Ministry of European and Foreign Affairs

Francophonie International Organisation

Caisse des dépôts

And the participation of:

United Nations Educational, Scientific and Cultural Organisation (Unesco)

United Nations Development Programme (UNDP)

United Cities and Local Governments (CGLU)

Human Rights Consultative Committee (CNCDH)

University of Nantes

The Lawyers Council / Bar of Nantes

Information and Research Centre on Development (CRID)

Maison des citoyens du monde in Nantes (World Citizen's Centre)

“Rights for Humanity” group, Nantes

Cabinet Martinez

Ouest France newspaper

Nantes International Convention Centre

**Thanks to the members of SPIDH Board of Directors,
and of the Forum Scientific Committee.**

Table of contents

Foreword9

Opening speech15

Introduction

60 years after, a Universal Declaration still relevant today21

- A fight for the universality of Human Rights22
- Some progress to recognize25
- New allies26
 - *Local and regional authorities*26
 - *The European Union*28
 - *"Francophonie"*28
 - *The civil society*29
- Foundations to strengthen for better efficiency29

Boxes

- *Launch of the International Coalition of Cities against Racism*32
- *General Assembly of the World Coalition against the death penalty*34

Part 1

Human rights, between globalisation and international solidarity37

- Human Rights at the time of economic globalisation38
- Infringement of Human Rights: still an unbearable reality41

– <i>Children's rights at the centre of Human Rights</i>	41
– <i>Right to food, food sovereignty and right to land: the economy detrimental to the survival of humankind</i>	43
– <i>Questions of the Arab-Muslim world</i>	46

Box

• <i>“There is nothing worth than indifference to push people to violence”</i>	47
• What possible levers for the international solidarity players?	51
– <i>Economic sanctions, political boycott sports boycott, opinion campaigns</i>	52
– <i>The ambiguous role of companies</i>	52
– <i>Weapons or stethoscopes for the maintenance of peace: confusion between military and humanitarian action</i>	53
– <i>Testifying, a weapon for women's rights</i>	53
– <i>Memory: to serve a multicultural and united future</i>	55
– <i>When Human Rights defenders are in danger</i>	56
Talk with Stéphane Hessel	
• <i>“Fighting injustice is the number one challenge of our time”</i>	57

Part 2

Which Europe for Human Rights?

Which Human Rights for Europe?	61
• Which Europe for Human Rights?	62
– <i>The Council of Europe</i>	63
– <i>The Organisation for Security and Cooperation in Europe</i>	64
– <i>The European Union</i>	65

<i>Box</i>	
• <i>The European Agency for Fundamental Rights</i>	66
• Which external Human Rights policy for Europe?	68
– <i>The role of European institutions and their instruments in the promotion of Human Rights in the world</i>	68
– <i>Europe and Human Rights: a risk for diplomacy, bilateralism and economic interests</i>	70
– <i>The challenges of European policy for the protection of Human Rights and democracy</i>	72
• Which Human Rights for Europe?	74
– <i>Recognition of cultural diversity</i>	75
– <i>From the management of migration flows to European citizenship, upon interview</i>	75
– <i>Refugees: collateral victims of the management of migration flows</i>	78
– <i>The fight against terrorism: spearhead of Europe, threat for Human Rights</i>	80
– <i>European protection of Human Rights: the introduction of an effective European legal system?</i>	81
Part 3	
Local governance and Human Rights: efficiency within the reach of all citizens	85
• Local governments, the “new” players in the fight for Human Rights	87
– <i>Players that cannot be ignored any more, the result of a long-standing dynamics</i>	87
– <i>United Cities and Local Governments (UCLG)</i>	89
<i>Box</i>	
– <i>Objectives and roles of United Cities and Local Governments</i>	90

• Human Rights at a local level	92
– <i>Handicap and housing: Human Rights in the day-to-day life</i>	92
– <i>Memory of the slave trade, racism, Roma migration. When the sufferings of the world force themselves on to the memory of the cities</i>	96
– <i>Extreme poverty and climate migrations. When globalisation calls for the union of local governments</i>	99
• From local to global. Alliance of the cities and their citizens for the promotion of Human Rights across the world	101
– <i>Decentralised cooperation: a ground for expertise to be developed</i>	102
– <i>Civil society, an ally that cannot be ignored</i>	106
– <i>International texts: from statement to implementation</i>	107
– <i>United Cities and Local Governments, a catalyst for the input of the cities to the fight for Human Rights across the world</i>	111
 Conclusion	
Nantes 2010 objective: How to live (Human Rights) in a world in crisis?	113
 Programme of the 3 rd World Forum on Human Rights	117
Notes	141
Postface	143

Foreword

by **Emmanuel DECAUX**

Professor at the University of Paris II, Panthéon-Assas
President of the International Permanent Secretariat for Human rights
and local governments based in Nantes, in the Pays de la Loire region

The 3rd World Forum on Human Rights started the official celebrations of the 60th anniversary of the Universal Declaration of Human Rights signed on 10 December 1948, in the presence of Stéphane Hessel, “who witnessed” that historic moment. In addition to the plenary sessions focusing on such questions as “the place of human rights in view of the challenges of globalisation”, or Europe and Human Rights with the intentionally chosen title “Which Europe for Human Rights, which Human Rights for Europe?”, the closing ceremony raised the role of local authorities and local governments, with a particular emphasis on how to turn principles into concrete actions, at a local level.

The Universal Declaration is not only addressed to States, but to “*all individuals and organisations in the society*”. This is what is meant in the Declaration on Human Rights Defenders, adopted by the United Nations General Assembly on 9 December 1998¹. But next to the civil society, and more particularly to the NGOs that are the most active defenders of Human Rights, shouldn't there be space for political organisations that are being given more and more responsibilities in the field of Human Rights? Because States ratify treaties and are held responsible, they are naturally the first ones concerned by international law. But internally, a large number of non-state members step in, in their territory and within their sphere of knowledge, to promote Human Rights in a vast array of areas such as civil and political rights or economic, social and cultural rights.

Yet the realization of the role of local authorities, emphasized in France with the decentralization laws, is nothing new, if we consider for instance the development of “municipal socialism” around the notion of “public service” at the beginning of the 20th century. What is more recent, it seems, is the international dimension of the phenomenon. Bilateral relationships or city federations have turned into much more dense and complex networks, such as UCLG (United Cities and Local Governments), and international institutions like the Congress of Local and Regional Authorities of the Council of Europe or the European Union Committee of the Regions.

This dynamic trend struck a chord with the Nantes Forum which has set up a small body called the International Permanent Secretariat *Human Rights and Local Governments* (SPIDH), assisted by an international scientific committee. From the start, the Nantes Forum came into existence first from the desire expressed by some international organisations, and by UNESCO in particular with Pierre Sané, Assistant-Director General, to have a meeting place that would bring together all the Human Rights “players” around open discussions, second from the commitment of local authorities led by Jean-Marc Ayrault, Member of Parliament and Mayor of Nantes Metropolitan Council. The first three editions of the Forum showed an increasing success from the public and confirmed the need for such a biennial meeting held in a true spirit of pluralism, freedom, tolerance and friendship. The publications following each edition of the Forum demonstrate the usefulness of the thorough discussions held on extremely diverse topics - through dozens of workshops accessible to all and bringing together on an equal footing political decision-makers, diplomats and international civil servants, academics and researchers, independent experts, activists and NGO leaders, from all countries².

Since 2004, this invaluable experience shared with all the local partners - the Pays de la Loire Region, the Loire Atlantique County, *Nantes Metropolitan* urban area and the city of Nantes – has made it possible to have a durable project. The aim of the secretariat is to continue to organise the biennial Forum which has now got into its stride and in particular, to organise the 4th edition in 2010. It also aims to facilitate the actions of partner local authorities and to liaise with them in the commissions of international networks like

UCLG. Finally, it aims at pursuing the reflexion on the various modes of action of local authorities in the field of Human Rights, with all the relevant parties, from local activists to political decision-makers. It is worth mentioning that the SPIDH is a very promising working tool for informal consultations and on-line discussions on the research themes programmed between the Forums.

The question of Human Rights and local governments has therefore become the main research line. The United Nations Charter itself calls for a “*good neighbourhood spirit*”. This same spirit of “*good-neighbourhood*” had struck Alexis de Tocqueville while he was studying *Democracy in America*, and he came to the conclusion that democracy was best taught in the local community. Before him, Augustin Thierry, a historian from the Middle-Age had perceived a true “social revolution” with the assertion of “municipal liberties”, resulting in the notion of “people” in national history. The 1948 Declaration mentions the obligations of each individual “*to the community in which only the free and full personal development is possible*”, but it does not specify the nature of the community. However, it seems to me that, beyond the Nation-state, it could be the “international community” as much as the local communities, drawn together by solidarity.

The current work of the Congress of Local and Regional Authorities, as well as the drafting of the Global Charter Agenda for Human Rights in the City within UCLG, show an interesting collective trend. Initially, the Congress was focusing on local autonomy and democratic governance. For the past two or three years, the reflection has been extended to the field of Human Rights, with particular attention on the notions of proximity and subsidiarity.

The Commissioner for Human Rights of the Council of Europe, Thomas Hammarberg, has recently organised a seminar in Stockholm with the Swedish association of local and regional authorities (SALAR). Entitled *Systematic action for the fulfilment of Human Rights: a challenge for local and regional policies*, the seminar was a continuation of the discussion workshop held in Nantes with the participation of Anders Knappe, president of SALAR and vice-president of the Congress of Local and Regional Authorities of the Council of Europe. These discussions highlighted the importance of a conceptual reference frame, flexible enough to take into account the

diversity of local situations and political bodies, and at the same time accurate enough to propose some kind of template, with the legal obligations of any public or private entity - like the principle of non-discrimination - or as a result of social legislation - in the area of access to housing or - caravan sites for travellers - and of voluntary commitments arising from dynamic policies, especially in the fields of community and culture, with a feeling of “saying it better” locally. In this respect, my proposals to the Congress of Local and Regional Authorities of the Council of Europe, to be used as a starting point for the Whitmore report,³ were appropriately quoted by Jacques Auxiette during the Nantes discussion workshop. They call for a “local Covenant” for the progress of Human Rights, as an echo of the *Global Compact*, the *International Covenant* launched by the United Nations Secretary General. May I quote the conclusions that should be regarded as avenues for reflection for all the players concerned, public authorities and “society organisations”: The participants in this “local Covenant” would make the commitment to respect, protect and implement all the Human Rights in their sphere of influence. More than essential provisions that would be redundant with the list of Human Rights and fundamental liberties that are guaranteed worldwide, with a risk of selectivity, the principles to bring out should be cross-disciplinary, concrete, simple and feasible.

We would like to propose eight founding principles which can be adapted to the different situations at each territorial level and which constitute a coherent basis for effective action, oriented towards the “*promotion of Human Rights*”, as formulated in the United Nations Charter:

1. the principle of non-discrimination in the implementation of Human Rights, with the recognition of all forms of discrimination and particular attention to “vulnerable groups”;
2. the recognition of the “right to good administration”, and of the principle of transparency in administration, through systematic policies of information, consultation and motivation in the decision-making process;
3. the requirement of “*accountability*”, with the obligations of “reporting” on a regular basis and ensuring effective recourse, from a non-legal action with local and regional mediators to a

- recourse to a court, with an independent and unbiased jurisdiction;
4. the introduction of some sort of audit in the field of Human Rights, that would include surveys on impact and compatibility, as a result of new policies or regulations. *The Commissioner for Human Rights has already suggested to examine the budget on the Human Rights angle*”;
 5. This requirement could involve more specifically commitments to have *reporting* through the drafting of periodic reviews that would provide identification, evaluation and monitoring of the measures taken to promote Human Rights;
 6. This systematic inventory could in turn lead to programmes of actions showing a schedule, the objectives, the requirements as well as the various stages necessary to achieve the programme. Specific plans could be developed, depending on local priorities, as suggested by the Commissioner for Human Rights, in the areas of gender equality and children's rights; the situation of the elderly and disabled could be added;
 7. the willingness to have internal solidarity in the community, by encouraging the “wanting to live together” factor, freedom, pluralism and tolerance, with emphasis on the “participation in the cultural life by all”;
 8. the willingness to have international solidarity, in order to link the various actions undertaken at a local level and at a global level, through the development of partnerships to promote the universality and indivisibility of Human Rights.

Opening speech

delivered by **Jean-Marc AYRAULT**⁴

on behalf of the local authorities associated with the organisation⁵

Monday 30 June 2008

[...] The Nantes Forum is not just another conference on Human Rights. It is a moment to exchange, to share experiences among the defenders of fundamental rights: leaders and activists of non-governmental organisations, local and national elected representatives; delegates of the various international organisations - United Nations, European or national institutions - but also defenders of law: solicitors, lawyers and citizens actively involved in the civil society to defend the values of Human Rights. This original concept has led to the creation of the International Permanent Secretariat *Human Rights and Local Governments* now in charge of the organisation of the Forum and equipped ⁶ to make it possible to extend the exchanges that take place here in Nantes every second year, in that same spirit ie. sharing concrete experiences.

By organising the Forum, Nantes Metropolitan Council together with the Loire Atlantique County Council and the Pays de la Loire Regional Council are trying to be true to the role bestowed upon them through the historical and geographical specificities of this territory.

This is why Patrick Mareschal, Jacques Auxiette and I are very happy to welcome you here in Nantes.

Nantes ... a name forever linked to the edict of religious tolerance promulgated by King Henry IV in 1598. An edict of “religious tolerance” – I use these words with great care as it is not yet freedom of religion or freedom of conscience - but it represents a

strong political act from a king who “*wants peace in his kingdom*” in order to end a civil war that, for decades, has brought bloodshed to France. And one condition for peace is precisely this liberty - relative yet real - granted to the French Protestants, against the position of the most influential “notables” here in Western France. [...]. How amazingly modern this founding act is!

Looking back into our history with clarity is what makes us go further and open up to the changes of the world. Therefore, the history of Nantes has guided our own actions. As Aymé Césaire used to say, it is the privilege of free men to look into their past to think and act forward. And I would like to quote him in his beautiful language: “*What is the life of a man? It is the struggle between shadow and light... It is a fight between hope and despair, between lucidity and fervour... I am on the side of hope, but of a hope that has been gained, lucid, with no naivety.*”

To this hope we pay homage, by accomplishing an exercise of memory and history, particularly with the Nantes brand new history museum, and also by planning the construction of a *Memorial to the slave trade and the fight for its abolition* to be opened in 2010, hopefully during the next World Forum on Human Rights. This memorial, designed by the artist Krzysztof Wodiczko and the architect Julian Bonder, will be the largest memorial devoted to the black slave trade in Europe.

In this very special year marking the 60th anniversary of the Universal Declaration of Human Rights, the Nantes Forum is among the first worldwide to commemorate the event. It is a meeting place for all those who, like us here in Nantes, firmly believe in the current relevance of the Universal Declaration and in the necessity to improve the universality of the commitment in favour of fundamental rights protection.

The 1948 Declaration came into existence from the ruins left in the wake of the greatest tragedy of the 20th century: the massacre of millions of men, women and children who died in extermination camps. It was born from the determination of the political leaders and the people to say; “*Never again!*”

This declaration did actually stir the conscience of the world! Even though the more recent history of the 20th century proved how fragile this enterprise was, not sparing humankind from other tragedies. However, despite all this, democracy has progressed all

over the world and remains a permanent quest as well as an endless fight.

Among those who helped draft the Universal Declaration, there is one person who has lived through the 20th century as an actual history player, with courage, strength, vision and humanism that have made him literally an exceptional man. He was born in Berlin in 1917 and came to France in 1924; actively involved in the resistance to the nazi regime in 1941, he was arrested and sent to a concentration camp. Sentenced to death by hanging, he managed to escape while being transferred to another camp.

This man is Stéphane Hessel. A man who does justice to humankind. He has witnessed the adoption of the Universal Declaration of Human Rights and has spent his lifetime to fight for justice and emancipation of people. He is a tireless ambassador for Human Rights, for the rights of African women, for the emergence of new relations between Europe and Africa, for the end of the war in Lebanon, for Palestinian children, for the emergence of a social Europe. He stands on the side of the most destitute, those who do not have a roof and those who are not given any permits or documents...

The life of a man like Stéphane Hessel cannot be summarized in just a few words. But, since he has honoured us with his presence here in Nantes, I would like to pay special tribute to him. Thank you, Stéphane Hessel, for your presence and for the example you give to all those who have faith in humankind.

The declaration is still most relevant today, but the world has changed and so have the threats.

Globalisation has engendered new risks: increasing racism, rejection of the Other, social exclusion, new forms of inequality between men and women... raising many questions, even in countries with a strong economic development: exploitation of human beings, forced movements of populations, food crises, access to water, climate and environmental catastrophes...

So many situations where fundamental rights are being questioned, leading too often to conflict and war: in Africa, South-East Asia, Burma, China or New Orleans ... and also next to us. The dramatic situation in Burma, in particular, is an example of the demons of humankind. This is a country where a few senile and

blind generals, unwilling to listen, impose terror and sacrifice their people in front of the world, left powerless. In China, in Tibet, on the eve of the Olympic Games, how many cases of infringement of human rights will be brought to light? Also, how can we ignore the situation in Zimbabwe?

Having said that, there are reasons for hope. Next to Zimbabwe, South Africa has shown a different destiny. But this required the genius of Nelson Mandela who successfully led his people to imagine a new South Africa and share his vision of a “rainbow” nation. Even if not everything is achieved today...it happened and it shows that when humans fight, when forces are brought together, intelligence and heart can foster considerable strength. Yes, ... there is hope. And if we are here today, to attend the Nantes Forum, it is because we want to remain lucid enough to say when things go wrong and also because we do not want to accept fatalism.

So, we have to be lucid! When in Europe, living in precarious conditions has become an increasing reality. Is this compatible with our idea of human rights protection? When the Council of Europe denounces the living conditions of the poorest in France, is voting a law on the opposable right to housing the only answer?

On 18 June, a draft directive was adopted by a majority at the European Parliament, to legalize the detention of non-European migrants in specific centres for a period of eighteen months and to legalize the expulsion of children. What can we say and what can we do, apart from condemning, together with non-governmental organisations, a decision which has nothing to do with the reasons for immigration but which weakens even more those in search of a better life.

[...] Every day, the news troubles our conscience. Whether it is about the situation of Afghan women who risk their life when they refuse to wear the burka or about the infringement of human rights in Guantanamo or in Irak, for the defense of liberties. Those many news items are the reason why we are fighting together...

During the next three days, we will discuss the dangers of globalisation for Human Rights; we will see how Europe can contribute to the construction of a new world, through its action and organisation, internally and externally; we will also talk about the action of local authorities and their responsibilities in the protection

of the rule of law.

The *European Charter for Human Rights in the City*, adopted in 2000, has inspired the creation of a working group within the international union of local authorities *United Cities and Local Governments (UCLG)*. This working group is conducted from Nantes by the International Permanent Secretariat *Human Rights and Local Governments (SPIDH)*, and aims at drawing up an international charter called “charter-agenda”, including a programme of concrete actions.

Local governments don't all have the same range of competences and they don't always have the capacity to intervene, given the power and the practices in place in some States. Yet, all of them can contribute to the respect of minorities in their territory, they can introduce innovative instruments for reconciliation and mediation, facilitate the living conditions of the disabled, ensure respect for the regional languages and cultural diversity, fight against all forms of racism and discrimination...

While we are on the subject, I would like to welcome the launch - during the Forum - of *the International Coalition of Cities against Racism* under the aegis of UNESCO represented here by Pierre Sané, Assistant Director-General for Social and Human Sciences, who is also “the founder” of this event

Sharing experiences, exchanging ideas, introducing initiatives, giving a voice to those who can't speak in their country, such is our ambition.

Many of you have to struggle in your country and within your organisations, risking your freedom and sometimes, your life. Tonight, I want to welcome you all and I would like to extend a particular welcome to Mrs Souhayr Belhassen, president of the International Federation of Human Rights.

On Thursday 3 July, the closing ceremony will feature the “2008 Edict of Nantes” award. This prize has become part of the Forum and celebrates the accomplishment of an individual or an organisation in introducing the Rule of Law or civil peace. This year, the jury has chosen to award a prize to Gloria Cuartas, an active campaigner for civil peace in Colombia who is with us tonight. The jury has also decided to award a special prize as a homage to an organisation, CIMADE, for their action with migrants suspected of illegal entry or

unauthorized arrival” , held in detention centres.

Talisma Nasreen and I will give these prizes. The winner of the 2004 Edict of Nantes prize, Talisma Nasreen is an example of courage and resistance. Today, it is our duty to help her in her struggle and in her search for a more peaceful life.

Yes, it is an honour for us and for our country, to help those who fight for the respect of law and dignity. And when their life is in danger, it is an honour for all of us to help by offering them asylum and support worthy of their action.

This 3rd edition of the World Forum on Human Rights will no doubt be full of emotions. Above all, I would like this Forum to help us in our struggle for Human Rights and fundamental rights, so that everywhere in the world, Liberty, Equality and Fraternity prevail!

Introduction

60 years after, the Universal Declaration is still a pressing issue

From 30 June to 3 July 2008, Nantes welcomed the 3rd World Forum on Human Rights. Some two thousand five hundred delegates and panellists from over 100 countries attended the event. Every two years, Nantes becomes an unmissable meeting place for the international community of Human Rights defenders.

Created in 2004 on UNESCO's initiative to support the networks of players involved in the protection, respect and fulfilment of Human Rights by reinforcing solidarity among the various players (political leaders, activists and heads of non-governmental organisations (NGOs), academics and international experts, representatives of international organisations...), the World Forum on Human Rights is organized by the International Permanent Secretariat *Human Rights and Local Governments* with the support of the local authorities based in the Nantes area..

The Nantes Forum is much more than just a conference on Human Rights. It is a moment for all defenders of fundamental rights to share experiences, it is a place of exchange between academics and representatives of local governments, between United Nations delegates and civil servants from the European institutions, between lawyers and active campaigners.

A time for discussions, debates, exchange of ideas and proposals.

“Sharing experiences, exchanging, introducing initiatives, giving a voice to those who cannot have a say in their country, such is our ambition.”

Jean-Marc Ayrault, member of Parliament and Mayor of Nantes, president of Nantes Metropolitan Council.

A fight for the universality of Human Rights

The 3rd World Forum on Human Rights started the celebration of the 60th anniversary of the Universal Declaration of Human Rights. On 10 December 1948, the Universal Declaration of Human Rights (UDHR) was proclaimed at the Palais de Chaillot. Considered revolutionary at the time, this text imposed the idea that state sovereignty was no longer a supreme right, the individual being recognized as a subject of international law. It owes much to French jurist René Cassin's visionary qualities. Stéphane Hessel who played a part in the writing of the declaration, attended the Nantes Forum and was guest of honour.

The 60th anniversary of the Declaration was an opportunity to reaffirm the Human Rights project and its universality - this universality which is put to a severe test by the ordeal of day-to-day news.

The Forum opening ceremony and the debates, in the presence of prestigious guests, political, economic and cultural players as well as experts and campaigners, highlighted the diversity and complementary approach of the various types of struggle, revealing a similar objective : to endlessly reaffirm the universality of Human Rights.

Souhayr Belhassen, a Tunisian lawyer and president of the International Federation of Human Rights (IFHR), forcefully reminded everyone that everywhere in the world Human Rights are under attack. In Tunisia, where Human Rights defenders are harassed and taken to court for actively protecting the most fundamental rights ; in Iran, where tens of campaigners have recently rallied for the recognition of women's rights ; in China, where Hu Jia, a Chinese dissident, was sentenced to three and a half years in jail for writing an article on Human Rights, asking the Chinese authorities for some reforms... All these campaigners carry

the same message ie. universality of Human Rights and are subjected to the ire of the leaders in power, not wanting to budge an inch on their supremacy.

And for the past 60 years, it is their universality which is at the heart of the quest for fundamental liberties The Declaration still needs to face the challenge of its universal implementation. : cultural and religious relativism, gender inequality and obsession with security ... all these points are put forward in an attempt to erode the strength of the Declaration

Religious relativism, when the vast majority of the Arab-Muslim world restrict the enforcement of the United Nations Convention for the elimination of discrimination against women because these provisions would supposedly go against the Charia, when Cardinal Renato Martino forcefully criticizes the campaign led by Amnesty International on reproductive rights, blaming the organisation for betraying their mission and calling all catholics to stop supporting the NGO, or else when the Lille civil and family court cancelled a wedding on 1st April 2008, because the wife was not a virgin and had supposedly lied to her husband on her “essential qualities” – the legal decision was invalidated by the Court of Appeal in Douai on 17 November , as virginity cannot be regarded as an “essential human quality” according to article 180 of the French Civil code.

Gender inequality, when nearly half of the world population is - directly or indirectly - victim of all forms of gender discrimination, when at an international level, one woman out of three will, at some point, be subjected to physical violence, when rape is more and more often used as a war weapon. Yet, to date, the issue has not been treated as a priority by States. In order to resume the fight for the fulfilment of women's rights, the IFHR has addressed the European Union with a call in favour of the adoption of guidelines for women's rights : according to the organisation, only a combined effort from the member States would make it possible to go forward.

Also, as outlined by Souhayr Belhassen, the struggle for universality is facing an obsession with security through today's fight against terrorism or the management of migration flows, resulting in foreigners being stigmatized. As a matter of fact, a few days before the opening of the Forum, the European Parliament adopted a draft

directive on the return of illegal migrants. According to the NGOs that have taken a public stance on the matter, the text from the European Union Council strictly reduces the fundamental rights of illegal migrants, including unaccompanied children, by authorizing detention for a period of up to eighteen months - mainly for administrative reasons. The text also authorizes the expulsion of non-accompanied minors toward third countries and banishes them from readmission to Europe for five years : a disproportionate and counter-productive banishment according to the IFHR for whom the adoption of the text shows a criminalising trend throughout Europe. This can be seen in France as well as in Italy, where in June last year, the Council of Ministers adopted a whole batch of reforms with a view to collecting DNA profiles or digital fingerprints for the nomads and migrants in the country, creating a confusion between immigration and criminality.

“It is from our ability to recognize their rights that we will be able to legitimately claim them for all and in every part of the world.”

Souhayr Belhassen, Tunisian lawyer and president of IFHR, about illegal migrants in Europe.

“Simple administrative provisions will not win through today's huge challenge towards those who don't have anything or can't exercise their rights and who embark on makeshift boats to go to countries that regard their call for help with suspicion.”

Joël Thoraval, Chairman of the National Advisory Commission on Human Rights (France).

Some progress to recognize

The results may sound mixed. Yet, it is worth considering the incredible improvements accomplished since 1948 : today, all the United Nations member States have ratified at least one of the international conventions on Human Rights ; 80 % have ratified at least four of these instruments.

I would like to welcome the adoption, in May last year, of the international Convention for the protection of all persons from enforced disappearance, as well as the enforcement of the Convention for the rights of disabled people : both texts concretise the latest improvements in terms of consolidation of the main principles provided in the Universal Declaration.

Another development is happening, that should increase the forcefulness of international texts. Since the adoption of the two Covenants (International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights) in 1966, the absence of complaint procedures for social and cultural rights - inherited from the cold war - represented a serious legal loophole. The Human Rights Council has now plugged the gap with the adoption, on 18 June 2008, of an optional protocole to the Covenant on economic, social and cultural rights : this is a significant step towards the indivisibility of Human Rights. This optional protocole, to be ratified, introduces a communication procedure that will make it possible for individuals or groups of people, to lodge a complaint with the United Nations Committee for Economic, Social and Cultural Rights regarding the specific violations of the Covenant rights (ICESCR), thus achieving, for the first time in decades, an appropriate balance between the International Covenant on Civil and Political Rights - already providing individual appeal - and the ICESCR. This new tool should facilitate the development of policies on economic, social and cultural rights.

Doru Romulus Costea, ambassador and president of the United Nations Council of Human Rights, highlighted the important role of the organisation : the Council can now examine serious violations of Human Rights, a significant improvement towards the reinforcement of special procedures. In this respect, the introduction of a Universal Periodic Review (UPR), a mechanism

involving all the countries for a period of 4 years, is quite promising. It places all the rights on an equal footing : the traditional distinction between social, cultural and economic rights is no longer needed with a mechanism that involves all the players concerned - States of course, but also regional organisations, NGOs specialized in the protection of Human Rights and civil society as a whole.

The introduction, on 1st July 2002, of the International Criminal Court (ICC), a permanent, independent and competent jurisdiction to prosecute individuals for the worst types of crime - genocide, war crimes, crimes against humanity - illustrates the progress accomplished in international law. The Court is operational since 2006. and is designed to complement existing national judicial systems when States are unable or unwilling to investigate such crimes, thus terminating impunity for all individuals guilty of the worst crimes. Since it started, the ICC has issued public arrest warrants for 12 people, opened investigations into 4 situations and examined the conduct of several other countries - a relative success, yet real -, showing that international justice can work, even though a number of countries such as the United States, China, India and Russia still refuse to join. This way, dictators of all types can no longer feel protected by some sort of impunity because of a so-called reason of State.

In addition to bringing hope to victims, such progress shows that, even if the road is long, universality of Human Rights is an achievable goal. It is a fight that has, for decades, brought new allies together.

New allies

• Local and regional authorities

In charge of local management for many years, local and regional authorities have decided, with the introduction of some innovative tools, to become more active in the fulfilment of fundamental rights, at a local level through enterprising urban policies, and at a more global level, through their different actions in decentralized cooperation. Admittedly, cities and local governments have a role

to play in such areas as education, fight against hunger, access to health and water, right to security ... through pragmatic, well targeted and appropriate recommendations. The achievement of goals in these areas often requires the introduction of adequate measures at a local level.

The important role of the local and regional authorities in the implementation of the Millenium Development Goals was outlined in New York, during the Millenium Summit, in September 2005. The final declaration highlights the significant progress made by local governments as well as the constructive dialogue between the UN General Assembly and United Cities and Local Governments (UCLG), the international federation of local authorities.

As pointed out by Jean-Marc Ayrault, the European Charter of Human Rights in the City - adopted in Saint-Denis by a large number of mayors of European cities, on 18 May 2000 - has inspired the creation, within UCLG, of a working group with a view to drafting a world charter under the International Permanent Secretariat *Human Rights and Local Governments*. This work should create a model for the actions of local and regional authorities and draw up their responsibilities on this matter : all local governments can contribute to the respect of minorities in their territory, introduce innovative instruments of reconciliation and mediation, facilitate the living conditions of the disabled, ensure respect for regional languages and cultural diversity and fight against all forms of racism and discrimination – a key role for the International Coalition of Cities against Racism, created during the Forum under the aegis of Unesco.

The UPR mechanism, designed by the United Nations Human Rights Council with the aim of examining all the norms and policies of a specific State - at all levels in the decision-making process, from central to local or regional - represents another opportunity for local authorities to highlight their priorities, identify the good practices and even formulate recommendations to the central government. These new prerogatives confirm the idea that local and regional authorities can become key players in the fulfillment of fundamental rights.

• **The European Union**

Founded on the principles of democracy and the rule of law, the European Union referred to Human Rights for the first time in 1986, with the Single European Act. It is only in the Treaty of Amsterdam (1997) that Human Rights were clearly mentioned as founding principles of the EU. Different mechanisms were introduced afterwards to protect Human Rights the European Initiative for Democracy and Human Rights, resolutions and annual report of the European Parliament, adoption of the “guidelines” for the promotion of Human Rights, dialogue with third countries...

The Charter for fundamental rights, proclaimed in 2000, was supposed to make all these policies on the promotion of Human Rights coherent at last. The text, appended to article 6 of the Treaty of Lisbon, was meant to add a legally binding aspect, as explained by Martine Roure, vice-president of the European Parliament.

The European Fundamental Rights Agency, inaugurated on 1st March 2007, after many setbacks, completed the mechanism with the aim to collect and analyse data on fundamental rights and to provide assistance to the European institutions and the States, when taking measures or defining actions. Some may think that its mandate is too limited in its scope. However, the Agency should ensure that all member States do respect fundamental rights

• **Francophonie**

The Francophonie International Organisation (OIF) consists of 56 States and governments together with 14 observers throughout the world. Created in 1970, it has led political actions for the maintenance of peace, democracy and Human Rights. Its goal is to facilitate discussion among its members and to support them in their policies, using normative texts such as the Bamako declaration adopted in November 2000 and the Saint-Boniface declaration signed in May 2006, in the field of Human Rights.

Hugo Sada, the OIF's delegate for peace, democracy and Human Rights outlined that French-speaking institutional networks, including national Human Rights committees, bar associations, ombudsmen and mediators, play an increasing role as essential intermediaries in the fulfilment of universal rights, as illustrated recently with the issue on corporate social responsibility.

• **The civil society**

Finally, we must mention the key role of civil society in the past sixty years.

In the 1945 United Nations Charter, article 71 allowed for consultations between the United Nations Economic and Social Council (UNESCO) and NGOs. However, the number of NGOs with a consultative status has considerably increased over the past years (3187 on 20 November 2008). Actively involved in many consultative instruments and partnerships of all sorts, NGOs are now regular participants in the United Nations intergovernmental deliberations.

The major international conferences organised by the United Nations - and the analysis of their results after five or ten years - have given them the opportunity to become an essential partner, in the collection of key information and in the achievement of local projects. The number of actions led for the Millennium Development Goals is a striking example.

Also, many regional organisations have facilitated partnerships with civil society (400 NGOs have a consultative role with the Council of Europe ; 367 NGOs are observers with the African Commission on Human and Peoples' Rights).

If the NGOs of the "North" have been dominant within the civil society for many years, several specific networks have recently developed in the South, resulting in a better equilibrium and reaffirming the position of NGOs as essential players on the international scene.

This new situation has pushed the States to redefine their own policies in the field of Human Rights protection and in other areas too.

Foundations to strengthen for better efficiency

Joël Thoraval, president of the Human Rights Consultative Committee (HRCC) ponders over the contemporary reality of this common ideal symbolized by Human Rights, as the international environment has witnessed drastic changes and as today's world differs tremendously from the world in 1945.

If, on the eve of the 21st century, Human Rights have become a

reality that cannot be ignored, they need to be permanently updated in order to adapt to new realities in an ever-changing world. There has been a considerable expansion of international standards in 60 years the list of rights is getting longer – with collective rights, solidarity rights, rights referring to the emergence of new technologies (bioethics, biometrics, telecommunications...) added to those initially included in the UDHR as well as in the two 1966 Covenants.

The current context of globalisation may look progressive but it can also be source of injustice as illustrated with the demonstrations against hunger in 2008. With the rise of new problems - international terrorism, increased religious fundamentalism, communalism, poverty... - the role of States and national institutions needs to be redefined. This reminds us of Sergio Viera de Mello's injunction, a former United Nations High Commissioner for Human Rights, killed in Bagdad in 2003: by relying on civil society as a pillar of strength and legitimacy and by encouraging pluralism, institutions should be able to take actions in such areas as intelligence, surveillance, follow up and awareness, with governments, parliaments and citizens alike. They should also be able to strengthen their role of promotion of Human Rights with States, often in doubt. The HRCC in France and their counterparts all over the world, are intent, more than ever - through their president's voice - to have a say. This mission is particularly important at a time when traditional democracies, with a long history of Human Rights, look confused and *“hesitate to fully commit themselves in the promotion of these rights in a fast changing world.”*

“The magical reference to Human Rights is not enough to stop the violations that we can see today in a world subjected to new tensions.”

Rama Yade, Secretary of State in charge of Foreign Affairs and Human Rights, France.

It is essential to remember that 60 years after the Universal Declaration, the implementation of Human Rights still relies on the actual combination of national and international law. Paulo Sérgio Pinheiro, former United Nations Special Rapporteur on the situation

in Burma, likes to outline this intrinsic contradiction specific to States, the first ones to violate their obligations in terms of Human Rights and yet, by nature, the first defenders of those same rights. Contradictions that most people find hard to understand.

In this respect, Rama Yade wanted to highlight the responsibility of France, in the formulation, as early as 1789, of the simple and revolutionary idea that men were born free and equal in rights, leading the way to the principles of liberty, equality and fraternity that lay at the very heart of the democracy a reason to be proud, but also a sense of responsibility for France for whom these fundamental rights represent a common heritage, a universal identity. And yet! The report by the Commissioner for Human Rights of the Council of Europe, Thomas Hammarberg, presented on 20 November 2008, can only generate uneasy feelings; the grandeur of such values is jeopardized by the harsh reality. Number-oriented policy in terms of immigration, arrest warrants inside schools and public places, absence of texts specifying the criteria necessary for regularisation, detention of “illegal” migrants in unbearable conditions, overpopulated prisons, security detention, harder juvenile justice... so many complaints exposed by the Commissioner following his visit to France in May last year.

The country of Human Rights has nothing but praise for its struggle for fundamental rights (in such areas as the follow-up, each year, of individual cases in connection with the European Union, the essential role of alert and shelter played by the European embassies for the Human Rights defenders who fear for their freedom and sometimes their life, the power of such themes as *Gender equality* or *Fight against Homophobia*, chosen during the French presidency of the European Union in 2008). Yet, like many others, it gets tangled up in the intrinsic contradictions that spoil its image.

In this context, the role of international institutions can only be reaffirmed: they must exert pressure on the States to go beyond these contradictions, to refuse approximate statements and not to regard compromise as the only outcome of difficult negotiations.

“What makes the world in the 21st century very special, is that there are no more independent countries: they all depend on one another. Solidarity must be therefore interdependent.”

Stéphane Hessel, French resistance fighter, former French Ambassador, a participant in the drafting of the Universal Declaration of Human Rights.

If universality, a constituent part of Human Rights, cannot be questioned, the definition of regional charters aiming at “adapting” rights to cultural and geographical realities could well reinforce them, instead of weakening them, because the States that show reluctance can no longer use the excuse of a cultural or regional specificity to escape from their responsibilities. Angela Melo, vice-president of the African Commission on Human and Peoples' Rights stated that the African Charter on Human and Peoples' Rights is based on the principles of the Universal Declaration of Human Rights - equality, fraternity, justice and peace - but it also offers a regional approach with a focus on cultural and positive relativity, respectful of the key elements of fundamental rights. A solution with limitations in some instances. Another regional treaty - the protocole on women's rights in Africa - has had great difficulty in imposing itself, despite its ratification by 25 States since its introduction by the African Union in July 2003. With a universal scope, the text has come up against some States that use - as always! – the reason of cultural specificity to justify their position. There again, there is only one way out: international cooperation. But does it play a big enough role? The discussion is open!

Launch of the International Coalition of Cities against Racism

After paying tribute to Reverend Martin Luther King, an apostle of non-violent resistance who was shot dead at the age of thirty-nine, on 4 April 1968, and who justified his struggle by “*an inner necessity to serve the society*”, Pierre Sané, UNESCO Assitant-Director General for Social and Human Sciences, signed the act introducing the International Coalition of Cities against Racism, in the presence of representatives of five regional coalitions of cities against racism⁷.

This coalition aims at bringing together the regional coalitions

developed by Unesco after the the World Conference on Racism in Durban, in South Africa, in 2001. Similar coalitions already existed in Europe, Canada, South America, Asia and Africa and the coalition of Arab cities was created in Casablanca on 25 June 2008, with the aim of rallying cities to engage in concrete actions against exclusion and in favour of citizenship. Considering that cities were real ethnical melting pots and that local authorities were the most appropriate bodies to combat racism and discrimination, Unesco invited the municipalities of each region to create networks of cities willing to share their experiences, in order to improve their policies in terms of fight against discrimination, promotion of diversity, mutual respect and dialogue. To this end, each regional coalition needs to draw up a ten-point plan of action that covers the areas of competence shown by the municipalities, such as education, housing, employment and cultural activities.

Despite the disparity of problems faced by the various regional coalitions - tensions among local and migrant communities in South America, difficulties between the police and the migrant communities in Canada or between Fidji people and Indians in the Pacific, fight against islamophobia and islamism in the Maghreb countries -, this international coalition endeavours to facilitate cooperation among cities at an international level and to act as a counsellor with international organisations to arouse their conscience and introduce warning systems, encourage exchanges and develop new strategies, promote the idea of a universal family to strengthen solidarity. The coalition wants to be recognized as an international instrument to combat racism and discrimination..

The World Forum on Human Rights, at the crossroads between universal principles and local action, seemed the ideal place for the inauguration.

General Assembly of the World Coalition against the death penalty

Consisting of around sixty NGOs, lawyers bar associations, local authorities and unions, the World Coalition against the Death Penalty came into existence on 13 May 2002, following the commitment made by the signatories of the final Declaration of the first World Congress against the Death Penalty, organized in Strasbourg, by the French association *Together against the Death penalty (ECPM)* in June 2001.

The objective of the World Coalition is to reinforce the international dimension of the struggle against the death penalty. Its ultimate goal is to obtain the definitive abolition of death sentences and executions wherever capital punishment is still in force. In some countries, it seeks to obtain a reduction in the use of capital punishment as a first step towards abolition.

The annual General Assembly of the World Coalition against the Death Penalty was held during the Nantes Forum and focused on the opportunity to launch a campaign towards companies, on the following theme: socially responsible investments.

Elizabeth Zitrin, member of *Death Penalty Focus*, outlined the novelty of the issue which, in addition to the ultimate abolition of capital punishment, has set other intermediate objectives. It does not call for a total boycott, but for actions that may have an impact. Speedy Rice, also a member of *Death Penalty Focus*, believes that it is necessary to involve the corporate world in the struggle against the death penalty, which requires a combined effort from various players. As part of the social fabric, business leaders need to be included in the discussions; when companies are examining various factors prior to investing - potential advantages, lobbying, tax issues, environment, social factors - the death penalty could be one of them. The 14 American States that do not have the death penalty could, for example, use this point to attract new jobs thanks to foreign investment.

Piers Bannister, member of Amnesty International, International Secretariat took a different view and insisted on the risks for the World Coalition, to divide its resources and to be misunderstood. There is a definite danger to see governments use the message as an instrument to accuse the organisations of scaring away tourists and investors, with an impact on employment. A misunderstood action might generate hostility. Finally, if the main objective of the World Coalition is the

abolition of capital punishment, it cannot be used as the one investment factor; if it is recommended not to invest in Japan because the death penalty is authorized, it could be understood that investing in Colombia is recommended when the Human Rights situation there is disastrous.

At the end of the debates, the Coalition envisaged to start discussing with the corporate world with a view to negotiating with each and every company through an educational process. Economic pressure is regarded by many as an essential tool to achieve the universal abolition.

The Porto Rican delegation took the opportunity to propose the creation of an “abolitionist network in the Caribbean” with the aim of strengthening the abolitionist movement in the region and of sharing the experiences and information available on the death penalty in the Caribbean.

Part 1

Human Rights, between globalisation and international solidarity

In the first stage of economic globalisation, Human Rights campaigners felt somehow hopeful that the human condition would improve all over the world. As a matter of fact, they had no idea how hazardous the journey would be.

Everyone was misled by the idyllic vision of a “global village” in which the opening of borders, the liberalisation of exchanges, the development of technologies and information as well as the distribution of wealth would cure the wounds of the world. Alas! What was a manifestation of the old belief that economic development would mechanically result in democratic development showed its limits. It took time to clarify concepts and to realize that globalisation might only be, after all, a new profit-oriented ideology, using internationalisation, this old phenomenon of interdependence between men and women, as a vehicle for its ambitions. The “anti globalisation activists” soon understood this and turned into “altermondialist”, the staunch defenders of “another possible world”.

Today, the time of fascination and repulsion has gone, the problems remain, so do the violations of Human Rights. And they look even

more unbearable next to the opulent societies that reveal some deep and increasing inhumanity.

But Human Rights activists are not giving up. However, between “greed and needs” to use Gandhi's words, what levers do they have to reintroduce Man at the centre of our societal challenges? The plenary session and the fourteen discussion workshops have attempted to answer such far-reaching questions.

I. Human Rights at the time of economic globalisation

Paulo Sérgio Pinheiro, former United Nations rapporteur for Human Rights, has straight away condemned “*the existing contrast between the economic institutions, unconcerned by Human Rights, and the Millennium Development Goals fixed by the United Nations (2000-2015)*”, whose ambition it is to eliminate the worst types of curse. Are States likely to make up for the deficit, when the countries in the North, the major members of these economic institutions, are reluctant to fulfil their commitments with the International Labour Organisation (ILO)? And how valuable are the many European directives praising Human Rights to the migrants who attempt to enter Europe? Finally, is it possible to envisage an alternative world order that would take Human Rights into account?

According to Samir Amin, lecturer in development economics and director of the *Third World Forum*, the context of economic globalisation strongly questions the definition we give to “democracy”. The one that is given in the West tends to suggest multipartism, non rigged elections and a certain number of rights and liberties. This “bourgeois” conception of democracy appeared during the Age of Enlightenment (Siècle des Lumières) and was assuredly preferable to dictatorship, yet it remained incomplete, by separating political democracy from capitalism, ie free market. For Samir Amin, the contemporary school of thought is a caricatural image of that tradition, against an evolutionary trend which was influenced by the European socialist movement and was critical of that democracy relating it to social progress. This relation happened gradually in the developing world through the workers' struggle

against capitalism, spreading this very notion - a notion known to "bourgeois only, until then - to the largest part of the population». Today, this democratic model, which took centuries to establish itself in Europe, fails to emerge in other parts of the world such as Africa where the current situation strangely resembles imperialism. The positive alternative to this situation would be a democratic model designed to include social progress. How to bring to perfection, in just a few decades, a change that took centuries in Europe? How can people from Africa or other regions be denied the right to immigrate, when Europeans have probably been the biggest migrants in modern history? How can we forget that in the 20th century, the Europeans and their descendants, having settled down in America, Canada and Australia, counted for 36 % of the world population! That migration happened with no visas required and with numerous accounts of pillage, the indigenous people deprived of their wealth and dignity. For Samir Amin, expecting these countries to reproduce our model of democracy without migration is like refusing to give them the solution requested by capitalism at a time when democracy in Europe is losing credibility in consideration of the territory abandoned to a free market that seems unintelligible.

Lucie Lamarche, a Canadian academic specialized in the individual's rights, comes up with similar observations, albeit more moderate. She notes positive improvement in this area. As to the responsibility of the players, they are bound by international conventions. On justiciability, a large number of legal mechanisms have been drawn up to pass judgment on potential violations. At an institutional level, the creation of the Human Rights Council brings much hope. But how to value these changes when, during the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW, 1997), we were told that only ten complaints had been filed on the on the basis of the text? As it stands, economic globalisation seems to sweep everything away. The lawyer can only observe the failure of the States' responsibility in an environment where law is mostly used by commercial players. And yet, individuals' rights are only worthy of merit if they are based on the foundations of Human Rights, namely equity, equality and non discrimination.

As for Vitit Muntharbhorn, a Thai lecturer, former United Nations Special Rapporteur on the sale of children, child prostitution and child pornography, it is obvious that globalisation does not per se represent a guarantee for Human Rights, even in a global economy that is not always opposed to rights. The present struggle addresses life resources. Two groups are struggling for these resources: on one side the poor, on the other side the States and multinationals, with a striking disequilibrium between the two. The men in power push the poor away, take hold of the existing resources in the world, destroy the poor's "supermarkets" that means the fields and the forests, to replace them with the rich men's supermarkets. This trend inevitably leads to a migration movement towards the cities or the slums. Governments turn a deaf ear to those who dare speak to avoid such a disaster. And people are often pushed to react with violence, a solution rejected by Vitit Muntharbhorn. He prefers pointing to an event that occurred in India in October 2007, and rallied more than 25 000 people on a 28-day walk to defend their rights. Despite weather changes and malnutrition that killed eleven people, the rally - supported by thousands of signatures forwarded to the Indian Prime Minister, from all over the world - forced the government to push up reforms allowing poor families to be allocated land to the detriment of multinationals. This manifestation of international solidarity was actually able to change things. For this academic, *"economic globalisation and a worldwide solidarity movement can only be understood together"*. The different talks were followed by a discussion with the audience on how to convince the most powerful people of the added value that Human Rights provide. The majority of the audience took a fatalist stance and argued that it would be a losing battle as fighting seemed the only alternative to allow sufficient weight to reverse the balance of power. Some, among them, including Mr Rajagopal, admitted that a small number of "men in power" were ready to listen to Human Rights activists. The Indian leader of Ekta Parishad has also campaigned for non-violence, like Gandhi, Mandela or Martin Luther King and believes that nowadays, international solidarity can only exist through local solidarity. An African participant underlined that today, more and more support comes

from the countries in the South, in addition to the North. The issue of local governance and the links among local authorities was thus raised, a preliminary reflection to the last day of the Forum (see Part 3, “Local Governance and human Rights: efficiency within the reach of all citizens”).

II. Infringement of Human Rights: still an unbearable reality

If globalisation has changed the context in which the struggle for Human Rights is voiced, infringement of Human Rights still remains a despairing reality. A major concern is the question of the fate of children around the world. Another immemorial one is the access to land and productive resources, an issue raised today with globalisation and the demonstrations against hunger. As to the unrest in the Arab-Muslim world, it is the result of a toughening process against globalisation and ostracism against the population in the name of the “war on terror” declared to the Muslim radicals by the Western governments and the leaders in power. It seems that the world fluctuations are using Human Rights as a barometer.

• Children's rights at the centre of Human Rights

“Children's rights stand at the heart of Human Rights”. Claire Brisset knows what she is talking about, as a “Defender of Children”, a French independent body founded in 2000 to defend and promote children's rights, which should be a reality in the North as well in the South. Yet, the figures are most alarming:

- 150 million children suffer from malnutrition, resulting in the death of 10 million each year;
- 250 million children work, including 100 million in conditions detrimental to their health and life ;
- between 45 and 50 million children are not registered at birth and therefore do not have any identity. Their whole life, they will be denied documents, vaccination and the possibility to immigrate. ;
- 1 billion children live in countries threatened by war and about 300 000 children are enrolled in armed forces.

Children are even more vulnerable because they have no knowledge of their rights, yet promoted in different texts. The United Nations Convention on Children's Rights was signed in 1989. This shows how recent children's rights are. The 1948 Universal Declaration of Human Rights did not mention much on the matter, simply stating that mother and child are entitled to "protection and care". The 1950 European Convention on Human Rights and the 1990 African Charter on the Rights and Welfare of the Child added to the vast range of international, regional and national texts.

Hatem Kotrane, lecturer in law at the university in Tunis and member of the United Nations Human Rights committee, maintains that children's rights have never been so well defended as nowadays. However, in many instances, children's rights are still largely violated.

Désiré Koukoui, coordinator at the international Catholic Children's Bureau in Ivory-Coast (BIC), talks about child trade, an economic exploitation with violence and mistreatment in most cases. Out of the 600 000 to 800 000 victims of cross-border trafficking in West Africa, 50 % are children exploited in various areas such as agriculture, domestic work, mining or armed conflicts.

What actions should be possibly taken? The Children's Rights Committee is in charge of the implementation of the provisions laid in the 1989 Convention. The organisation plays an educational role in terms of the general promotion of children's rights but Hatem Kotrane admits that there are no restrictive prerogatives vis-à-vis States. It has permitted to initiate legal measures in some countries but the difficulty lies in the coordination of the actions undertaken by the legal and social services.

A professor at the university in Sao Paulo and an independent UN expert on violence against children, Paulo-Sergio Pinheiro deplores omerta in family circles and the fact that some families think they can abuse children, consciously ignoring Human Rights! Yet, violence is often committed by people with authority on children : parents, youth workers, teachers... In the South, school is no longer a peaceful place.

In view of the current scale of prostitution and human trafficking, Paulo-Sergio Pinheiro firmly asserts that the present period of time

is similar to the slavery one. Boys may be more exposed to physical violence, however girls are more likely to suffer from sexual violence and all of them, boys and girls, are facing aggravated risks due to poverty. He strongly believes that denying the children's participation is wrong, as they should be involved in the legal projects on children's rights

Vitit Muntharbhorn states that in Thailand, his home country, the children's situation has slightly improved. However, he feels most preoccupied by the staggering number of pornographic and pedophilic pictures available on the Internet.

He feels that it is necessary to promote school access as a way to prevent children from being trapped in intermediate networks. It is a matter of preempting the demand, not an easy task, given the huge number of clients. He firmly recommends to criminalize those who exploit children and pleads for an unstigmatized behaviour with the victims, thus giving them the possibility to rebuild themselves.

If harsh and visible violations against children are the main priority, Patrice Meyer-Bisch, from "Institut interdisciplinaire d'éthique et des droits culturels" in Fribourg, feels the violation of the children's cultural rights can no longer be tolerated. *"The common point between childhood and culture is: infinity. We know neither of childhood nor of culture, as both are infinite."* In his view, there are three areas in children's cultural rights:

- the child's cultural construction;
- the cultural rights specific to children (right to education, to expression...);
- the cultural dimension of other Human Rights (right to food, to appropriate care...).

• **Right to food, food sovereignty and right to land:**

the economy detrimental to the survival of humankind

According to the FAO (United Nations Food and Agriculture Organisation), 37 countries around the world suffer from hunger. What are the grounds for the current food insufficiency and the recent demonstrations against hunger? It is in fact the interaction of different dynamics: an increasing demand from emerging

countries like China and India, the stagnation of agricultural yield since the end of “the green revolution” thirty years ago, the changes in the weather patterns and also the increase in the price of the various energies needed in agriculture, the predominance of agrofuel production over food-based agriculture, financial speculation on raw materials and finally, a galloping urban development to the detriment of farmable land.

The right to food is the right of daily access to foodstuff, in sufficient quantity and quality, to stay in good moral and physical condition. In the eighties, the countries in the South had to face a debt crisis as the financial institutions were steadily increasing their interest rates. The IMF (International Monetary Fund) and the World Bank then introduced a loan system and imposed national structural adjustment programmes (SAPs) to the beneficiaries. The programmes recommended a step back from the States in a number of social and economic areas and in particular in agricultural policies. Thus, in Mali where the “Office du Niger” was devoted to ensure food self-sufficiency in the West of Africa, the State turned to a privatisation system. As a consequence, the small farmers found themselves competing with big farms, relying on large financial institutions to obtain loans for their equipment – in other words, at the mercy of world capitalism.

It is obvious today that these policies have failed. The World Bank even wrote in its 2008 annual report, that States needed to reinvest in national agriculture and draw up public social policies to serve development! Had they read the 1966 International Covenant on Economic, Social and Cultural Rights beforehand, they would have learnt that, in order to ensure the right to food, States have to install a framework conducive to agricultural development, guarantee reliable infrastructure and introduce coherent agricultural policies. The deregulation of agricultural systems in the South has had many social consequences. In Senegal for example, the fisheries sector had to take on a large part of the population running away from their land. Coming from inland and from the whole of West Africa, the migrants had to switch to fishing which resulted in an increasing pressure on halieutic resources. As fish was getting scarce along the coast, fishermen had to go further, often risking

their life. Moreover, free market has encouraged the catch of fish for export to the detriment of national food self-sufficiency. In the same way, the decrease in agricultural yield has led to lower national public budgets. Hence, reduced budget lines in social areas such as health and education. Conclusion: farmers without land and unemployed fishermen have joined the growing number of migrants towards the big cities in the South and in the North. As if it was not enough, in addition to incoherent economic policies and inadequate development actions, Europe introduced a vast array of legal measures to block the way of the migrants!

Sometimes, local civil societies do not seem to care, leaving migrants with a feeling of stigmatisation. This was the case in El Ejido, Spain, in February 2000 where the local population demonstrated against the migrant workers accused of “stealing jobs”. In France, in order to combat the French workers' hostility, CODETRAS (Committee for the defense of seasonal workers) was created with the aim to support the migrants who come, most of the time accompanied by their “spouse”.

The recent rise in women's migration is indeed a new trend. If women used to stay on the farm while their husband went North in search of a job, they now represent the largest migrating population in the world. The ever-increasing deterioration of their land pushes them to go away and follow their husband in their quest for work.

In the globalisation vicious circle, the question of food in the world has not yet be tackled : how will the world be fed in 2050 if those who presently struggle to meet the demand - and their own needs - are being sacrificed?

The right to land brings a sustainable solution to hunger, poverty and migration. And the farmers in the South who decided to stay “at home” against all the odds, haven't given up. For instance in Mali, the Farmers' Union of “Office du Niger” (Sexagon) was created in 1996 to defend the interests of twelve thousand farmers. Because they do not own their land, the rice farmers have to pay heavy tax to be able to cultivate the land. “*We have to pay even when the harvest is poor, otherwise we face expulsion*”, says an outraged Faliry Boly, the secretary general of the Union, a real counter power. Thanks to the

determination of its members, some of the families who had been chased away have been able to come back. . But the Union also fights for market organisation and tax issues. In Mali, like in many other African countries, the World Bank finances a food programme with a land tax impact on the market. The World Bank lobbying techniques weaken the small farmers who often end up being dispossessed of their land. Faliry Boli insists that the tax problem doesn't only concern land, but also water and all natural resources: *“water overconsumption from the agrobusiness multinationals prevents us from producing in winter”*. He calls for international solidarity as he fears that, *“if tomorrow they fall apart, the repercussions will be felt everywhere”*.

• **Questions of the arab-Muslim world**

The position of Human Rights in the Arab-Muslim world was discussed by the participants in the Nantes Forum. Several very different situations were exposed with no taboo.

Lebanon has traditionally boasted freedom of press and political pluralism. However, the Lebanese law and constitution have opened the door to confessional politics since the second half of the 20th century. Based on the opposition between the various political and religious communities in Lebanon, this organisation has affected the very principle of secularism. It also questions the sense of unity of the Lebanese state and encourages the interference of foreign players in the country's internal politics.

Between 2004 and 2008, several international institutions, including *Amnesty international*, have observed swelling cases of violence, discrimination and infringement of Human Rights in Lebanon despite the ratification of the Universal Declaration of Human Rights several years ago. Capital punishment for example is still part of the law, even if it seldom applies. Similarly, children's rights, especially the right to free and compulsory education, are not fulfilled: illiteracy counts for 18 % and the Lebanese government takes time to adopt national laws for the implementation of these rights. In addition, the regional political environment is most unstable. During the Israel war against Hezbollah, the Lebanese infrastructure was badly damaged, with over 1,200 victims and one

million people displaced. In April 2007, new confrontations opposed the Fatah and the Lebanese army in the northern part of the country.

Paradoxically, confessional politics in Lebanon are today shown as a political model in Arab countries, to the extent that the United States are trying to apply it to Irak. *“This way, declares Saadallah Mazraani, a Lebanese journalist and writer, the real contradictions are brushed away and people take refuge in the different communities. The only problem is that, in the fight against terrorism, the United States tend to mix up terrorists and national residents”.*

More generally, the South, from Morocco to Syria, shows a high demographic growth. A large number of young graduates are facing unemployment and dream of a better life. With a dual Arab and western culture, the Arab population seeks to gain freedom, like any other population in the world. Yet, it is under much tyranny from the local States and from foreign governments. Today's real problem is the loss of confidence in a democratic model and the rejection of the modern State. This does not justify, but clearly explains, why populations are attracted to other sources of norms, whether religious or traditional. In Arab states, secular law and religious law are now superimposed, with the decreasing influence of secularism, a trend resulting not from the resurgence of religion but more from the deep mistrust of the modern State that does not meet peoples' expectations.

“There is nothing worse than indifference to push people to violence”

For the past six months, the inhabitants of the Gafsa mining area in the South West of Tunisia, are leading a protest movement against corruption, poverty and unfair access to employment. Omeyya Seddik, a political scientist, member of the FTCT (Fédération Tunisienne pour la citoyenneté des deux rives) and of the democratic progressist party – the Tunisian opposition – throws light on the struggle which, he hopes, will be backed by the public opinion and the international community, thanks to the World Forum on Human Rights in Nantes.

What triggered this social movement which started in January 2008 in the Gafsa region?

A recruitment test organised by the phosphate company in Gafsa, the main employer in the region, started off the movement. The movement started with the results of the test, considered fraudulent by the population, on 5 January 2008 and soon gained support by the vast majority of the regional population. What they demanded was: the termination of corruption mechanisms, the introduction of an employment policy for young people, state investment in the regional industry and answers to the environmental damages caused by the production of phosphate. It has probably been the best organised and the most decisive movement in Tunisia for decades.

What are the social, economic and, cultural characteristics of the region?

The mining region, with very poor infrastructure, is entirely dedicated to the production of phosphate. The situation worsened when structural adjustment programmes, partly imposed by the International Monetary Fund, changed the production techniques, resulting in a drastic reduction of the number of employees. Today, unemployment in the region is twice as high the national average (30 % of unemployed people according to official figures). The difficult situation is aggravated by the corruption organised regionally by the party in power and the regional union of Tunisian workers - the only local union.

How did the government react to this social movement?

The government tried, with no success, to foment opposition within the movement, on the basis of tribal groups and traditional clans. Then the region was surrounded by a large military and police reinforcement with a view to isolating and paralysing the movement. The repression was extremely violent with arrests, torture, vandalism and even gun shots, killing two demonstrators. All the movement leaders were chased: many of them are either in jail or on the run.

Do you manage to have the support of the media and of the population in Tunisia?

Tunisian media are completely muzzled by the politicians in power. The free media still manage to cover the events. However, one of them was arrested by the authorities. The international audiovisual press, mainly Arab, like Al Jazeera, did a lot to keep the Tunisians outside the region, informed.

How do you explain that certain regions, like Gafsa, did not benefit from the investments recently made by the Tunisian State?

Tunisia, it might be said, is like two different countries: the prosperous Tunisia", located on the coast, the flagship of a modern and dynamic country, with highly developed tourism and services. Conversely, the South-West and the North-West regions are extremely poor. To the geographical injustice comes a very uneven distribution of wealth among social classes that is profoundly felt in the mining area, traditionally rebellious and independent from the central power.

In Nantes, a collective group was created in support of the town of Redeyef, in the mining area. How did this collective group come into existence and why in Nantes?

This movement started spontaneously as a gesture of solidarity. Nantes counts a large number of immigrants from the town of Redeyef, probably the most combative one in the movement. These immigrants got together with no work experience in associations or unions; they set up an association and organised a successful demonstration in the town centre, in April 2008. They took further actions and engaged in a hunger strike in front of the Loire-Atlantique County Council.

What do they expect from the French state?

They expect the State to defend these populations subjected to serious infringement of Human Rights: torture, arbitrary detention, beatings, vandalism in private houses... France has developed partnership agreements with Tunisia, like the rest of the European Union. These agreements explicitly mention that the contracting parties should respect the international conventions relating to Human Rights and liberties.

They also try to reach the public opinion and citizens' solidarity.

I am most worried about the future if no positive outcome is found: when populations are just desperate, when they try to express

themselves peacefully, when they invoke legal mechanisms to fight injustice and are turned a deaf ear, the situation soon becomes explosive. There is nothing worse than indifference to push people to violence.

Interview by Marie Ernoult

3 July 2008.



III. What possible levers for the international solidarity players?

There is no cause relating to Human Rights that can be defended behind close doors only, whether within the family circle or in a city, a region or a country. It is often necessary to establish a link with similar situations experienced by other individuals, other families and in other countries. As the first ones to face the wounds of the world, the international solidarity players represent the pillars necessary to build bridges. They have been doing it tirelessly, from generation to generation, for decades. How is their action shaped in today's context of economic - and also cultural, political and technological - globalisation? In a world which is "shrinking" due to the progress in transport and information technology, uniformity is on its way and with it, levelled speeches and muffled denunciations. Solidarity itself needs renewing and it has to adapt in order to be seen and heard. As we will see below, in the range of levers drawn from the various discussions, the traditional drive for activism encounters new forms of mobilisation.

Also, the discussions have shown a dual trend that seems to feed the sphere of international solidarity. Firstly, beyond a caricatural picture associated with naivety and inefficiency, non-violence appears today as the best and convincing mode of action. Does it result from the extreme acts of violence in the nineties and early 2000, when anti-globalisation movements were confronting the police and military forces?? Is it the arrival, on the international solidarity scene, of the South with countries such as India, an old advocate of non-violence (even though the country is sometimes in the throes of violence) ? Whatever the reason, it is interesting to observe this current trend while the "war on terror" is on and after the recent release of films celebrating the terrorist groups of the 1970s (Baader Meinhof, Fraction Armée Rouge). Have the solidarity players opted for a pattern opposite to the undercurrent of violence in our society?

Secondly, another current trend is the growing distrust of the virtues long associated with the texts, conventions and other treaties written by international organisations. The solidarity players kept on pushing the latter to adopt texts proclaiming or

strengthening the rights they considered essential. Today, there is a large number of texts that still need to be applied. Whether the campaigners have understood the limits of this condition, is the question. The fact is, civil society does not only expect the international community to have a good conscience by “proclaiming” rights: it also takes action and expects States and international organisations to do the same.

- **Economic sanctions, political boycott sports boycott, opinion campaigns**

The impending opening of the Beijing Olympic Games was an ideal “opportunity” to discuss the traditional methods of international solidarity actions. With this in mind, the Forum organisers and participants made an official call to Jacques Rogge, the chairman of the IOC, to encourage the participating States “*in concrete initiatives in favour of the respect and promotion of Human Rights*”. The occasion, for a number of players, to specify and update the parameters of these classical modes of action. Split between the need to speak up and the fear of growing weary, between the strong symbol and the necessity to convince, many believed that boycotting sports events was not always the most appropriate option, that it might be better to discuss with the Human Rights defenders in the countries concerned and finally that opinion campaigns may be more powerful if they are well-targeted and in direct link with the “major” players: States, international organisations or companies.

- **The ambiguous role of companies**

For years now, discussion forums have been held among international organisations, trade unions, NGOs and companies. Some firms are truly committed to respecting Human Rights within their subsidiaries, suppliers and sub-contractors. Others openly disregard Human Rights or show a superficial front. Yet, a larger number of texts feature “variable” constraints, whether they are ILO conventions, OECD principles or the United Nations “Global Compact” guidelines. But with no real motivation from the corporate world including multinationals, in some cases more powerful than States, progression will come to a halt. John Ruggie,

special representative of the United Nations Secretary General, has supplied thorough work on the subject, including reports (the latest one was published in 2007). They set a framework and give governments the right to check that companies do indeed respect Human Rights. His conclusions have been adopted by the French government, through the work conducted by the National Human Rights Consultative Committee. Surprisingly, the representing member of the International Federation of Trade Unions expressed reluctant feelings on the role that companies can or should play on this matter... Have trade unions and companies found unity in pretending that Human Rights can be solved in the world economy?

- **Weapons or stethoscopes for the maintenance of peace: confusion between military and humanitarian action**

The rather cut-and-dried discussions opposed General Cot, former commander of the FORPRONU (or UNPROFOR) in ex-Yugoslavia to Rony Brauman, former president of *Médecins sans Frontières* and today professor at the Institute of Political Sciences in Paris. If the first one put forward the humanitarian aspects in the military, the second one denied all military competence in a field that should remain independent from political agendas. Military and humanitarian interventions in the same sites is nothing new. Yet, the “humanitarian actions” claimed by the military should not be confused with the actions of the NGOs, whose unique aim is to help endangered populations. Comparing both has a price: the attacks of local fighters who voluntarily ignore the difference, on humanitarian workers. Now, humanitarian workers are there to defend a specific humanitarian field. If the military provides them with undeniable logistical resources, that does not make them humanitarian workers.

- **Testifying, a weapon for women's rights**

Why is it essential for women, who have been the victims of violence and abuse, to testify? “*To make their struggle a collective one*”, states Maité Albagly, a French and Chilean political activist. Regarded as a political dissident in her country, she was detained, tortured and raped by Pinochet's ruthless henchmen, when he was in power. When she got out of this nightmare, Maité Albagly did not

have the strength to testify and to tell everyone about being raped. She felt the need to put herself up on her own. *“But I soon realized that the struggle had to be collective I wanted to help other women. The violence endured by women is often hidden, because it is shameful. Yet, testifying often facilitates justice. In my case, testifying made it possible to unveil what was happening in my country and ensure it would never happen again.”*

If testifying, whether individually or collectively, seems essential for justice, it proves very difficult to obtain and to encourage in some countries, states Raina Radzaif, member of Amnesty International in Malaysia. She is in charge of collecting the testimonies of migrating women who have been the victims of violence, under Islamic law. *“We observe more and more domestic violence in refugee families”,* says the young woman. *“There is nothing to protect these women's rights. Testifying in a Muslim country such as Malaysia is very difficult because Islam is getting more and more radical. Unfortunately, these women seem to accept the changes brought by a radical system. They tell us that we don't have a good knowledge of the Koran and that we are influenced by the West.”* In order to face the situation, Raina Radzaif would like to be given more means to develop adapted tools, carry out surveys on Human Rights and in particular on women's rights in the Muslim religion. *“Those who support Islam have access to financial help”,* indicates Raina Radzaif. *“We must obtain the means to help women speak out. We have to fight in a religious context and not in a western one, which is the case today.”*

For Gloria Cuartas, former Mayor of Apartado, in the Colombian region of Uraba, testifying collectively - what “the Mothers of the May Square” do - is fundamental and must have an impact on political organisations. Gloria Cuartas knows what she is talking about. As the Mayor of Apartado from 1995 to 1997, she has been, and still is, under threat. Risking her life, Gloria Cuartas keeps on fighting for women and for peace talks in Colombia, with the support of the European Union. Hopefully, the Edict of Nantes prize that she was awarded during the 2008 Nantes Forum, will allow her to travel more freely in the country. This award is definitely a sign of recognition, but Gloria Cuartas points out that *“to understand women's rights, men's participation is essential”*.

This point, William Bourdon has clearly understood. As the only man in the discussion workshop, the lawyer feels that it is a man's privilege to talk about women's rights: *"It is not an easy task, especially when the issue is men's violence on women. But the presence of a man is indispensable, because men need to be federated for this issue to gain strength."*

Universality and women's rights. This is the ambition of the theatre play *The vagina monologues* by Eve Ensler. Shown in nearly 140 countries, the play is one of the biggest hits in the world. *"The V-Day movement came into existence with the play"*, says Moïra Sauvage, journalist and author of *The adventures of the fabulous vagina*. *"The idea is to turn the various testimonies in the play into a fight. Any woman can act. All proceeds from the play are donated to local beneficiaries who fight to stop violence against girls and women."* The play has thus become a solidarity tool: V-Day has raised some 50 million dollars donated to associations in the countries where the play was performed. *"The play has enabled women to speak out and... has aroused awareness with men"*. About 40 % of the audience consists of men. And this is good news, because the struggle of women cannot be complete without men and testifying, individually or collectively, can only become more powerful.

• **Memory: to serve a multicultural and united future**

During another discussion workshop focusing on the black slave trade (see Part 3, Local Governance and Human Rights: efficiency within the reach of all citizens), a fascinating reflection on slavery raised the question of the "active" and "current" educational virtues of the memory of this "crime against humanity" which *"destroyed men and tore families apart"*, as formulated by Serge Romana, pediatrician. To find the ins and outs of the phenomenon, it is important to look at it beyond caricatural images and beyond the denial of many citizens, including slaves' descendants. A further point is to present the opinion movements which disputed slavery and succeeded in its abolition: the international solidarity players of that time. Above all, it is about bridging the gap between the past and today's societal issues that are deeply rooted in slavery. For psychosociologists or pediatricians, the aim is not to "study history

for the sake of history”, but to start from real facts: the condition of the black population in the United States, the mothers raising children on their own in the West Indies or the triangular route of the current clandestine migrations which, surprisingly, resembles yesterday's transatlantic slave routes. Finally, the goal is to draw up an educational tool adapted to Human Rights, to understand that each individual unconsciously reproduces the past and that it helps to know where we come from to know where we are going.

• **When Human Rights defenders are in danger**

According to the International Federation of Human Rights, 1,500 Human Rights defenders were under threat in 2008. This figure shows how dangerous the struggle for rights can become, from intimidation to physical violence, and sometimes murder, obstacles to freedom of association or legal harassment. In Colombia, for example, 44 defenders have been killed and 34 arrested! Oppression may continue, however the sheer concept of “Human Rights defender” has eventually imposed itself to the European Union, the Council of Europe and the United Nations. Hence, the 1998 Declaration of Protection, with no legal binding. At least, these democratic institutions are now aware of the fate of these campaigners and are ready to exert pressure on the threatening States or groups. Presently, the European Union has asked its members to draw up a set of norms with concrete actions for the protection of the activists. A difficult task when certain member States in the European Union refuse to open their door to Human Rights defenders or engage in passive resistance by not issuing the requested visas.

In a certain way, the message addressed to the European Union is meaningful in the sense that the undeniable efforts undertaken in the field of Human Rights have not proved sufficient enough to ease the reservations about its ability to tackle the problem. The following part will precisely focus on the subtle dialectic approach between Europe and Human Rights.

Stéphane Hessel: “Fighting Injustice is the number one challenge of our time”

A French resistance fighter and a former French Ambassador, Stéphane Hessel took part in the drafting of the Universal Declaration of Human Rights. Aged 91 and still overflowing with energy, knowledge and humanism, he inspires the greatest respect. He attended the 3rd World Forum on Human Rights in Nantes which paid unanimous tribute to him, and talked about his views as well as his fears and hopes on the situation on Human Rights in the world. Interview.

What are the current challenges in terms of Human Rights in France?

Stéphane Hessel: [...] Since 2001, and in particular since 11 September (9/11), the validity of the capitalist, liberal and western civilisation has been thrown into question. Some people among the most destitute and poor have acted like fierce enemies of this severely judged civilisation and managed to rally others around them. Unfortunately, they are ready to give their life and they strike with serious terrorists attacks... [...] I don't think that retaliation like the war in Irak will serve any purpose. Because Irak is not the only country to have fostered terrorism and also because war is not an acceptable solution to counter this very strong movement of protest. On the contrary, we should work towards a better balance between the haves and have-nots; between the worse-offs and those who make the best of progress in our civilisation.

As it stands, injustice could well be the number one challenge of our times. What can we do to fight this ever-increasing gap between the haves and have-nots? This leads to another challenge. The deterioration of our planet. Some – the wealthy and the top capitalists - have outrageously wasted the resources of our planet, without any actual regulations. As a result, our planet is in grave danger. If nothing is done in the next fifty years, this planet may not be viable for humankind and its fast growing population. What can we do to ensure that those billions of human beings can still live on a planet with devastated forests and no energy resources left? This, in my opinion, is the second biggest challenge.

And there is a third one, certainly the most difficult to grasp. It is the

sense one makes of human adventure. Can we get out of what has prevailed over the last three of four centuries, ie. more production, more productivity and accumulation of wealth, to the detriment of natural resources? Can we replace this very strong sense of materialism that regards wealth as money, with something that would resemble fundamental human values such as honour, freedom and solidarity? This is where a change is needed. And to me, this challenge addresses all teachers and lecturers on earth.

Young people's education should not be based on competition or superiority, but on solidarity among all the economic and cultural elements that make humankind so rich.

Precisely, how do you raise youngsters' awareness on Human Rights?

S.H: We cannot let young people develop what is deep inside us, ie. violence, the desire to be first and the lack of respect for the weaker ones. All this represents a potential danger in which they might fall. Instead, we should instil a value that we all have, and that is compassion for the weaker and solidarity with those who don't have the same means as we do... These values are found in all philosophies and religions, be they Islam, Judaism, Christianity as well as in the idealist philosophies of Europe, Buddhism and Confucianism. But they are sometimes overshadowed by the quest for wealth and modern globalisation.

Therefore, I will give young people the following message and invite them to put it into practice: you all have within yourselves something which is the opposite of violence and selfishness. It is called love, solidarity and respect for others. If you let these qualities blossom, you will be able to show the way to others in the world. If we can explain this to young people and keep in contact with them, then I do believe that what we are doing is helpful.

2008 marks the 60th anniversary of the 1948 Declaration. How do you see its future?

S.H: If you read the six powerful paragraphs of the Preamble and the thirty relatively short articles of the Declaration, you will see how modern and how relevant they still are. No need to erase anything. But one should resist this lack of concern that exists in certain spheres

where “Human Rights” are regarded with sarcasm, as though they did not make any sense. And yet, they do make sense! It is necessary that the connection between civil and political rights - those fundamental liberties that are too often questioned by today's governments - and economic, social and cultural rights - also too often misunderstood by our governments - remains an essential reference.

But, as explained earlier, it is not the only challenge. Actually, if we thoroughly read every article of the Declaration, we can see that it covers almost everything. Today's challenges need to be faced: injustice, deterioration of our planet and terrorism which does not make any sense in our civilisation. These are the issues to be tackled by those who feel concerned by Human Rights. We are entitled to a fairer world and a manageable planet and all civilisations are entitled to respect. None of them deserves the acts of terrorism that have befallen the western world.

What do you expect out of the 3rd World Forum on Human Rights in Nantes?

S.H: I have much esteem for the organisers of the Forum and also for Jean-Marc Ayrault, the Mayor of Nantes, who has given us a very warm welcome. The Forum which was institutionalized in 2006, is a unique and invaluable opportunity to bring together Human Rights fighters from all over the world, for four days. These people need support and guidance, which they find when they meet together. Also, they realize that they are not alone and that numerous battles are being fought everywhere in the world. Bringing all these projects together around the concept of Human Rights, this is what makes the Forum so special. I have great pleasure meeting friends from Africa, Asia, Latin America and Europe. They are still working at achieving full enforcement of Human Rights in the world. But a lot remains to be done in our European countries. We should not be limited by our fears, for example, the fear of massive immigration in Europe. Encouraging immigration is a good thing and we must fight for the rights of immigrants.

Do you think that France still deserves to be regarded as the country of Human Rights?

S.H: One should always have a strict opinion, especially of one's own country. It is easy to condemn and stigmatize tyrannies in the world.

France is a country with a rich and old tradition of democracy and respect for Human Rights. This tradition still prevails. But we have to be wary of the times when France may not live up to its reputation. I am very concerned about the current situation on immigration in France. We feel that our president has, once more, used the French European presidency - from 1st July onwards - to find solutions to problems like immigration, a difficult issue which requires understanding and attention. And this has to be done with intelligence and humanity. Unfortunately, this is not what has happened with the approval of “the directive on the return of illegal immigrants” by the European Parliament. Nor is it what is happening in France with the expulsion of children who are forced out of their school in front of their friends. And I am very keen to see the efforts made by the network called *Education Without Borders*. We need immigration policies that are very different from the ones imposed in France by Mr Hortefeux and recommended to other European countries by President Sarkozy. As Human Rights defenders, we must fight against this policy. It is time to call for policies that are more compatible with the Human Rights ideals that France has carried so far.

Interview by Marie Ernoult.

2 July 2008.

Part 2

Which Europe for Human Rights? Which Human Rights for Europe?

The title chosen for the second day of the Forum could sound like an easy exercise. However, its flexible terms reveal something far from sheer semantic frivolity. “Europe” and “Human Rights” the definitions that are given to both terms have a definite impact on their sphere of application and their interaction. They are so interlinked that they may differ depending on the angle from which we are looking at the issue.

Europe, it might be said, makes us wander off. A model of democracy for some, a fortress for others, excessive bureaucracy or El Dorado. Subject to so many interpretations, Human Rights seem to vary too: do they solely apply to the Europeans living in the 27 elected countries, to the Europeans from the Old continent or to all those who enter the territory, those “damned” individuals from Irak, Afghanistan or Mali who come to seek refuge, employment and a better future? What is the reality?

The plenary meeting and the twelve discussion workshops that took place during the day, didn't provide any answer. And who could

pretend to know the answer? Nevertheless, the discussions have undoubtedly unveiled the complexities of a love affair, with all its irrationality, between Europe and Human Rights.

The debates took on particular importance, because they happened on the day following the new presidency of the European Union (EU) by France, the “country of Human Rights”. A few days earlier, during the European Council held in Cannes, France presented its “European Pact on Immigration and Asylum”, a text condemned by civil society organisations for making border controls tougher. A further point is that it brings back into focus the tendency of some powerful European States to impose their views to the rest of the EU. With respect to the capacity of the latter to push for its values, those same organisations expressed their doubts through two recent examples: the rejection in June 2008, of the amendment voted by the LIBE Committee 8 of the directive called “Return” allowing for the expulsion of seriously ill foreigners; the decision of the European Court of Human Rights, in May of the same year, to allow a EU member-State - namely Great Britain - to expel a woman suffering from AIDS. Needless to say that the news provided the Forum delegates with striking examples of the difficulties that Europe encounters in terms of Human Rights...

I. Which Europe for Human Rights?

Torn apart after two world wars, Europe realised, after World War II, that it had become a necessity to protect Human Rights and maintain peace. The nations who had defeated Nazi barbarism had already anticipated the move and, in 1945, created, on the ruins of the late League of Nations, the United Nations Organisation (UNO) which, three years later, engendered the Universal Declaration of Human Rights (UDHR). Far from countering the new instrument offering universal protection - yet relative, as the UDHR is not a convention and therefore, has no enforcement capacity -, the idea of a regional instrument to protect Human Rights was aimed at a group of homogenous States, with similar interests and a common culture, in a space with human dimensions. However, since then, Europe has expanded geographically and has developed

institutionally: today's Europe shows different faces which questions what is its most appropriate definition and under what circumstances.

Three major European institutions coexist: the Council of Europe - set up from the beginning to maintain peace and Human Rights -, the European Union - economic and political - and the Organization for Security and Cooperation in Europe (OSCE) - on security. All three have competence in the field of Human Rights, either historical in the case of the Council of Human Rights or developed gradually with time for the others. To these “competing competences”, there is a fourth element to take into account, the Europe of States which, despite abandoning policies depending on their links with the other institutions, remain sovereign and therefore enact their own rules. We will explore these institutions in order to have a better understanding of what “Europe” means in the field of “Human Rights”.

• **The Council of Europe**

Founded by the Treaty of London on 5 May 1949, the Council of Europe is the oldest regional organisation set up to bring together belligerent countries with a same aim: the maintenance of peace at the end of the second world war. This initial objective was reinforced with time, bridging the gap between yesterday's preoccupations and today's main concerns: the defense of Human Rights, the protection of a pluralist democracy and the supremacy of the rule of law; the promotion of the European cultural identity and its diversity; the quest for common solutions to societal problems, such as discrimination against minorities, xenophobia, intolerance, bioethics and cloning, terrorism, trafficking in human beings, organised crime and corruption, cybercrime and violence against children; the development of democratic stability in Europe through political, legal and constitutional reforms. The Council has 47 members, from Albania to Ukraine.⁹

Historically, the Council of Europe has been the organisation specialising in Human Rights with its most famous achievement being the European Convention on Human Rights (ECHR) signed in Rome on 4 November 1950. It came into force on 3 September 1953 –

and was ratified by France in 1974 only. The text allows the nationals of a member State, citizens or foreigners (800 million people!) to take a case to a Court, the European Court of Human Rights, established in Strasbourg and instituted as a permanent court since 1998. The ECHR is therefore legally binding, as the Court may take judicial decisions that are legally enforceable, following the filing of complaints by States (a very small number, it has to be said, as States hesitate to file a case against one another. Georgia has recently lodged a complaint against Russia) or by individuals. The Court delivers more than 1,500 judgements every year, in very different areas, from infringement of individual rights to massive violations of Human Rights.

The Council of Europe has fostered other instruments: The European Convention for the Prevention of Torture (1987), the framework Convention for the Protection of National Minorities (1995), The European Convention on Human Rights and Biomedicine (1997) and the European Social Charter (1961, revised in 1996) that will be detailed later.

Finally, since 1999, the Council of Europe has introduced a new independent institution, the Commissioner for Human Rights, whose mission is to promote the awareness of and respect for Human Rights in the 47 member States. The Commissioner cannot pass judgements on individual complaints, but it can take initiatives based on reliable information relating to violations suffered by individuals.

• **The Organisation for Security and Cooperation in Europe**

Even if this institution was hardly mentioned during the discussions, it may be worth looking into it. Founded in 1975, during the Cold War and at the time of the so-called “thaw”, the mandate of the Organisation for Security and Cooperation in Europe was to establish an East-West dialogue. Since the fall of the Berlin wall, the OSCE has been competent in three areas: the politico-military dimension, the economic and environmental dimension and the “human dimension” through electoral democracy, the rule of law and Human Rights. It counts 56 members, from Canada to the United States, Russia and continental Europe. It takes a comprehensive approach to building “security and cooperation”

based on the principles laid down in the 1975 Helsinki Final Act and the 1990 Charter of Paris for a new Europe, in the northern hemisphere from Vancouver to Vladivostok¹⁰.

• **The European Union**

It is the archetypal European institution, those “United States of Europe” that Churchill genuinely called for in 1946. Its development and activities have obviously a strong impact in Europe, and also in a large number of third countries. It has taken a long time to come to this. Initially set up as an economic union with the ECSC Treaty in 1951 and with the two Treaties of Rome in 1957 (the first one for the European Atomic Energy Community and the second one for the European Economic Community) then as political union, the EU and its 27 Member States have no mandate to settle issues on Human Rights.

The first mention of Human Rights is found in the preamble of the 1986 Single European Act and then in the Treaty of Maastricht in 1992. The latter gathered pre-existing European institutions together, called for complementary political cooperation and divided the fields of activity into three areas called “pillars”. Each pillar has its own specificities as regards to its activity and the decision-making process. The 1st pillar consists of the two European Communities created in 1957, the 2nd pillar covers Common Foreign and Security policies (CFSP) while the 3rd pillar deals with Justice and Home Affairs (JHA). However, it is in the 1997 Treaty of Amsterdam, following the Copenhagen Summit in 1993, that Human Rights were fully recognized, as the foundations of the European Union, becoming a condition to membership and including a procedure to suspend the rights of a State in case of violation.

The protection of Human Rights is indirectly referenced in the jurisprudence of the Court of Justice of European Communities (ECJ), which has an ultimate say on matters of the EU law and its applications. This happened formally, through a body of fundamental rights, with reference to the ECHR and to the jurisprudence of the Court in Strasbourg.

The Treaty of Nice, signed in 2000, led to the first codification with the Charter of Fundamental Rights, largely influenced by the ECHR,

which also refers to the social Charters of the European Union and of the Council of Europe as well as to the jurisprudence of the ECJ and the Court in Strasbourg. The Charter has the advantage of including economic and social rights, whereas the 1950 ECHR goes as far as the protection of personal integrity and of civil and political rights. Also, it recognizes new rights in line with the current progress (bioethical principles, protection of consumers, personal data, children's rights). However, its scope is limited : like the United Nations UDHR, it acts as a formal political declaration with no legal enforcement. And the failure of the European Constitution, which was supposed to make it legally enforceable, has buried the Charter even more. The European Agency for Fundamental Rights, supposed to monitor the application of the Charter by the Member States of the European Union and created in an atmosphere of hostility from certain States does not augur well for its efficiency.

The European Agency for Fundamental Rights

The Agency was inaugurated on 1st March 2007 as the successor of the European Monitoring Centre on Racism and Xenophobia (EUMC). It is run by a director, Morten Kjaerum, assisted by a board of directors and a scientific committee, in charge of maintaining the independence and the pluralism of the Agency in the face of the Member States and the European institutions.

It is tasked with advising and providing recommendations to the Parliament, to the Commission and to the Member States, on how to best transpose the EU law. It also aims to collect and analyse data for the EU institutions and the Member States and, in addition to racism, focuses on such areas as all forms of discrimination, right to privacy, the Roma situation, access to justice for all and children's rights. It acts as a monitoring body, an advisory board and an intermediary between civil society, local authorities and Human Rights national institutions.

Its setting up was arduous due to the mixed results obtained by the Observatory for the Protection of Human Rights Defenders and due to the necessity to prevent extreme bureaucracy where other independent and efficient bodies already existed, like the Council of

Europe, with the Court and the Commissioner for Human Rights, and to some extent, the United Nations. The reluctance shown by some States has also reduced the mandate of the Agency, leaving aside the social dimension, an element of the Charter of Fundamental Rights. In the same way, any “external” competence was denied to the Agency, whilst the cooperation agreements attached “great importance” to the clauses related to Human Rights.

After this essential overview of the existing institutions, we can see with satisfaction that the issue of Human Rights is on the agenda of these organisations, even though the multiplicity of the European organisations may result in a lack of coherence and articulation in their promotion and protection - which could reduce their impact and their understanding for the citizens and voters - as expressed with the recent referendums on the future of the European Union.

It is paradoxical that the Nantes Forum refers mainly to the European Union, which, initially, was not tasked with the protection of Human Rights in terms of public policies. The paradox is however superficial. As previously outlined, the European Union was gradually empowered with this competence. Above all, it is not unusual to turn to the EU, a political and economic power whose actions have significant consequences, unlike the Council of Europe for example. In a certain way, it is as if the civil society had placed the political responsibility of respect for Human Rights onto the European Union, given the *leadership* it has achieved and in view of the democratic emancipation of the European people: let's not forget that the Members of the European Parliament are elected by nearly 350 million citizens!¹¹

A large number of the citizens often blame the European Union for rising up easily against non-EU States known to violate Human Rights in their territory and for showing less enthusiasm about the situation of Human Rights in its own territories, affecting EU nationals and foreigners alike. In short, Europe seems to be lecturing

others about Human Rights but has not shown its readiness to apply them at home. The discussions focused on the connection between the respect for fundamental rights at the heart of the European Union and its foreign policy in the field of Human Rights. Maybe, looking into the former would help understand the latter.

II. Which external Human Rights policy for Europe?

The world is facing an unprecedented upheaval: food crisis, economic, financial and social crisis, geopolitical crisis and finally a civilisation full of doubts about the values and the meaning of the world. What can the European Union do? What concrete action does it take? As an answer to those questions, the EU has introduced a number of instruments and has been accused, at the same time, of outrageous interventionism or of unbearable opposition to change. Like France whose ambition was to become “the light of the world”, Europe has chosen to carry the light of Human Rights further, but can it live up to its ambitions?

• The role of European institutions and their instruments in the promotion of Human Rights in the world

Protection, promotion of and respect for Human Rights undoubtedly form the base of the values that support the construction of Europe. There is a large number of instruments for each of the three European Union “pillars” (see above) for the promotion of Human Rights in third countries, especially those of the 2nd pillar qualified as “accurate and relevant” by one speaker¹² and the “*instruments of an extremely audacious and successful policy*”. There has been a significant increase in declarations from the Presidency as well as in common attitudes, mutual relations and concerted actions such as crisis management operations or election observation activities. Since the first crisis management operation in 2002, twelve other missions, mainly civilian, have been undertaken by the European Union throughout the world, in particular in the field of police educational courses in third countries. The EU has also adopted “guidelines” for the promotion of

Human Rights, against the death penalty and against torture, in favour of Human Rights defenders, against children enrolled in armed conflicts and in 2007, for the promotion of children's rights. In particular, regarding the issue of abolition of capital punishment in the United States, the European Union has engaged in individual initiatives to save the life of prisoners sentenced to death and, more generally, it has taken a comprehensive approach to raise the awareness of the American government by organising discussions twice a year and asking European companies to exert pressure.

In addition, the European Union has opened discussions with other third countries (Iran, China, Central Asia and Russia) and with its neighbour countries through its European Neighbourhood Policy (ENP). It has initiated consultation with regional and international players such as the African Union and the United Nations, with a view to obtaining external evaluation and to participating in the reinforcement of international or regional mechanisms for the promotion of Human Rights.

Since 1994, the European Union has been empowered with a financial and political instrument, the *European Initiative for Democracy and Human Rights* (EIDHR), with the aim of providing direct support to the actions of the civil society in those two areas, without having to obtain government consent. The EIDHR has set specific priorities: reinforcing the democratic process and good public management, promoting the rule of law (in order to encourage political pluralism, freedom of the press and effective functioning of justice), abolition of capital punishment, fight against torture, racism and discrimination. Even if other factors have influenced the adoption of the measure, the abolition of the death penalty in the Philippines in 2006 is, no doubt, a successful achievement, made possible with the financing of legal assistance activities (for example “Campaign against the death penalty” launched by the Free Legal Assistance Group, a legal organisation in the Philippines). Some NGOs do criticize the administrative complexity of the financing of projects. However, the EIDHR has provided significant financial and political assistance to many organisations, resulting in an enhanced capacity for these organisations to undertake actions in their country.

The European Parliament, a democratic institution of the European Union, has had the opportunity to adopt daring positions when, for example, it condemned the violation of Human Rights in Egypt. This resolution was followed by a troubled period during which Egypt practised a vacant-seat policy in its negotiations with the European Union, before accepting to fulfil its commitments.

However, this quick overview of the role that Europe can play outside its borders should not be misleading. Its different institutions have undoubtedly developed the largest array of instruments for the protection of Human Rights. Yet, in spite of the existence of tools and success, to some degree, criticism is growing. The EU is blamed for not having a coherent policy and for not making Human Rights its priority. Indeed, “discussions “ do not always have the expected outcome, which was the case for China, and its declarations are often seen as neutral or moderate. Also, it is blamed for its very heavy decision-making process and lack of transparency, thus worsening the validity of the European Union towards its citizens. Above all, it is accused of giving in to the throes of diplomacy, bilateralism and economic interests.

- **Europe and Human Rights: a risk for diplomacy, bilateralism and economic interests**

The actions of the European Parliament may be limited due to diplomatic considerations. In the tricky issue of the conflict between Israel and Palestine, NGOs and European MPs have criticized the difference in the treatment given by the European Union to each camp. On the one hand, the EU Foreign Ministers have suspended aid to the Palestinian government following the victory of Hamas in the democratic elections, alleging that it is on the list of terrorist organisations. On the other hand, the European Union has maintained its assistance to Israel, even though the country has breached the EU-Israel Association Agreement with the colonisation of the occupied Palestinian Territories. And the whole issue directly conflicts with a decision made by the European Parliament to suspend aid. In other terms, diplomacy has prevailed on Human Rights.

There is one institution in charge of monitoring the policy of

Human Rights promotion outside the European Union and of drawing up recommendations to the Council and the Commission: the European Parliament sub-commission for Human Rights. It is led by European MP H el ene Flautre who recognizes that diplomacy is an intergovernmental language which, by nature, does not apply to the Parliament, but which cannot be ignored. Worse, H el ene Flautre admits facing great difficulty in measuring the efficiency of the European policies for the promotion of Human Rights and of democracy! She states that the policies would gain more credibility if they were exempt from an " a la carte" approach, too often dependent on the interests of the Member States.

The drawback of bilateralism is thus mentioned, and is also raised by Delphine Djira ibe, a lawyer from Chad, who denounces the "domaine r eserv e" that France, as an old colonising power, imposes on her country. By and large, the situation in Chad is similar all over Africa and beyond: in the absence of one European external policy, independent of the States, the European Union too often aligns itself with the States' foreign policy.

Economy is the last area where Human Rights tend to fail. That is no surprise. We regularly see that the European Union carefully keeps a veil on its principles when negotiating with a State guilty of Human Rights violations. However, the participants in the Forum focused mainly on the economic relations with Africa, and in particular the Economic Partnership Agreements (EPAs). They are a scheme designed between the EU and the ACP (Africa, Caribbean and Pacific) countries, to facilitate development cooperation and increase commercial exchanges through preferential trade agreements with the ACP countries. Because the agreements were incompatible with the World Trade Organisation (WTO), the apostle of free-trade, the European Union was compelled to reconsider the existing mechanism. This was unnecessary as the EPAs were met by the Africans' hostility, from both leaders and citizens. Many of them felt that the agreements were unequal and deceptive. Unequal because the EPAs did mainly benefit the European Union, having found a new market for its products: the European exports tripled while the African ones dropped and the lifting of customs barriers drastically cut the national budgets of the ACP countries. Deceptive

because the concept according to which commercial exchanges would encourage development, collapsed: they did in fact encourage... trade.

The discussion outlined, with no misrepresentation, that the European Union was first and foremost an economic region and the leading commercial power in the world. Engaged in a world competition at a regional level, and not at country level, the EU applies the Realpolitik dogma. All well and good. But many think that instead of giving up its values for realism, the EU could also use its economic power to impose its views on Human Rights. The participants of the Forum pointed out that the Association Agreements signed between the European Union and third countries included a clause stipulating that Human Rights were an “essential element” and that the ambition of the “first Europe”, that of the 1949 Council of Europe, was to maintain peace and protect Human Rights. Later, the “European Community” was designed to take this ambition further and to use the economy as a tool to serve it best.

Today, Europe seems to be holding a double standard with little respect for fundamental rights, to the profit of diplomatic, partisan or economic considerations. To regain credibility, the European policy for the protection of Human Rights and democracy should be more coherent, transparent, non-discriminatory, fair and respectful.

- **The challenges of European policy for the protection of Human Rights and democracy**

After presenting the principles - necessary, but not sufficient -, the participants of the Forum attempted to list the challenges that the European Union needed to take up to reinforce its failing credibility vis-à-vis its citizens, partners and the entire international community:

- concrete implementation of its policy for the promotion of Human Rights;
- strengthening of the control mechanisms of the European Parliament;
- reinforcement of the role of the European Agency for Human Rights;
- introduction of common European standards on corporate

responsibility to involve companies in the struggle for Human Rights¹³;

- reshaping of the Common Agricultural Policy to ensure respect for small producers;
- increased protection of Human Rights defenders.

Some recommendations were not only expressed by the “experts” present at the Forum. The audience also voiced their agreement towards the challenges, which somehow showed how confident they still felt about Europe. Whether they are ordinary individuals interested in Human Rights, students or campaigners, they all call for a “Europe” based on its founding values. Like the citizens who, throughout the world - in Africa, Asia and the Americas - join associations that form coalitions, they represent a significant force ready to mobilize, stimulate and control international institutions. What if the demand for Human Rights began “from the bottom”, through the much talked about “civil society”? When diplomacy shows its limits, when the partisan interests of the States spoil common initiatives, when the failure of the financial system reveals the vanity of unbridled capitalism, then we should put our trust in those who form the substance and the purpose of Human Rights: Men! The European Union understood this and launched the *European Initiative for democracy and Human Rights* as mentioned earlier, entirely devoted to the support of the civil society in the advancement of causes that sometimes end in a stalemate at an international level. For some, the EU has acknowledged its inability to achieve progress in this area, for others, it has taken a realistic stand. Whatever the position, it shows that dialogue can be initiated between the citizens and the European Union.

Now the question is: are citizens willing to support “their” Europe? This is not simple. Ironically, the Nantes Forum took place some time after the Irish “No” to the Treaty of Lisbon. And a few days earlier, a BVA poll carried out in preparation for the French presidency, showed that only 30 % of the French citizens put their trust in Europe (half the 2003 results!). In these conditions, it is difficult for Europe to “teach the world a lesson”, a regular accusation, and it is easy for the European citizens to criticize an institution they hardly

support... Riina Kionka, Personal Representative for Human Rights of Javier Solana, the EU High Representative for the Common and Security Policy and EU Secretary General, summarized the ambiguity when declaring that *“if things are not right at home, we cannot expect third countries to make an effort : our external policy for Human Rights will gain strength the day it is applied internally”*.

III. Which Human Rights for Europe?

The director of the European Agency for Fundamental Rights went even further when he said that *“it is easier today to achieve consensus from the EU Member States on the Human Rights situation in a third country than within the Union itself”*. What happens then when we clean up our own back yard? Actually, the discussions on “Human Rights in Europe” exposed the ambiguity and the complexity of this disturbing issue: the debates on “the relation to the Other” and “the refusal of discrimination” soon competed with other discussions on concrete issues such as immigration, the right to asylum for refugees, the consequences of the fight against terrorism and the Human Rights legal guarantee.

• Recognition of cultural diversity

Recognizing cultural diversity, as per the European Union “doctrine” is based on respect and on the promotion of the various cultures living in the same geographical territory, the EU territory. Cultural diversity is part of Europe's identity, Europe being, by definition, an alliance of countries with different cultures and traditions.

When the issue of cultural diversity is raised, the discussion focuses mainly on the coexistence of a “European culture” (if there is one) which includes the culture of the foreigner from outside the EU, the immigrant living in the European territory, the child born in Europe of immigrant parents, because European economic construction was achieved largely thanks to the influx of foreign workers. Yet, we often see - especially at a time tuned in to the “clash of civilisations”, an opposition between the western culture - that represents the European culture - and the “other” cultures. A few contradicting examples were given, including some referring to practices

considered “archaic”, such as circumcision or forced marriages. The discussion then aimed to take up the challenge of promoting cultural diversity, with respect, and in line with the universal values that are essential to Europe. The European Union made this choice by promoting incultural dialogue in order to achieve mutual understanding. 2008 was declared the “European Year of Intercultural dialogue” with a view to “*developing intercultural dialogue within the EU and [...] putting the issue of cultural differences at the heart of an in-depth reflection on European citizenship*” with each Member State charged to designate a coordinating body. In France, the mission was given to the Ministry of Culture and Communication in connection with the National Museum of Immigration (Cité Nationale de l'Histoire de l'Immigration), the best link with civil society at a local, regional and national level.

- **From the management of migration flows to European citizenship, upon interview**

It is on concrete projects that consideration of cultural diversity shows its weaknesses. This is the case with immigration. While the European Union was adopting the principle of free movement in the whole European territory for its citizens, the Member States were, at the same time, slowly closing their borders to the foreigners “from outside the EU”, leaving them with no choice but going underground, a humiliating, costly and dangerous situation. The tragic images of African asylum seekers found dead on Spanish beaches, of Albanian people crashing onto the Italian coast or of Afghans desperately lost in the Sangatte refugee camp in France caused a stir in the public throughout Europe. The mass regularisation of undocumented immigrants by Spanish Prime Minister Zapatero was largely disputed by the neighbour countries fearing that “a door had been opened”.

As a matter of fact, immigration is a very good example of the European lack of power. It is an area that comes under the States' sovereignty, the European Convention on Human Rights having recognized the right and the duty for States to control the entry and stay of foreigners in their territory. When taking over the presidency

of the European Union, France announced that immigration was one of its top priorities. At the end of May 2008, it presented a draft project to the Member States, the “European Pact on Immigration and Asylum”, proposed by the new Minister for Immigration, Integration, National Identity and Co-development. The Pact – as well as the Minister who presided over its drafting – were vehemently criticized by many associations for leading to an infringement of Human Rights and of the values of the European Union. To “defend” its position, France declared that its aim was to shape a coordinated approach to a common migratory policy, to guarantee the reception of migrants in a spirit of sympathy and to strengthen the battle against illegal immigration.

The Pact seeks to establish, as soon as 2009, a European Asylum Office, to facilitate the resettlement of migrants in the European territory. It also builds upon the ban of mass regularisation, the introduction of biometric visas and the obligation to sign immigration contracts including compulsory language classes. Finally, in the case of Member States whose asylum systems are overburdened, the Pact seeks the introduction of a solidarity mechanism with the transfer of officers from other Member States. The future will tell us whether the fears of the associations were justified or whether the Pact is the starting point of a European immigration system that is respectful of Human Rights.

Regarding access to citizenship, the weight of Europe on national policies is equally weak, as the conduct towards foreigners falls under the sovereignty and discretion of the States, thus emphasizing the disparities among the Member States. This is illustrated by the tests and interviews organised by some States, as part of the country's citizenship application process.

A common method, it seems, in Europe, especially in Germany, Denmark and the United Kingdom, three symbolically interesting countries. Germany has recently become a host country with the presence of a strong Turkish community: they started the tests in September 2008. The United Kingdom, historically known as a country from which many people left and now a host country, introduced the tests several years ago and can therefore analyse and measure how efficient they are. The last one is Denmark, with a

recent and still low immigration movement.

The discussions focused on a crucial issue: can the tests and interviews be seen as integration tests or discrimination instruments? States regard them as a means to measure the linguistic knowledge of the candidates as well as their degree of motivation and integration. Their detractors believe, on the other hand, that they could become a means of information on their ideological identity and values, and as a result, a way to assess how compliant the candidates are with the law. They admit that the courses on language and culture may enable the migrant to prove his/her motivation and develop his/her integration, but then, what is the use of the tests? And what about the illiterate migrant: is that the price to pay for being poor and uneducated? Does he/she have to opt out and give the chance to an “educated” migrant, a door open onto a “white collar” citizenship?

In the United Kingdom, the tests are considered inadequate, either because the questions are too complex, or because the use of christian references automatically excludes migrants with other religions. In specific States like Germany, where the *Länder* are in charge of the immigration policy, the danger is in having different tests drawn up and as a consequence, in seeing candidates apply in a Land rather than another one, resulting in population growth and increased hostility towards immigrants. Some observers believe that these tests are in fact a political and populist way to comfort public opinion, with no real solution to the problem and likely to increase xenophobia in Europe. This question clearly shows the lack of uniformity in Europe : having “European citizenship” which, overriding national legislation, would guarantee an equal treatment among foreigners, is at the moment, purely theoretical.

- **Refugees: collateral victims of the management of migration flows**

Between twelve and fifteen million of them in the world had to leave their family, their community and their country to escape violence. Around 1,5 million have found protection in Europe, where there is still a lot to do to grant the right of asylum guaranteed by the Universal Declaration of Human Rights and by the international community. Once again, this takes us back to the sovereignty of each State. Once submitted, all the applications for asylum are examined individually in each State, the burden of proof being placed on the applicant who needs to provide evidence of the danger he/she faces back home. Normal but not obvious. If European States have to comply with common international rules in the examination of applications, it seems that they have various ways to avoid using them, using such volatile notions as “safe country of origin” (where a refugee is unlikely to face danger) or “safe third country” (the transit country in which the applicant has spent time and could have lodged his/her application for asylum). The differences of treatment of asylum seekers in the various EU Member States are so blatant that the European Court of Human Rights regularly condemns countries, which was the case for France in April 2007. In addition, the strengthening of border control aiming at curbing immigration (Frontex) has had a negative impact on asylum seekers who now need to submit their application in “safe third countries” outside the European Union: a way for the European States to keep refugees at the gates of “fortress Europe”. Aware of the deterioration of the right of asylum, the European Council, held in Tampere in 1999, expressed the wish to introduce a common asylum policy. Harmonisation of the systems of treatment to reinforce the protection of the most vulnerable individuals (children and women) plus improved advantages and rights for the beneficiaries of the “subsidiary” protection should form the basis of a future European asylum scheme. But this has yet to fully emerge. In 2005, the European Union adopted a directive establishing minimum standards for the treatment of asylum applications in order to harmonize the legislation of the States and to make up for flagrant disparities. The European Commission launched regional

protection programmes inviting the States to develop training courses for their officers, magistrates and the local civil society. The programmes, introduced three years ago, are still little-known and are presently going through an evaluation process.

At the moment, the disparities among States still exist, pushing the asylum seekers to go from one country to another in search of the one that will open the door: giving way to the trivial phrase “*asylum shopping*”... In the meantime, whilst the treatment of applications may take years, asylum seekers who are “on the waiting list” are subjected to the disparities created by national laws: for example, access to work and accommodation may be guaranteed in some countries, but not in others, which poses the question of their day-to-day life as they try to survive after lodging an application...

Whether the European Pact on Immigration and Asylum represents a solution to protect those who apply to a refugee status in Europe, is a difficult question. In a section entitled “Building a Europe of Asylum”, asylum has been differentiated from immigration to prevent any disparities concerning refugee status, depending on the nationalities and the host countries. The Pact recommends reinforced cooperation with the United Nations High Commissioner for Refugees (HCR), in order to guarantee better protection to asylum seekers from outside the European territory and to develop cooperation with third countries to help them handle the influx of applicants. Setting up a European Asylum Office would provide national administrations with assistance to facilitate common practices and follow-up of information.

To do so, a real political willingness is essential. The European Union has not only become a very large territory, it must also handle a greater number of members, which makes it harder to reach a consensus on this matter. Yet, consensus is a prerequisite for European decisions that some would like to see acted by a qualified majority voting. It is arguable that States preserve sovereignty in such areas as immigration and asylum, because these two issues reinforce their worst fears in a world dominated by terrorism and its security-oriented rhetoric.

- **The fight against terrorism: spearhead of Europe, threat for Human Rights**

The terrorist attacks on 11 September 2001 have resulted in the strengthening of security-oriented legislation throughout the world, especially in Europe. Spain and the United Kingdom have been violently hit by deadly terrorist attacks whilst France, Germany and Italy are regularly threatened due to their military presence in Afghanistan. The issue of CIA rendition flights and detention centres in several European States and of other countries like Tunisia and Egypt, where torture is allowed, has seriously spoilt the tradition of Human Rights protection in Europe. Some countries such as the United Kingdom have introduced a state of exception overriding common law, including amongst other things, secret detention and unlimited detention of suspects, the possibility of deportation based on diplomatic guarantee and bilateral agreement, house arrest, restriction on freedom of movement, hearing in the absence of the public without any communication with a lawyer, etc. In France, the measures drawn up include expulsion or denied admission of suspected terrorists into the French territory. Since 2001, 70 individuals have been expelled. Some cases have been reported of police custody with long questioning sessions, no lawyers and deprivation of sleep, practices easily compared to torture.

These security-oriented measures, sometimes qualified as “abusive”, have undeniably restricted fundamental rights on the principle that “the end justifies the means”. Even more worrying, Human Rights end up being regarded as obstacles to the fight against terrorism, leaving part of the population tacitly designated, namely the Muslim communities, stigmatized. Yet, some feel that a loss of confidence in the police could undermine the efforts made against the radicalisation of individuals who feel attracted by extremist ideas. The discussions eventually focused on this dividing line: how to fight against terrorism and respect our values at the same time?

What safeguards are necessary to protect us against these abuses when national security, by definition, is the responsibility of each State? A certain number of texts exist: the 1984 Convention against

Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment stipulates that each State has to take effective measures to prevent torture. The European Committee for the prevention of torture as well as the 2005 Convention for the prevention of terrorism, both part of the Council of Europe, should act as a barrier. However, the instrument reveals a number of weak points, in particular on the court competent and capable of enforcing Human Rights. Some national parliaments have reacted to this. The English House of Lords, for example, condemned the discriminatory and non strictly necessary measures directed to foreigners and migrants only. It also reacted against measures in breach of the right to a fair hearing or of the European Convention on Human Rights.

In any case, Human Rights defenders agree on the fact that the fight against terrorism cannot justify the infringement of fundamental rights and, more generally, of democratic values for nationals or foreigners. The idea of making the European public more aware of counter-terrorist practices was raised. However, it is in the introduction of an effective European legal and judiciary system that much hope lies.

• **European protection of Human Rights:
the introduction of an effective European legal system?**

From the different issues discussed today, it is now clear that Europe is well equipped with a vast array of legal instruments: declarations, conventions and treaties. But this legal corpus is not sufficient if its rules remain mere principles and are not enforced. Europe is aware of this major requirement and is acting in several fields.

Firstly, we should remember that, before joining the European Union, the candidate States have to prove that they respect some of the basic principles relating to Human Rights and to the rule of law, as set out in the Copenhagen criteria. This is why Estonia was forced to change its national legislation in order to comply with the EU requirements, whilst Turkey's application has aroused much controversy, on the basis of those same criteria. On this point, the director of the European Agency for Fundamental Rights pointed

out that transposing effectively the legal texts and international conventions into the national legislation remained an essential task that allowed citizens to fully claim their rights in the courts of their country. To achieve this, there is a need for tools!

We saw earlier that the European Convention on Human Rights of the Council of Europe had its own jurisdiction, the Court in Strasbourg, to receive claims from either individuals or States. However, the Court is faced with a double limitation: its capacity to handle the ever-increasing number of claims that are submitted and its restriction to “first generation” rights, that means the civil and political rights (freedom of thought, freedom of movement, right to life, etc...). The 1961 European Social Charter, revised in 1996, addresses the “second generation rights”, ie. the economic, social and cultural rights, those “rights to” or “droits-créances” that are of particular interest to citizens as they refer to the right to work, to training, to education, etc. Another advantage is that these rights are guaranteed and monitored by the European Committee of Social Rights, a body responsible for monitoring compliance of a Member State, upon the request of groups of the civil society. Even though the procedure is not yet open to individuals, it proves much more efficient than the United Nations system whose International Covenant on Economic, Social and Cultural Rights, signed in 1966, did not, until this year, provide a protocol allowing individual claims to be lodged with the Committee of Economic, Social and Cultural Rights. Expected for more than thirty years, the adoption of the Protocole, in June 2008, could lead to its signature by the States on the occasion of the 60th anniversary of the Universal Declaration (UDHR).

With regard to the EU Charter of Fundamental Rights, it provides guarantees on the rights to legal assistance and also on economic, social and cultural rights. Its ambition is to offer a “combination” of both the European Convention (ECHR) and the European Social Charter. Also, it introduces a new element with a legal assistance scheme, similar to the ones in place in national legislations. Initially planned to come into force on 1st January 2009, it has been postponed due to the ups and downs of the Treaty of Lisbon ratification... It is nevertheless a good reference for some EU

countries and the advocates-general to the European Court of Justice (ECJ) regularly refer to the Charter in their conclusions. The European Agency for Fundamental Rights is responsible for enforcing the text, in the hope that it will be fully ratified one day and that the criticism about the overlapping functions of the Council of Europe (in charge of the ECHR) and of the European Union (in charge of the Charter) will get weaker with time...

Criminal law, an essential part in the sphere of Human Rights, is also on the EU agenda, with the "European Criminal Procedure Code" project. Two key decisions are being drafted. The first and very recent decision, announced in January 2008 aims to have a mutual recognition of judicial decisions (especially in the case of sentences "in absentia") and to guarantee the right of appeal. The second, dated 2004, seeks to build a common base of procedural law in order to achieve common recognition of the decisions made by the EU members, for example, in the case of the European arrest warrant.

It is clear that, through its different bodies - the European Union and the Council of Europe being at the top - Europe seeks to harmonize and simplify the different legal and judiciary systems. However laudable this aim, the initiative looks somehow chaotic due to the reluctance of the Member States to accept what they often regard as a loss of sovereignty. Also, Europe is often blamed for succumbing to the "millefeuilles" factor by piling up - without much consultation or with too much consultation! - texts which add little to the existing system and result in competences overlapping whilst, on the contrary, Europe should be made more visible for its citizens and should guarantee equality to all foreigners. Some people wonder if this competition might not, in the future, lead to a disintegration of European protection and if it wouldn't be wiser to give more means to the European Court of Human Rights, rather than continuously drafting new instruments. Is the European Union ready to give up its ambitions in the field of Human Rights?

This would probably not be in the interest of Human Rights and does not follow the course of History: Europe hosts the International Criminal Court (ICC), the first permanent and universal jurisdiction

responsible for passing judgements on the most serious crimes (genocides, mass crimes, crimes against humanity). Although it was initiated by the United Nations, using its universal competence, the Court expects a lot from Europe in order to carry out its mission. Since 2006, a cooperation agreement between the ICC and the European Union has laid the groundwork for a common approach to pursue criminals. Surely, the EU is more likely to generate new members and also to encourage “its own” Member States and those from other continents to integrate the ICC status into their own legislation and to provide assistance with arrest warrants.

Let's not forget that the ICC came into existence in Rome, the place where the European Union was created more than fifty years ago. This way, the supra-European jurisdiction is in line with the history of Europe: it creates a link between the countries that make the Union and its ambition towards the world. Yet, it is on its ability to best manage its “internal” issues (the rights of citizens, migrants and asylum seekers) while respecting its own values, that its credibility and its legitimacy to bear the standard of Human Rights “outside” will be judged.

Part 3

Local Governance and Human Rights: efficiency within the reach of all citizens

Just remember this! Human Rights have a new major player to count with: local authorities. Through villages, cities and regions, Human Rights are reaching citizens to make all of them aware of their responsibilities. A new method, full of potential, which raises the issue of Human Rights in a very concrete place, much closer to the citizens and more adapted to their day-to-day life. The plenary session and the fourteen discussion workshops organised through the last day of the Forum brought to light this very recent phenomenon, still unnoticed by many.

The fight for Human Rights has long been the prerogative of States and international organisations. For different reasons: firstly, the power of the Nation State and the omnipresence of the Welfare State resulted in the concentration of many competences in the hands of the State, upon which citizens were happy to rely. Of course, the scope of such delegations would differ with the national traditions. In federal States such as the United States, the weight of the central government was not so overpowering, because each state in the federation kept some autonomy. The other countries, on the contrary, lost much autonomy, in spite of the legislation on

decentralisation. “Jacobin” France, as we all know, is part of them. It might be worth noting that the country's calling for a centralised state appeared, or gained strength, at the very same time as the French Declaration on the Rights of Man and of the Citizen. Indeed, for a long time, the State presided over a number of areas, including democracy. And in particular, the democratical aspects of Human Rights.

Then, international organisations joined in, they became actively involved in Human Rights and eventually took over. The United Nations Organisation and Europe (the European Union, the Council of Europe and OSCE to name but a few), made fundamental rights their favourite subject. By definition— since these organisations consist of States, they did so upon the request of the countries that are part of them, for supposedly better efficiency: in some respect, the universality of the rights concerned did justify the universal dimension of the struggle to protect them.

There is no doubt that the States and the international organisations put much effort into this huge task. And they are still doing it. Yet, they have all lost some of this clarity they had previously when taking Human Rights in charge. Hit by globalisation, the Nation States have weakened and encountered competition from new players: the corporate world which, in some cases, dictates how the States should act and the NGOs, those associations that have managed to gain a foothold in the state privileges by developing a non-governmental diplomacy.¹⁴ Ironically, States seem to have lost part of their prerogatives by transferring some of them to the international organisations. Above all, citizens feel completely disconnected from “the powers that be”, negotiating the promotion of Human Rights on the international scene and making concessions in favour of bilateralism, diplomacy and economic interests, concessions that are not always acceptable to them. Europe, as detailed in part 2, is quite emblematic of this problem.

Because they felt too far from those decision centres and overwhelmed by the multitude of texts, conventions and international conferences drawn up in Brussels, Geneva or New York, the citizens turned to institutions that were close to them: city

councils, associations of municipalities, county councils, regional councils, provinces or länder...These ones were only too happy to seize the opportunity. For they hadn't given up their sense of solidarity. As an actual fact, since the 1990s, local governments have developed a bigger presence on the international scene. An ever-increasing trend!

I. Local governments, the “ new” players in the fight for Human Rights

Local governments have long claimed and implemented tailor-made policies in the field of international solidarity and development. What is new is that they invest more and more in the field of Human Rights, probably to make up for the slowdown of the States and international organisations.

• Players that cannot be ignored any more, the result of a long-standing trend

As a matter of fact, international organisations have always called for the input of local governments. The Council of Europe, for example, features an institution that represents the local and regional authorities: the Congress of Local and Regional Authorities. Created in 1994, it is the fruit of an institutional development that started in... 1953! At that time, it was inspired by the European Charter of Municipal Liberties, initiated by the Council of European Municipalities, a French association set up in 1951 to become the Council of European Municipalities and Regions (CEMR) in 1984. The “ Permanent Conference on the European Local and Regional Governments, the” ancestor of the”Congress” that came into existence after a long process, fathered the 1985 European Charter of Local Self-Government (which came into force in 1988) in which the signatory States commit to recognizing the principle of self-government in domestic legislation, defined as *“the right and the effective capacity for local authorities to regulate and manage a significant share of public affairs under their own responsibility and in the interests of the local population”*.

Interestingly, the Charter enables the local authorities to handle any affairs that would not be explicitly refused to them. Later on, the Congress of Local and Regional Authorities fostered a number of texts with a view to reinforcing the potential missions of local authorities: the 1992 and 2008 European Urban Charter, the Charter of Youth Participation in Local Government, written in 1992 and revised in 2003, the 1992 Convention on the Participation of Foreigners in Public Life at Local Level, the 1992 European Charter for Regional or Minority Languages or the European Landscape Convention in 2000...

The United Nations have been quite active too. Some States have clearly shown hostility and reluctance to the idea of a World Charter of Self-Government, but the UNO is keen on strengthening local governments, either through its Agency for human settlement, UN-Habitat - which organised a major conference in Istanbul in 1996 –, or through the UN Advisory Committee of Local Authorities. Created in 2000, the Committee aims to reinforce the international dialogue with local authorities on the questions of development, in particular on the actions to be undertaken to achieve the Millennium Development Goals. Then, in 2005, the UN Secretary-General encouraged the Member States to “*continue to facilitate the participation of local governments and of their associations in intergovernmental organisations*”.

It is clear that associations have been very active in this area, and for a long time. The oldest association of local authorities (founded in 1913!), the International Union of Local Authorities (IULA) endeavours to promote and federate democratic local authorities around the world. It also ensures that their interests are represented and taken into account at an intergovernmental level, particularly via its close relations with the United Nations since the late 1940s.

Very close to IULA, the World Federation of United Cities (WFUC) is an association counting 1,400 local authorities, in over 80 countries (mainly the Mediterranean countries, Sub-Saharan Africa and Latin America) which, since 1957, has been defending the interests of local governments at national and international level. The Federation initiates, organizes and conducts different types of exchanges

among local authorities (meetings, town twinning, decentralised cooperation, networks...) in such areas as maintenance of peace, promotion of democracy, local self-governance and sustainable urban development.

Finally, the French Ile-de-France Regional Council created the World Association of Metropolitan Areas, *Metropolis*, with 89 active members - cities or regions - from all over the world. Its aim is to facilitate the exchange of know-how, experience and policies engaged within the network of members and partners, to reinforce the international influence of metropolitan governments in partnership with local governmental associations, international organisations and the civil society (companies, universities, NGOs...) as well as to provide opportunities for international cooperation.

There is consequently a large movement of local authorities which, for years, have come together to develop self-governance and establish relations with international organisations. This dynamics developed sharply in 2004, when IULA, IFUC and Metropolis joined together to become *United Cities and Local Governments* (UCLG)

• **United Cities and Local Governments (UCLG)**

Set up in Paris in 2004 and based in Barcelona, Spain, the association defines itself as a world local government organisation “*the united voice and world advocate of democratic local self-government, defending its values, its objectives and its interests on the international scene and encouraging cooperation among local governments*”.

UCLG relies on cities and local governments to promote a global vision from a local perspective. The big change is that local governments “are taking the helm” for their own development and are not waiting to be recognized or approached by the States or international organisations. UCLG advocates the legitimacy of local authorities to go on the international scene, their capacity to handle cross-disciplinary issues and, by doing so, to join the circle of Human Rights defenders.

However, it is interesting to note that UCLG never mentions the words “Human Rights” in the presentation of its objectives and roles (see below) on the organisation's Internet website. But the words do

appear in the Articles governing the association. Omission, “diplomatic” precaution or remnant of this old belief that Human Rights fall under the exclusive responsibility of States and international organisations? Whatever the answer, looking at the UCLG “itinerary”, it is clear that Human Rights can be found in every corner¹⁵...

Objectives and roles of United Cities and Local Governments

Objectives

- Promoting strong and effective democratic local self-governments across the world.
- Promoting unity and cooperation among its members.
- Ensuring an effective representation of local governments within the wider international community, in particular the UNO and its agencies.
- Becoming the source of key information and advice about local governments in the world.
- Becoming the international source of learning, exchange and capacity-building, by supporting the introduction and reinforcement of territorial authorities as well as free and autonomous national associations.
- Promoting economic, social, professional, environmental and cultural development as well as training and assistance to the population, based on the principles of good sustainable governance and social inclusion.
- Promoting race and gender equality and combat all forms of discrimination.
- Becoming a strong democratic organisation, with a structure and policies that truly reflect the diversity of the local spheres of governance.
- Promoting decentralized cooperation and international cooperation between local governments and their associations.
- Promoting town twinnings and partnerships to strengthen mutual learning and friendship among the different populations.

- Developing policies, programmes and initiatives in line with the missions, values and objectives of the world organisation, with the adequate means to do so, in compliance with the internal rules of the organisation.

Roles

- Engaging in lobbying and advocacy to promote the role and status of local government in the international arena and to influence international policy making.
- Developing and promoting policies and positions on key local government and international issues.
- Collaborating with the United Nations and its agencies, and other relevant international organisations.
- Developing initiatives and action programmes through decentralised cooperation/development projects between local governments and associations of local governments.
- Building an international platform of exchanges and partnerships, in order to strengthen the capacities of local governments and their associations.
- Supporting a strong network of local government members and developing services and global products to meet their needs and demands.
- Becoming a major world source of information on local self-government, local authorities, international solidarity and the exchange of experience.
- Disseminating information through publications, seminars and new information technologies on the situation and the evolution of local government all over the world and organise congresses and other events.

www.cities-localgovernments.org

With UCLG, Human Rights are successfully vested power in international relations through local democracy. But at this stage, local governments only exist through their local achievements. And

there is a great number of achievements, as shown during the discussion workshops of the Nantes Forum. In the areas of housing, handicap, political migrants, economy or climate change, racism or poverty, the concrete actions undertaken by the local authorities truly prove that the issue of Human Rights is now part of the cities.

II. Human Rights at a local level

Local authorities - villages, cities and regions - are both the receptacle and the copy of situations relating to Human Rights. Receptacle, because the infra-state authorities are often the first ones to be concerned by these questions and to see their consequences and concrete implications: in a certain way, they act as lookouts for smoke signals. Copy, because a phenomenon found with a local authority is likely to happen with others, in the same country or in other continents. The situations may not have the same intensity, yet they all require mechanisms that can differ depending on the cities and their resources. A range of good - or bad - practices that can be most useful to the local authorities concerned. All these situations create a close link among local authorities across the world.

• Handicap and housing: Human Rights in the day-to-day life

The general attitude towards disability or handicap explains, to a large extent, why some problems remain unsolved for a long time. It took a while, indeed, to realize that the rights to life and dignity, most essential in the Human Rights corpus, had to do with the situation of handicapped people in their daily life. On this point, Europe provided an impetus for change with Article 13 of the Treaty of Amsterdam (1997) against all forms of discrimination, in particular those referring to handicap, which led to a directive on equality of treatment in the field of employment. As a result, France introduced a new legislation on handicap on 11 February 2005.

On the basis of that text, *Nantes Métropole*, an urban community with twenty-four municipalities, created an intermunicipal committee on accessibility for people who are handicapped or disabled. The committee consists of elected officials, specialists in

handicap and associations of disabled people in the Nantes area. The committee meets regularly and works on concrete issues: use of public roads, access to public transport, accommodation and employment. To this end, an audit was carried out in each municipality to define a priority zone to be equipped and adapted, with a focus on the busiest places (town hall, post office, schools, shops). The initiative of *Nantes Métropole* is based on the principle that a handicapped person is a citizen with specific expectations, like any other citizen. Two years later, the action is bearing fruit: the staff in charge of infrastructure in the different municipalities calls the committee spontaneously for advice on accessibility for people with disabilities.

Other examples from abroad were given during the discussions. The delegates of a municipality in Macedonia and of a local NGO explained how a local plan of action was developed from the following principles: respect for the rights of handicapped people and active participation of people with disabilities. Like in Nantes, the aim is to provide adequate tools to keep handicapped people informed, to ensure that transport is accessible and to facilitate employment, in the retailing sector for instance. To do so, the project leaders used the method known as “Agenda 22”, after the 22 standard rules adopted by the United Nations in 1993 to guarantee the application of rights. It is a good example of cooperation between local authorities and international organisations, involving the people directly concerned by the issue, in tune with the slogan devised in the 2007 European Forum for Handicapped People: “*Nothing about us without us*”. To some extent, this slogan would suit all categories of the civil society...

In Morocco, people with disabilities are faced with many difficulties in terms of access to health care, education and professional training. Despite the existence of texts, the situation is changing too slowly. In the vicinity of Rabat, the municipality of Salé (part of Tab Riquet), with a large part of the population living in dire conditions, has adopted a dynamic methodology based on concertation, with a view to actively involving the people with disabilities in the development of the town. A working group with all the players directly or indirectly concerned by disability, was set

up to take actions towards competence valorisation for handicapped people and to conduct awareness campaigns in the society. Assuming that it is much preferable to convince decision-makers rather than imposing texts on them, the programme aims to consider all the projects initiated in different areas and make accessibility a prerequisite in all of them. As a result, a school integration scheme was introduced and an information centre for the families of handicapped children set up. A successful experience about to be extended to other towns in the area.

In 1999, the town of Victoriaville, in Quebec, adopted a policy of universal accessibility, through a voluntary initiative and prior to any legal obligation. The objective was to offer an environment in which each individual (and not only people with disabilities) had access to the same services in an autonomous manner. Thanks to partnerships established with associations and to the participation of individuals representing all types of deficiency, concrete actions were engaged in the field of accessibility relating to architecture, transport, employment, culture, tourism, sports and leisure. In addition, several awareness tools were designed for municipal agents, retailers and children to gain some insight into the life of handicapped people.

For a number of years, the public opinion in France, a so-called “rich country” has become used to seeing homeless people forced to sleep in tube stations. Associations including “*Médecins du Monde*” or “*Les Enfants de Don Quichotte*” have recently launched spectacular actions, providing tents to the homeless, to make visible what we no longer see, three million people living in precarious conditions in a worse-off society that includes many categories of the population, like the “working poor”. Jean-Baptiste Eyraud, spokesman of the association Droit au Logement (Right to Housing) indicated that 51 % of French people think that, one day, they could well find themselves without a roof over their head. Yet, the 1982 and 1990 laws, together with Article 34 of the European Charter of Fundamental Rights praise the right to housing. The 1995 decision of the Constitutional Council goes so far as to state that access to decent housing for all individuals is an objective enshrined in the constitution. And despite the 2000 SRU law (Solidarity and Urban

Renewment) which makes it compulsory for municipalities to build social housing, some still prefer having to pay fines rather than fulfilling their obligations. As to the 2007 Dalo law adopted in the wake of the “encampment”, it created much hope but is just one *“step further on the long path of the struggle to end bad housing”*, to use the words of State Councillor Paul Bouchet.

This shows how tricky the question of housing is for local governments as, it must be said, they do not always have the legal resources to make up for the shortcomings of the State on this matter. It also raises the question of private owners' social responsibility, those individuals and most of all companies that invest in buildings they refuse to let. Furthermore, it brings us back to ethnic and racial discriminations: to Florence Bouillon, an anthropologist present in Nantes, immigrants have to wait twice as long before being given access to social housing and overpopulated accommodation counts for 40 % of the flats or houses occupied by Africans, North Africans and Turkish people. In short, French local authorities are not the best to teach lessons on this subject, even if a large number of political leaders stand on the side of the associations in their fight for the right to decent housing.

It is the South-African city of Durban that taught the best lesson for an effective right to housing. Deputy-Mayor Loggie Naidoo explained how an audacious housing policy was introduced in a country freed from apartheid since 1994 only. In order to face rural depopulation which pushes thousands of farmers away from their land to the cities, Durban had 120,000 houses built and allocated to people free of charge, including a minimum quota of water and electricity every month. The houses - built in one day - are not made out of bricks or conglomerate, but they represent a decent answer to an urgent request. However, the situation is far from idyllic: the largest part of the citizens would rather wait for a proper house, which means that 200 000 still live in slums. But the attempt is worth noting for a country that cannot be compared with France. Maybe France got the message from Loogie Naidoo saying how much more difficult the struggle for Human Rights had become in South Africa with a weakened civil society...

- **Memory of the slave trade, racism, Roma migration.**
When the sufferings of the world force themselves
on to the memory of the cities

Looking into one's life is like looking into one's past with no fear. States and international organisations have not always carried out memory work which is yet essential to understand the consequences of past events in our current societies. Several cities involved in the transatlantic slave trade have engaged in an inward-looking approach on their past history. Cape Town (South Africa), Cotonou (Benin), Recife (Brazil, a former Portuguese colony), Liverpool and Bristol (England), have all recognized the role of the slave trade in the construction of their identity, economy, architecture, language and culture. A significant step completed by a large number of initiatives such as the excuses made by the city of Bristol to the deported people or the inauguration of an exhibition on the transatlantic slave trade in Liverpool in 1994. A difficult task, sometimes made arduous by preventive gestures made in the past, like the destruction of the archives in Recife, to protect the State from any future compensation.

Nantes didn't escape from its own past. During the 18th century, the city was the leading French port for the "slave trade", with nearly 450 000 African prisoners deported, counting for 45 % of the black slave trade in France (even if some non-western nations assuredly played a part in the slave trade). As outlined by Jean Breteau of *Alliance internationale des Anneaux de la Mémoire*¹⁶ "Nantes, through its industry and jobs, has directly benefited from that profitable trade. In fact, the whole of Europe was implicated in the system. The goods that were sent from Nantes to Africa for barter trade came from all over Europe: pearls from Venice, guns from London, copperware from Gand, etc. Redistribution followed the same pattern. Nantes was at the crossroads and in that sense, the place is symbolic".

The memory work is engaged and the discussions open, but there remain a number of disagreements among the descendants of slaves and shipowners regarding the object of the memory work. In Liverpool, the shipowner's descendants have accepted to contribute financially to the different projects without putting the tide of

History into question. To some, the black slave trade is still today considered as any other trade. To others, it should be minimised, given the fact that black populations played a part in the trade and that Europeans only continued a practice that existed before on the African coast. On this point, it is important to remember that, even if, prior to the Whites' arrival, some people were sent to work for the settlement of a debt, the mass deportation of populations from one continent to another was definitely organised and planned by the Europeans. It is a case where demand predated the offer, the responsibilities being far from equal between the white population and the black one.

Not too long ago, studying and exploring the slave trade was mainly the concern of historians. The work carried out by some organisations and in particular by the *Alliance internationale des Anneaux de la mémoire*, in partnership with a number of local authorities, has made it possible to reach a wider audience, especially the young generations at school. Organising an exhibition or opening a museum is not always enough: the memory work on the slave trade and the writing of history can only be done together.

The second edition of the 2006 Forum launched the *Alliance internationale des Anneaux de la mémoire* whilst the 2008 edition launched the *International Coalition of Cities against Racism*¹⁷. It is in Nantes that was completed the first part of a mission instigated by UNESCO in 2004, with the aim of establishing a network of cities interested in exchanging experiences in order to improve their policies relating to the fight against racism, discrimination, xenophobia and exclusion. And it is also in Nantes that the initiative really took off. In a certain way, the two movements meet up across centuries to work towards better understanding of the events that hit our current societies in which cities occupy a prime position.

This is what is happening with the Roma people, those migrants who left Eastern and Central Europe to escape discrimination and poverty and came to Western Europe to face, in many cases, the same ills... Local authorities do not have an easy job on this matter. In 2005, Alvaro Gil-Roblès, Commissioner for Human Rights of the Council of Europe, was visiting Roma in France. In Saint-Denis,

located in the Paris suburbs, he visited a “*shanty town with no hygiene whatsoever, stuck between a bridge, a motorway and train tracks, three minutes away from the Paris ringroad. One hundred and fifty families live in that place which opened four years ago. The many efforts made by the community to make the camp presentable haven't managed to hide the appalling conditions in which they live. I was astounded by the images I saw there. Never before had I seen such a concentration of rats, during the day, and in such a small perimeter; they were everywhere next to the children*”. If he condemned the recent use, by the French authorities, of Article 5C of the Schengen Agreements stipulating that any foreigner entering the European territory must prove that he/she has 500 euro minimum resources, the Commissioner admitted that the municipality made substantial efforts to punctually help the community: “*as an example, all the public utilities are paid for: water, electricity, roads In addition, Médecins du Monde and other Roma associations visit the place on a regular basis. But these initiatives are not enough to combat all the problems encountered by these populations who, since the reforms of 2004 and July 2005, do not have any access to the state medical assistance, are not authorized to work because they are regarded as asylum seekers or are undocumented, or because they have a tourist visa which does not allow for employment*”.

Three years later, the situation is unchanged, as explained by voluntary workers dealing with Roma camps which are, in most cases, illegal squats from which they get regularly expelled. Belen Sanchez, a Spanish campaigner from *Fondation Gitanes*, indicated that in Barcelona, Roma lived in overpopulated flats from 25 m² to 50 m² let by Pakistani immigrants and for which they have to pay a small fortune: the alliance of the damned, to some extent, an appalling situation in which some excluded individuals end up exploiting other excluded groups... Albania, on the contrary, seems to have drawn up a concerted strategy with different Ministries for a better integration of the Roma: anxious to meet the criteria for the EU membership - in particular, respect for minorities - the country proves more active than the Member States!

- **Extreme poverty and climate migrations. When globalisation calls for the union of local governments**

Poverty and extreme poverty¹⁸ are surely two major calamities Not only because they put in danger the life of the people concerned – at least, half the humankind! –, but also because they affect all the other rights. How can we possibly think about the effectiveness of the freedom of expression, movement, association or of the right to participate in the life of the city when people live with just a few euros per day? Poverty robs men of their dignity - the first Human Right - and takes all the other rights away. So the question is: how to fight against this disastrous condition?

The participants in the discussion workshop focusing on this theme tried to identify the best approach to answer the question. They did so, aware of the facility with which the “fight against poverty” is proclaimed at the United Nations or in the European Union, like an invocation with too little action in return because the States keep applying economic policies that disregard the “collateral damages” they create. The comparison made by some between the current fight against poverty and the past fight against slavery is quite valid, as both can be regarded as the speechless remnants of those brutal economic policies: fatalist or cynical, is the richer part of the world really ready to help the other part? The reduction of the European aid towards this fight is certainly not encouraging. As to the international texts, the participants agree to assert that the time has gone to consider drawing up compulsory treaties which are never implemented, if adopted at all. What about the objectives of the Millenium Development Goals which plan to reduce extreme poverty by half, by 2015? Everyone is actually on the verge of giving them up.

The initiative started by the *ATD Quart-Monde* association, as soon as 1987, with the aim to propose “guidelines” to eradicate poverty, seems more credible. It was in fact validated by the UN Sub-Commission for the promotion and protection of Human Rights in 2006. Since then, the Human Rights Council has launched a vast consultation across the world on the resolution “Human Rights and extreme poverty: the rights of the poor”. Yet another text? Not so sure, as the idea is to let the poor speak up for themselves and at the

same time try to convince the States through the “soft law”, “an instrument” which could be more effective than restrictive texts that will never be applied.

Convincing the States that fighting against poverty is in their interest seems the most appropriate option. That does not mean that the opposability of certain texts is abandoned. The forthcoming adoption of the additional protocol to the 1966 Covenant on Economic, Social and Cultural Rights brings hope to many campaigners. Regarding the role of the cities in the field of poverty, it has been marginally raised because mayors are given so little competence in this area. Their role mainly consists in coordinating the local players to better serve the poorer citizens. But the campaigners have announced: charity has to be given up in favour of the law. This sounds perfectly in line with Mandela's words, now used by everyone: “*Overcoming poverty is not a gesture of charity. It is an act of justice*”.

Deprived of most of their rights, the poor might also become the main victims of climate change, a scientific concern for years and now a highly political one. Surely the leaders of local governments are - or should be - in the vanguard of another threat caused by climate change : the problem of “climate migrants”. It is forecasted that by 2050, the direct consequences of global warming will lead to the migration of more than 250 million people who will pass through... cities. From 2015 onwards, the world should count 36 megalopolises with a population in excess of 8 million people located in geographically threatened zones such as the Nile Delta or the Mekong Delta. Even the population of Dacca, the capital city of Bangladesh - the poorest country in the world - will have tripled!

The responsibility of the West, with its carbon-consuming lifestyle, is clearly exposed H el ene Flautre, a European MP, asserts that the European Union must assume responsibility and create a special status for climate migrants, similar to refugee status. Respect for the Millenium Development Goals and implementation of measures adopted against the greenhouse effects represent the objectives that the cities, through decentralised cooperation, must achieve.

The management of forced migration as a result of climate changes is a collective responsibility of prime importance. As a consequence, the current reflection on the modalities of migration must take the rights of the person into account. The management of new social, cultural and economic data must be planned ahead. On this point, the cooperation between those who specialise in climate change and those in charge of international migrations is essential. Again, the participation of the populations concerned is fundamental in order to find the most adequate solutions. If the priority remains the reduction of greenhouse gas emissions, it is important that the cities get together within an international network to start a reflection on the adaptation of their territory, in concertation with the civil society.

Going through some of the potential problems facing the cities clearly shows that the cities are in the front line of the struggle for Human Rights: from access to housing to the consequences of climate change, they are affected by each and every problem. Like the international society where they belong, they are interdependent: a chance, given the task ahead.

III. From local to global. Alliance of the cities and their citizens for the promotion of Human Rights across the world

In 2007, a new milestone was reached: at a global level, the urban population exceeded the rural one. And it is not over yet. By 2050, the UNO indicates that 60 % of the population will live in urban areas whilst two billion people will have to squeeze in slums.

In 1996, on the initiative of UN-Habitat, the central governments of more than hundred countries met up in Istanbul and came up with the conclusion that they would not be able to face alone the problems relating to urban explosion. The task is incredibly huge. It needs further decentralised cooperation in which cities, local governments and associations of local authorities have already put in a lot of efforts for years. Recognized for their competences and autonomy, the cities and regions should stand near the States for the promotion of Human Rights, in cooperation with the

international organisations (UNO, the European Union, the Council of Europe) whose texts and institutions should create global synergy. The civil society should also be recognized in this architectural structure in which *United Cities and Local Governments (UCLG)* could play a key role.

- **Decentralised cooperation:
a ground for expertise to be developed**

“Decentralised cooperation” happens when one (or several) French local authority establishes links with one (or several) local authority abroad: this can take many forms - a friendship relationship, twinning with foreign local authorities, promotional actions abroad, assistance in the development of local authorities in some countries, technical assistance, humanitarian actions, common management of goods or services and also cross-border cooperation and interregional cooperation. This definition is detailed in the Act dated 6 February 1992 on the territorial administration of the Republic, giving local authorities a specific legal, administrative and budgetary framework in their actions related to cooperation.

By coincidence, on 30 June 2008, the first day of the 3rd Nantes Forum, the French Secretary of State for Cooperation and Francophonie happened to preside the National Committee on Decentralised Cooperation (CNCD). Created by the 1992 Act and chaired by the Prime Minister, the Committee aims to give all the players of decentralised cooperation updated news, practical information and legal assistance. It also provides a database on the actions of decentralised cooperation led by the territorial authorities “here” and “abroad”. This shows that decentralised cooperation has been a reality for some time, supported by the State and assisted by the Ministry of Foreign and European Affairs through its delegation for the external action of local authorities and through its network of embassies and its Quai d'Orsay-based experts.

However, it is not the State that “authorizes” decentralised cooperation. It is the 1948 Universal Declaration of Human Rights, adopted under the aegis of the United Nations, that legitimizes the

action of the cities in the system of international relations. Article 28 stipulates that “*everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized*”.

The idea of an effective action from local authorities towards other local authorities in difficulty throughout the world is even more pertinent because it has worked for many years. Sometimes, the initiative is engaged in line with the political choices made by the government... but it is not always the case. For example, in the early 1990s, the Nord - Pas de Calais region organised a cooperation scheme with Mali to show that, in the midst of controversial debates on “charter flights”, it was possible to establish other exchanges with African countries... As long as the regional authorities have financial autonomy and do not encroach on the competences of the State, they are free to act on their own.

Nevertheless as previously mentioned, there was one area in which decentralised cooperation had never really shown its competence: Human Rights. This was outlined by Jean-Philippe Magnen, Nantes Deputy-Mayor, showing surprise as “*the value of Human Rights is predominant in the 1992 Act*”. The fact that a discussion workshop was dedicated to the theme “Decentralised cooperation and Human Rights”, sixteen years after the adoption of the text, proves how difficult the “marriage” has been.

Up to now, decentralised cooperation has often been related to development while the part on “Human Rights” (and the same could be said with humanitarian actions) would come under the State. What could be regarded as a sign of responsibility from the local authorities, eager not to interfere with the actions undertaken by the State (if at all), is no longer valid when the State refrains from taking action. Is the distinction still justified when, as pointed out by Jean-Paul Gandin, technical advisor of *Pays de Savoie Solidaires*, “*the programmes for the improvement of living conditions systematically lead to the fulfilment of the populations' individual rights, for example, the rights to food, to health care, to education and to housing*”?

The debates have made it possible to list a large number of actions of decentralised cooperation - too many to be detailed here - which

shows the importance of the “natural” links established among the local authorities across the world and also the thin line between development and Human Rights. Omar Mansour, representing the Front Polisario (defence of Western Sahara against Morocco), highlighted the work carried out with the Spanish, Italian, Belgian, Austrian, Swedish and French municipalities to provide assistance to the Sahrawi refugee camps in the fields of health, education, youth, food and culture. It is a vital assistance which “*makes up for the failures of the State-to-State cooperation and of the international community*”, said Omar Mansour. This is all about Human Rights. As explained by Gilles Retière, Mayor of Rezé, a town based in the Nantes area that has been helping the Sahrawi people for fifteen years: “*Beyond the financial help which is quite limited, it reveals above all the political solidarity initiated by the local authorities, asking the European Parliament and France to assume responsibility*”.

Jean-Paul Gandin, of *Pays de Savoie Solidaires*, presented several programmes carried out in Senegal (construction of a market and of a railway station) or Haïti (teachers' training) and asserted that the alliance of the local elected officials (in France, Senegal and Haïti) and of their respective civil societies had encouraged the advancement of Human Rights together with those people's credibility towards the States and the international financial organisations.

In conclusion, the participants in the discussion all agreed that the struggle for the promotion of Human Rights was implicit in the entire range of programmes of decentralised cooperation. Jean-Philippe Magnen then mentioned the 2005 Oudin law which permits French local authorities to dedicate part of their water budget to international development projects: a measure in direct line with the framework of the Millenium Development Goals, which pledge to halve, by 2015, the proportion of the population without sustainable access to safe drinking water. This example illustrates the type of measures that bridge the gap, via States, between local authorities and the international organisations in charge of Human Rights.

Decentralised cooperation highlights the link between development and Human Rights. Development, long associated with transfers of technology, is enriched by a political and liberating willingness which does not only rely on the local authorities' representatives but also on the civil society to encourage the birth of social movements. If such a process is possible today, it is no doubt due to the digital technologies and Internet through the "web of networks".

The concept of developing and nourishing effective networks seems fundamental. Today, access to knowledge is facilitated by the digital network offering training and educational programmes in a vast array of sectors. For example, INSERM and Institut Pasteur have developed close working relations with Latin America. Bardhyl Jashari, director of the Macedonian association *Metamorphosis*, explained how, through an action of decentralised cooperation with the Basse-Normandie region, he is working on the "society of information". Two projects are currently planned, one on "information and communication strategies" in which the Macedonian local authorities are drawing up a tool for development and governance, the other one in which public IT organisations in Normandy together with technology centres in Macedonia cooperate to reduce the "digital divide" by exchanging experiences. In this way, the new technologies combined with the current decentralisation schemes (part of the 2001 agreement to end the conflict in Macedonia) can help reinforce democracy by making the Macedonian local and national governments more transparent. A proof of the motivation and the resources of a country in the process of applying for EU membership.

The use of digital technologies, at an intermunicipal level or among universities, has become fundamental. Some recent solutions prefer to share knowledge rather than equipment, resulting in a long-term partnership. Thanks to the digital network, cities have become key players in the area of Human Rights diplomacy, encouraging a socio-geographical mobilisation and chasing competences to bring them together in the network, rather than imposing the somehow limited linear pattern of development.

Information is becoming more accessible through the existence of

networks and tends to generate new players - the cities and local authorities - on the world stage. Information also offers the populations the possibility of claiming and fulfilling their citizen status.

• **Civil society, an ally that cannot be ignored**

If decentralised cooperation proves effective for the leaders in charge of local authorities, it also acts as a democratic tool for the civil society against political regimes, authoritarian or not. When Mercosur was set up, for example, the citizens in the southern part of Latin America reacted and exerted pressure to have a strong regional zone and the recognition of local authorities.

Today, UNESCO believes that the participation of citizens in the decision-making process is unavoidable. This approach is no longer based on the needs but on the rights. The city-dweller is no longer simply a consumer who is offered a service. He/she is a citizen, a partner who questions things and proposes solutions to the municipality, individually or through associations. The role of mediator, taken on by the civil society, remains essential to ensure that the minorities in need have access to their rights. Such was the case in France with the homeless population or in Spain with the Roma.

One can only hope that, in the long term, an increased involvement of the citizens in the management of their city will provide them with a different vision on the reception of migrants or on the day-to-day life of people with disabilities. Taking part in the management of the city implies having access to the reality close by and getting a mature vision of the world, even if this vision must become more complex. It is a way to connect local political players and citizens with a common approach and with the same level of information.

This proximity between local authorities and the citizens is asserted in a greater number of texts, such as the European Charter of Human Rights in the City. However, on the issue of civil society or more generally, on the role of local authorities in the promotion of Human Rights, it is the full implementation of those statements that will guarantee their durability.

- **International texts:**
from statement to implementation

On 18 May 2000, several mayors of European cities adopted, in Saint-Denis, France, the European Charter for the safeguarding of Human Rights in the City. By doing so, they extended the scope of the commitment signed in Barcelona, in October 1998, by allocating some of the fundamental rights to the municipalities for implementation. These cities aim to fulfil the principles of the Universal Declaration of Human Rights “*in a context of territorial proximity*”, by repositioning the “*citizenship expectations*” at the heart of projects in the cities, about to become special spaces in favour of social innovation, solidarity and resistance to economic globalisation.

After recognizing the “right to the city”, defined as “*a collective space that pertains to all its inhabitants offering them the conditions for the fulfilment of their political, social and environmental rights and of their duty of solidarity*”, the Charter unfolds a comprehensive list of rights: “local citizens' civil and political rights” (right to political participation, association, information), “local economic, social, cultural and environmental rights” (right to education, employment, culture, housing, health, environment, harmonious city development, movement and tranquillity...) and “rights referring to the democratic local administration” (effective public transport, transparency...). The question of the legal value of the text has not yet been raised, but surely, it is restrictive: “*the principles, the rules and the mechanisms for the implementation of Human Rights in the city proposed in the Charter are incorporated in the municipalities local regulations and explicitly mentioned in all municipal decisions. The signatories recognize the irrefutable legality of the rights stated in the Charter and undertake to reject or terminate any legal transaction, particularly municipal contracts, the consequences of which would militate against the implementation of those rights. They resolve to act in such a way that all other legal entities will also recognize the legal significance of these rights. The signatories undertake to set up a committee which, every two years, is called upon to evaluate the implementation of the rights laid down in Charter and publish their findings. The meeting of the European*

Conference Cities for Human Rights, constituted a plenary session of the signatories, will decide to introduce an appropriate follow-up mechanism to ensure the reception and the efficiency of the Charter by the signatories". In other words, the Charter cannot be used in front of a jurisdiction. However, it symbolically aims at limiting restriction in favour of persuasion.

Several charters inspired by the European Charter for the safeguarding of Human Rights in the City have been drawn up or are being drafted. They take up the notion of responsibility and point to the local authorities as being an effective base in the respect for Human Rights. On the American continent, for instance, the Montreal Charter for the rights and responsibilities of Citizens, inspired by the European Charter - even it doesn't admit it - lists a set of rights based on the competences of the city. It covers major sectors like democratic and cultural life, environment, the economy in the city and leisure activities. It complements the competences of the city and organises mediation between the various players. The citizen has knowledge, expectations and information that make him an expert in his own environment. He/she is considered as a partner. In view of the major challenges facing the cities, Montreal has decided to pursue long-term goals, preferring a virtuous circle of empowerment to restrictive obligations towards its inhabitants. The ultimate goal: to reinforce social cohesion as well as the living together factor and to consolidate the links between the citizen and his/her city. Therefore, the Charter regards some of the rights as true commitments, for instance: not cutting the water supply if a citizen cannot pay for the water bill, ensuring access to parks and green areas, transport and security for all. These commitments should generate relationships based on trust and encourage commitments from the citizens.

Beside drafting charters, it is interesting to look at the initiative launched by the EU Agency for Fundamental Rights, the "Fundamental Rights Platform", a mechanism devised to exchange information and share knowledge to provide local authorities with concrete answers. In this respect, in 2008, the EU Committee of the Regions, part of the Council of Europe, and the Agency drafted a "report on the EU cohesion at a local level" entitled "Meeting the

needs of the Muslim communities”. Eager to pay greater attention to the Muslim community badly affected in the wake of the terrorist attacks of 11 September 2001, the Agency has created a network of local communities with such cities as Antwerp (Belgium), Bradford (England), Nantes (France), Sheffield (England) et Turin (Italy) with a view to dividing the experiences into three main lines: public services, employment and education.

Bradford is a good example of the work carried out. With a population counting 30 % of people from the Indian sub-continent, including 25 % of Muslims, Bradford is a city whose economy relies on financial services and technology. As the former capital of textile and cotton, it has achieved a remarkable restructuring of its economy. It has been a difficult path with sometimes violent tensions between the local communities. The action of the network depends on the financial resources of the government whose national key priority is the prevention of crime. With a budget amounting to 575 million sterling pounds, the programme is subject to continuous transparency and to comprehensive reports from the network.

The role of the network is to examine and encourage “active” citizenship, to dare put the communities at the heart of the transformations needed and to make these communities, in line with the aim of the above charters, the actors of their own development. Over 92 district councils have been set up to facilitate exchanges between the inhabitants and their elected officials. Professional or religious forums are organised in the district, encouraging people to speak up and share their experiences. The programme, in reaction against religious fanaticism, includes the participation of imams and helps in the organisation of different religious events, thus involving all the communities in the life of the city. The youth parliament appointed by young people from other districts meets on a regular basis and takes part in the municipal council meetings. The main idea is to involve a maximum of inhabitants for an upward moving approach, from bottom to top, and to enable the citizens to propose changes to the local policies. Finally, a World Charter of Human Rights in the City is being drafted under the auspices of UCLG and the Forum of Local Authorities

(following the first social Forum in Porto Alegre, the network comprising a large number of local authorities aims to promote social inclusion and the dialogue between social movements and local governments). The draft project was presented in February 2008 during the World Conference on the Development of Cities, organised in Porto Alegre under the auspices of UNESCO and UN-Habitat.

The group of experts presently drafting the Charter has included the local rights and produced a text of 150 articles easy to read and adapted to the local population. Once again, it calls for responsibility in the areas of citizenship and ethics. The Charter clearly aims at placing the citizens in the context of Human Rights. If the citizen needs to assume responsibility, the elected officials are also expected to do so. For example, refusing social housing is equivalent to introducing exclusion policies and expecting the same municipalities or associations of municipalities to deal with inclusion.

From this point of view, a World Charter of Human Rights in the City seems more and more appropriate, like a text to be used as a framework by the local authorities engaged in the effective process of acquisition of rights. Through the charter, local governments must appear next to the citizens for the defense of fundamental rights and they must ensure that the formal or virtual rights are changed into effective rights, aimed at social inclusion. The drafting of the Charter is done within *United Cities and Local Governments*. It is conducted by the International Permanent Secretariat Human Rights and Local Governments in Nantes, with the assistance of a group of experts under the coordination of the Human Rights Institute for Catalonia (Barcelona). The Charter puts emphasis on its agenda, a plan of actions associated to rights, and on its participative dimension. Finally, the text boasts a universal dimension, an instrument to be used by the greatest number of local authorities.

The next steps are its effective implementation and the introduction of an adequate monitoring and evaluation process. Surely United Cities and Local Governments (UCLG) has a significant role to play, with the support of the International Permanent

Secretariat Human Rights and Local Governments in Nantes, a future catalyst in the discussion on the role of local governments in the field of Human Rights.

- **United Cities and Local Governments, a catalyst for the input of the cities to the fight for Human Rights across the world**

The new international organisation created in 2004 somehow provides a good combination between the first day of the Nantes Forum on the fights for Human Rights in the context of globalisation and the last day dedicated to the role of local governance.

The impact of globalisation is clearly visible, affecting rural and urban communities, small towns and huge urban areas. The current world order has undeniably accelerated exchanges and communication among men, but what about dialogue? Beyond the positive impact of globalisation, inequalities have increased and the balanced situations inherited from the past have become weaker, like the international organisations in charge of maintaining them. By doing so, globalisation has also unveiled the close links between local and international problems. In view of the growing weaknesses of the States and the increasing lack of power of international organisations, local governments have a key role to play in favour of sustainable development and Human Rights.

For years, in the shadow of the States, the United Nations or Europe, local governments have developed an expertise from solidarity networks established through decentralised cooperation. Today, they are in a position to stand up for the fight for Human Rights next to the States and the international organisations, historically entrusted with this struggle which must now be fought as close as possible to the populations and the civil society.

A few days before the Nantes Forum, on 13 June 2008, the 1st World Conference on City Diplomacy was held in The Hague, Netherlands. *United Cities and Local Governments* was one of the main organisers of the event in which local governments declared that their common concern was to “*prevent and [...] eliminate violent conflicts, to protect Human Rights and to achieve peace and justice*”. Probably

for the first time, local governments asserted very clearly their willingness to intervene in a sphere up to now reserved for States and international organisations. In a most inspiring environment, the Hague, the meeting place of the major peace conferences and now the “capital of international justice” – the cities advocated legitimacy for their actions in favour of Human Rights.

The 3rd World Forum on Human Rights in Nantes provided a follow-up to The Hague conference, insisting on the necessity to place Human Rights at the heart of the international action and diplomacy led by the local authorities.

In a certain way, in view of the agenda of the Hague conference on city diplomacy and following the discussions in Nantes, the local governments are calling upon the States and the international organisations.

Conclusion

Nantes 2010 objective: How to live (Human Rights) in a world in crisis?

The 20th century was the century of globalisation. Globalisation of exchanges and flows, tangible or intangible, human or financial ... and also globalisation of conflicts: two world wars in less than 50 years with a succession of horrible ordeals, let alone more regional conflicts...

Built on the ruins of Europe and of a world deeply wounded by the second world war and nazi barbarism, the most nasty expression of that monstrous conflict, Human Rights were presented in the preamble and the 30 articles of United Nations Declaration, in 1948, as “a common ideal to reach all people and all nations”. An ideal of liberty, equality among all human beings and respect for their dignity, recognized as universal values by all the States that signed the Declaration. Two Covenants followed in 1966 then several conventions - international and regional - that made it possible, step by step, until now - and in the future too - to give this ideal a legal power, a law that imposes itself to individuals and States. Without legal enactment, the most generous political project might only remain a catalogue of good intentions.

So, sixty years after the adoption of the Universal Declaration, what actions have been taken? It seems that the common ideal is often swallowed up in the flow of words and texts and that diplomatic contingencies tend to prevail over the protection and fulfilment of rights. Having the responsibility to enforce what they have ratified,

States are naturally the first ones summoned by Human Rights defenders and by the civil society. Turning speeches into actions and declarations into concrete policies, such is the request from the participants in the 2008 World Forum on Human Rights vis-à-vis States and international organisations.

Whilst Human Rights can sometimes be questioned by the States that have engendered them, new public players have emerged, reflecting on their own responsibility in terms of implementation and efficacy of Human Rights in their territory: local authorities. Close to their citizens and less dependent on the diplomatic and competitive system than States, could local governments become, like the ones that fully support the organisation of the Forum in Nantes, the new allies of the civil society? With this in mind, a study has been initiated by several local authority networks, and in particular by *United Cities and Local Governments (UCLG)* or the Congress of local and regional authorities of the Council of Europe... Local government diplomacy seems to be emerging, in accordance with their ability to turn the requirements of the fulfilment of Human Rights into concrete local and international actions (eg. policies of decentralised cooperation).

The issue of globalisation was raised in Nantes together with the threats posed, paradoxically, on universal Human Rights at the beginning of the 21st century. There was no mention, at the time, of the imminent financial crisis and its drastic economic and social repercussions: as a consequence, economic inequalities and social disparities between groups and individuals have considerably increased and worsened. In this context of a major crisis in our societies, including a “global” economic crisis, a universal crisis in some respect, it has become urgent to pursue and reinforce the struggle for Human Rights.

How to apply Human Rights in this crisis-stricken world? The 4th World Forum on Human Rights to be held in Nantes from 28 June to 2 July 2010, will need to answer the question. Some ideas have already been put forward: right to work and employment law (as a pillar of human dignity); freedom of expression and opinion, freedom of the press facing civil, military or religious power whilst Nation-States tend to have less power; the question of minorities in

view of and at the heart of globalisation; technological progress and its ethical challenges, respect for liberties and protection of privacy... So many themes which, from a local to a universal level, could be developed, together with a reflection on “rights” and the actions needed locally to fulfil them effectively.

How will men and women across the world live in terms of equality and dignity over the next 60 years? No one knows but there is a lot of work ahead of us in order to live up to the ideal common to all people and nations”!

Programme

Monday 30 June

• Youth day “Sport, Citizenship and Human Rights”

The day was co-organized by the International Permanent Secretariat Human Rights and Local Governments (SPIDH) and the World's Citizens' Centre (MCM), on the initiative of Amnesty International and the following associations: France Palestine Solidarité, Survie, Génération Palestine, Action des Chrétiens pour abolition de la torture (ACAT), Oxfam agir-ici, the International League for Human Rights, Solidaires, CEMEA, Les Anneaux de la Mémoire.

• Public conference of the International Coalition of Cities against Racism

• General Assembly and public conference of the World Coalition against the death penalty

Official opening

60 ans after... the Universal Declaration of Human Rights, still relevant today

Opening ceremony

[IN THE PRESENCE OF]

- **Jean-Marc Ayrault**, Member of Parliament and Mayor of Nantes, president of Nantes Metropolitan Council, France.
- **Jacques Auxiette**, President of the Pays de la Loire Regional Council, France.
- **Souhayr Belhassen**, Lawyer, President of the IFHR (International Federation of Human Rights).
- **Jérôme Bouvier**, Journalist, France.
- **Doru Romulus Costea**, Ambassador, President of the UN Human Rights Council
- **Emmanuel Decaux** President of SPIDH (International Permanent Secretariat - Human Rights and Local Governments), Professor of international and public law, Paris II Panthéon-Assas, member of the Advisory Committee at the UN Human Rights Council.

- **Patrick Mareschal**, President of the Loire Atlantique County Council, France.
- **Martine Roure**, Vice-president of the European Parliament.
- **Hugo Sada**, Head of Delegation on Peace, Democracy and Human Rights, International Organisation of Francophonie (OIF)
- **Ibrahim Salama**, Chief of the Human Rights Treaties Branch, United Nations High Commissioner for Human Rights.
- **Joël Thoraval**, Chairman of the National Advisory Commission on Human Rights, France.
- **Rama Yade**, Secretary of State in charge of Foreign Affairs and Human Rights, France.

Official launch of the International Coalition of Cities against Racism, under the aegis of UNESCO.

[IN THE PRESENCE OF]

- **Joseph Gavidì**, Asia Pacific Coalition of Cities against Racism.
- **Hans Hesselman**, Director of Human Rights for Nurmberg, president of the European Coalition of Cities against Racism (ECCAR).
- **Aloik Mukherjee**, Canadian Coalition of Municipalities against Racism and Discrimination (CMARD).
- **Loggie Naidoo**, Durban Deputy Mayor, African Coalition against Racism.
- **Mohamed Sajid**, Member of Parliament and Mayor of Casablanca, Coalition of Arab Cities against Racism.
- **Pierre Sané**, UNESCO Assistant Director General for Human and Social Sciences.

Discussion workshop

[MODERATOR] • **Stéphane Hessel**, French resistance fighter, former French Ambassador, a participant in the drafting of the Universal Declaration of Human Rights.

[SPEAKERS] • **Miguel Angel Estrella**, UNESCO Goodwill Ambassador for Argentina.

- **Asma Jahangir**, Pakistani lawyer, United Nations Special Rapporteur on Freedom of Religion or Belief.
- **Angela Melo**, Vice-President African Commission on Human and Peoples' Rights.
- **Paulo Sérgio Pinheiro**, Professor at the University of Sao Paulo, United Nations independent expert.

Tuesday 1st July

Human Rights between globalisation and international solidarity.

Plenary session

[MODERATOR] • **Paulo Sérgio Pinheiro**, Professor at the University of Sao Paulo, United Nations independent expert.

- **Samir Amin**, Director of the Third World Forum, Egypt / Senegal.
- **Lucie Lamarche**, Professor, Gordon F. Henderson Human Rights Chair, University of Ottawa, Canada.
- **Vitit Muntharbhorn**, Professor of law, former UN Special Rapporteur on child trafficking, prostitution and pornography involving children, Chula University, Bangkok, Thailand.
- **P. V. Rajagopal**, leader of Ekta Parishad, movement for the landless, India.
- **Michael Sutcliffe**, City manager, Durban, South Africa.

Economic sanctions, political boycott, sports boycott, opinion campaigns and Human Rights: To condemn? To persuade?

[ORGANISER] *Toogezer*.

[MODERATOR] • **Michel Taube**, Director of *Toogezer* magazine and founder of “Together against the death penalty” association, France.

[SPEAKERS] • **Sandrine Ageorge**, Texas Coalition to abolish the Death Penalty, France.

- **M. Chang**, Chinese dissident, China.
- **Jampal Chosang**, Representative of His Holiness the Dalai Lama in France, Tibet / France.
- **Isabelle Dubuis**, Coordinator of *Info Birmanie*, France.
- **Yannick Guin**, Vice-president of the Nantes Metropolitan Council (Nantes Métropole), Nantes councillor, Vice-president of SPIDH (International Permanent Secretariat “Human Rights and Local Governments”), France.
- **Marie Holzman**, Sinologist, France.
- **Francis Perrin**, Member of Amnesty International Executive Committee, French office, France.
- **Michael Sutcliffe**, City manager, Durban, South Africa.

Protection of Human Rights defenders: how to achieve solidarity?

[ORGANISERS] **International Federation of Human Rights Leagues and Nantes collective group “Rights for Humankind”**.

[MODERATOR] • **Antoine Madelin**, permanent delegate with the European Union (International Federation of Human Rights Leagues).

[SPEAKERS] • **Souhayr Belhassen**, President of IFHRL (International Federation of Human Rights Leagues).

- **Michel Forst**, CNCDH Secretary General (National Advisory Commission on Human Rights), France.
- **Asma Jahangir**, Pakistani lawyer, United Nations Special Rapporteur on Freedom of Religion or Belief.
- **Ibrahim Ozden Kaboglu**, Professor of constitutional law, University of Marmara, Turkey.

Children's rights and North-South situations

[ORGANISER] **International Organisation of Francophonie (OIF)**, Paris.

[MODERATOR] • **Claire Brisset**, former Human Rights campaigner, France.

[SPEAKERS] • **Hatem Kotrane**, Professor of law at the University of Tunis, independent expert, member of the United Nations Committee on the Rights of a Child.

- **Désiré Koukoui**, BICE (Bureau international catholique de l'enfance), Ivory Coast.
- **Patrice Meyer-Bisch**, Professor, Director of the Ethics and Human Rights Institute, University of Friburg, Switzerland.
- **Vitit Muntharbhorn**, Professor of law, former UN Special Rapporteur on child trafficking, prostitution and pornography involving children, Chula University, Bangkok, Thailand.
- **Paulo Sérgio Pinheiro**, Professor at the University of Sao Paulo, United Nations independent expert.
- **Alexandra Veleva**, Project manager, International Organisation of Francophonie (Delegation to peace, democracy and Human Rights), Bulgaria.

International operations for the maintenance of peace and humanitarian law

[ORGANISER] **World's citizens' Centre (Maison des citoyens du monde) Nantes**, in partnership with **Médecins sans frontières**.

[MODERATOR] • **Laurent Marchand**, Foreign Affairs columnist with *Ouest France* daily newspaper, France.

[SPEAKERS] • **Rony Brauman**, former president of Médecins sans frontières, Professor at the Institute of Political Sciences in Paris, France.

- **Général Jean Cot**, former Commander of the UNPROFOR (the United Nations protection force during the Yugoslav wars), France.

- **Alphonse Manga Maindo**, Programme Manager, Gorée Institute, researcher with the “Centre d'étude des mondes africains” (Paris-I), lecturer in political sciences, Democratic Republic of Congo / France.

Right to Food, food sovereignty and development.

[ORGANISERS] **DESC Mali platform**, Nantes collective group **Rights for Humankind (Droits pour l'humanité)**.

[MODERATOR] • **Jean Droillard**, ATTAC Nantes (Association for the Taxation of Financial Transactions to aid Citizens), France.

[SPEAKERS] • **Mamadou Niasse**, Development officer with the Senegalese fishermen, Senegal.

- **Thibaud Lemièrre**, Historian, Geographer, president of FASTI North-South Commission FASTI (Federation of associations in solidarity with migrant workers), France.

- **Madani Koumaré**, coordinator of the platform on Economic, Social and Cultural rights in Mali.

- **Olivier Chantri**, CATDM (Committee for the Cancellation of the Third World Debt), France.

From local to global: strategic nonviolent action

[ORGANISER] **International Center on Non violent Conflict (ICNC)**, United States.

[MODERATOR] • **Vanessa Ortiz**, Director of Civic and Field Relations, ICNC (International Center on Non violent Conflict), United States.

[SPEAKERS] • **Anne-Marie Codur**, Co-founder of the University of the Middle East Project, France.

- **Jack DuVall**, President of ICNC (International Center on Nonviolent Conflict), United States.

- **Franck Kamunga**, Director of the African Forum on Democratic Governance, Kenya.

- **Than-Van**, French member of the Viet Tan party, Vietnam.

Remembering the black slave trade and building a multicultural and united future

[ORGANISER] **Métisse in Nantes / Le Bateau pédagogique (the Educational Boat)**, France.

[MODERATOR] • **Jean-Pierre Halter**, Sociologist, in charge of research and training at INJEP (National Institute of Youth and Peoples' Education), Marly-le-Roy, France.

[SPEAKERS] • **Michel Cantal-Dupart**, Architect, professor at Conservatoire National des Arts et Métiers, Paris, France.

- **José Hipolito Dos Santos**, Apagar a Memoria, Portugal.
- **Robert E. Fullilove**, Deputy Dean, University of Columbia New York, United States.
- **Gilles Manceron**, ENAR (European Network against Racism), France.
- **Patrice Lorrot**, Psycho-sociologist, consultant, Ariane Association, Alfortville, France.
- **Viviane Romana**, Doctor of clinical psychology, specialising in ethno psychiatry, in charge of consultation and training, Georges-Devereux Centre at the University of Paris VIII, director of the CM 98 Centre for Psychological and Family Mediation (« 23 May 1998 walk committee»), France.
- **Serge Romana**, Pediatrician, doctor and associate professor, president of CM98 (23 May 1998 walk committee), France.
- **Hedi Saïdi**, Associate researcher at the University of Tunis 1, Institut social Lille-Vauban, Tunisia / France.
- **Françoise Vergès**, Historian and vice-president of the French Committee on the Memories of Slavery, France.

The challenges of the right to land

[ORGANISERS] **Peuples solidaires, CFSI, Frères des hommes, the World's Citizens' Centre in Nantes** (France) with **Ekta Parishad** (India).

[MODERATOR] • **Yves Berthelot**, President of CFSI (French Committee for International Solidarity) and of PEKEA (Political and Ethical Knowledge on Economic Activities Research Program), France.

[SPEAKERS] • **Mrs Amon**, Lawyer, AFPS (Association France Palestine Solidarité), France / Palestine.

- **Faliry Boly**, Secretary General of Sexagon, Mali.
- **Douglas Estevam**, Movement of the Landless in Latin America, Brazil.
- **Yves Lemer**, Peuples Solidaires.
- **P. V. Rajagopal**, leader of Ekta Parishad, movement for the landless, India.
- **Flavio Valente**, Secretary General of Fian International (Information and Action Network for the Right to Food), Brazil.

Information and Communication Technologies and Human Rights in Europe and across the world

[ORGANISERR] **Collective group “Rights for Humankind” (Droits pour l’humanité).**

[MODERATOR] • **Meryem Marzouki**, Researcher with CNRS (Centre national de la recherche scientifique) and president of EDRI (European Digital Rights) Federation, France.

[SPEAKERS] • **Abdullah Cissé**, Professor, Chief Education Officer at the University of Bambey, Djourbel, Senegal.

- **Roch Tasse**, International Civil Liberties Monitoring Group Coordinator, Canada.
- **Helena Svasorova**, Lawyer, Founder and President of Iuridiciem Remedium, Czech Republic.
- **Sophie Vulliet Tavernier**, Head of the department of legal affairs, international affairs and expertise, CNIL (National Commission for Digital Data and Liberties), France.

Human Rights, political models and arab countries

[ORGANISER] **Institute of North-South Advanced Studies**, Nantes, France.

[CO-CHAIRS] • **Samir Amin** Economist, Director of the Third World Forum, Dakar, Senegal.

• **Ali El Kenz**, Professor of sociology at the University of Nantes, Scientific Councillor at the Institute of North-South Advanced Studies, Algeria.

[SPEAKERS] • **Saadallah Mazraani**, Secretary General of the Lebanese Communist Party, Lebanon.

• **Bernard Founou Tchigoua**, Co-president of the Institute of North-South Advanced Studies, Director of Research at the Third World Forum, Senegal.

Companies and Human Rights

[ORGANISER] **National Advisory Commission on Human Rights (CNCDH)**, France.

[MODERATOR] • **Marie Menant**, Gaz de France, France.

[SPEAKERS] • **Bruno Colombani**, EMC Distribution, Casino, France.

• **Antony Gelonch-Viladegut**, Sustainable Development Project Director, Sanofi-Aventis, France.

• **Dwight Justice**, Representative of the International Confederation of Trade Unions, Belgium.

• **Patrice Meyer-Bisch**, Professor, Director of the Ethics and Human Rights Institute, University of Friburg, Switzerland.

• **Olivier Maurel**, Consultant and independent researcher, Associate Professor at the University of Paris-XII, France.

Sexual trends and Human Rights.

What support from the associations?

[ORGANISER] **Nantes collective group “Rights for Humankind” (Droits pour l’humanité)**, France.

[MODERATOR] • **Pierre-Yves Lebrun**, Municipal Councillor, in charge of “emerging cultural practices”, City of Nantes, France.

[SPEAKERS] • **Hussein Bourgi**, President of the Collective Group Against Homophobia, France.

- **Antoine Madelin**, Permanent delegate with the European Union (International Federation of Human Rights Leagues).
- **Bernard Scholl**, Member of the LGBT Commission, Amnesty International, France.

Towards an arms trade treaty

[ORGANISER] **the World's Citizens' Centre (Maison des Citoyens du Monde)** in

Nantes, France, in partnership with **OXFAM agir ici** and **Amnesty International**.

[MODERATOR] • **Arsène Bolouvi**, Member of the “Arms control” commission, Amnesty International France, former president of ACAT Togo.

[SPEAKERS] • **Didier Destremau**, coordinator of the “Arms control campaign», Secours Catholique Caritas France, former French ambassador, France.

• **Raphaël Kasongo Kabusa-Mbukani**, project coordinator, CRONG (Conseil régional des organisations non gouvernementales) / Oxfam, Democratic Republic of Congo.

• **Benoît Muraccione**, manager of the “Arms control” campaign, Amnesty International, France.

Violation of women's rights: is testifying a relevant and necessary struggle?

[ORGANISER] Loire-Atlantique County Council.

[MODERATOR] • **Natacha Henry**, Journalist and author, founder of gendercompany.com.

[SPEAKERS] • **Maité Albagly**, French and Chilean political activist under Pinochet, member of the board of directors of the former prisoners' association, France, consultant.

• **William Bourdon**, Lawyer, Paris Bar association, specialising in the defense of Human Rights, victims of globalisation and crimes against humanity.

• **Gloria Cuartas**, former Mayor of Apartado, member of the Alternative Democracy Movement and Human Rights defender, Colombia.

• **Raïna Radzaif**, Member of Amnesty International, Malaysia.

• **Moïra Sauvage**, Journalist and author of the Adventures of the Fabulous Vagina, France.

Wednesday 2 July

Which Europe for Human Rights Which Human Rights for Europe?

Plenary Session

Special evening jointly organised by the International Solidarity Summer University (Research and Information Centre on Development) and the World Forum on Human Rights on the theme “ Rights and Solidarity in Europe”.

[MODERATOR] • **Amobé Mévégué**, Journalist, Cameroon / France.

[SPEAKERS] • **Catarina de Albuquerque**, Chairperson Rapporteur of the United Nations Working Group on the Draft Optional Protocol to the Covenant on Economic, Social and Cultural Rights.

- **Faliry Boly**, President of ROPPA Executive Committee (Network of farming organisations and food producers in West Africa), Senegal.
- **Amélie Canonne**, IPAM (Initiative for a different world), France.
- **David Choquehuanca**, Minister of Foreign Affairs, Bolivia.
- **Ousmane Diarra**, President of AME (Association of expelled people), Mali.
- **Delphine Djiraibe**, Lawyer, Chad.
- **Michel Doucin**, Ambassador, in charge of Bioethics and Corporate Social Responsibility, France.
- **Hélène Flautre**, European MP, Chair of the Sub-Commission on Human Rights at the European Parliament.
- **Raphaël Kasongo**, Project coordinator, CRONGD (Regional Council of non-governmental organisations) / Oxfam, Democratic Republic of Congo.
- **John Kellock**, European Agency for Fundamental Rights.
- **Riina Kionka**, Personal Representative of the European Union Secretary General for Human Rights.
- **Mariama Penda Diallo**, Intersyndicale Guinea, Guinea.
- **P.V. Rajagopal**, Leader of Ekta Parishad, Movement for the Landless, India.
- **Luc Van den Brande**, President of the Eu Committee of the Regions.

Europe and security abuses in the battle against terrorism

[ORGANISERS] **Amnesty International France, International Federation of Action by Christians for the Abolition of Torture (FIACAT).**

[MODERATOR] • **Sylvie Bukhari-de Pontual**, Lawyer, Paris Bar association, pResident of FIACAT, France.

[SPEAKERS] • **Emile Chalau**, President of ACAT Spain (Action by Christians for the Abolition of Torture).

- **Geneviève Garrigos**, President of Amnesty International France.
- **Christos Giakoumopoulos**, Director of Monitoring, Directorate General of Human Rights and Legal Affairs, Council of Europe.
- **Judith Sunderland**, Researcher on Europe and Central Asia, Human Rights Watch.

European Human Rights Diplomacy

[ORGANISER] **National Advisory Commission on Human Rights (CNCDH)**, France.

[MODERATOR] • **Emmanuel Decaux**, Professor of International and Public Law, Paris II Panthéon-Assas, Member of the Advisory Committee at the UN Human Rights Council.

[SPEAKERS] • **Hélène Flautre**, European MP, President of the Sub-Commission on Human Rights at the European Parliament.

- **Antoine Madelin**, Permanent Delegate with the European Union (International Federation of Human Rights Leagues).
- **Riina Kionka**, Personal Representative of the Secretary General of the Council of Europe for Human Rights.
- **Morten Kjaerum**, Director of the European Agency for Fundamental Rights.

Economic, social and cultural rights: at last justiciable and opposable in Europe and across the world?

[ORGANISERS] **International Permanent Secretariat -Human Rights and Local Governments**, France, proposed by Michel Doucin, **the World's Citizens' Centre**, in partnership with the **CIDESC** (Portugal) and **Nantes Bar association**.

[MODERATOR] • **Michel Doucin**, Ambassador in charge of Bioethics and Corporate Social Responsibility, France.

[SPEAKERS] • **Didier Têtêvi Agbodjan**, Associate Lecturer at the Human Rights Institute in Lyon, Director of Terre des Hommes-France and Representative of the NGO platform for ESCR, France.

- **Polonca Konca**, Chair of the Committee on the European Social Charter (Council of Europe).

- **Angela Melo**, Vice-president of the African Commission on Human and Peoples' Rights.
- **Magdalena Sepulveda**, UN Independent Expert on the question of Human Rights and extreme poverty, Expert with the Interamerican Commission on Human Rights, Professor of international law.
- **Philippe Texier**, Councillor, Final Court of appeal, Chair of the UN Committee on Economic, Social and Cultural rights.

Europe's External Policy and Respect for Human Rights

[ORGANISER] **World's Citizens' Centre (Maison des citoyens du monde) Nantes**, France, in partnership with the **League of Human Rights, Nantes, Survie Nantes** and **AFPS Nantes**.

[MODERATOR] • **Xavier Guillauma**, World's Citizens' Centre (Maison des citoyens du monde), Nantes, France.

[SPEAKERS] • **Antoine Bernard**, Executive Manager of the IFHR (International Federation of Human Rights).

- **Delphine Djiraibe Kenneloum**, Lawyer, Founder and former president of the Chad association for the promotion and the defense of Human Rights, Chad.
- **François Leroux**, AFPS (Association France Palestine Solidarité), France.

Economic Partnership Agreements (EPA) between commercial regulation and the right to development

[ORGANISER] **Collective Group "Rights for Humankind" (Droits pour l'humanité)**, in partnership with **Afrique Loire**.

[MODERATOR] • **Thomas Bouli**, Afrique Loire Association, Nantes, France.

[SPEAKERS] • **Kapet de Bana**, President and Founder of the Cameroon League of Human Rights, Cameroon.

- **Maximi J. Emagna**, International Consultant.
- **Hélène Fiaga**, Representative of the Secretary General for the ACP countries (Africa, Caribbean and Pacific) in Brussels.
- **Amadou Ndiaye**, Minister, Senegal.
- **Frédéric Viale**, ATTAC scientific committee (Association for the Taxation of Financial Transactions to Aid Citizens), France.

Tests and interviews to obtain citizenship in the European territory: tools for integration or instruments of discrimination?

[ORGANISERS] **European Cultural Centre (CCE)** in Nantes in partnership with the **Research Centre on National Identities and Cross-culturalism (CRINI)**, University of Nantes, the **House of Europe in Nantes** (France).

[MODERATOR] • **Thierry Guidet**, Journalist, director of *Place Publique*, France.

[SPEAKERS] • **Jean-Paul Barbe**, Vice-president of CCE (European Cultural Centre) and of the House of Europe in Nantes; Honorary Professor at the University of Nantes, France.

- **Eva Ersbøll**, Doctor of Law, Danish Institute of Human Rights, Denmark.
- **Barbara Jon**, Member of the Senate in Berlin, previously in charge of foreigners' integration in the Land, Germany.
- **Paul Lees**, Lecturer at the University of Nantes, France.

Migrations, Europe and Human Rights

[ORGANISER] **Collective Group “Rights for Humankind” (Droits pour l’humanité)**, Nantes.

[MODERATOR] • **Cédric Gratton**, President of GASProm-ASTI in Nantes (Reception and promotion services for migrant workers) and of FASTI (Federation of associations in solidarity with migrant workers), France.

[SPEAKERS] • **Olivier Clochard**, Researcher, CNRS (French National Centre for Scientific Research), (CIRED / Migrinter) and representative of Migreurop, France.

- **Ali El Baz**, President of ATMF (Association of North African Workers in France), France.
- **Hélène Flautre**, European MP, Chair of the Subcommission of Human Rights at the European Parliament.
- **Luis Gallegos**, Member of the Committee against Torture, Ecuador's Ambassador to the United Nations.
- **Catherine Wihtol de Wenden**, Research Director in political science, CNRS (French National Centre for Scientific Research), France.

Europe, cultural diversity and multiculturalism

[ORGANISER] **The High Council on Integration (HCI)**, France.

[CHAIRPERSON] • **Blandine Kriegel**, Philosopher, President of the HCI (the High Council on Integration), France.

[MODERATOR] • **François Guéry**, Secretary General of the HCI Institute (the High Council on Integration), France.

[SPEAKERS] • **Jacky Dahomay**, Lawyer, Member of the High Council on Integration (HCI), France.

- **Antoine Delblond**, Professor, Lawyer, University of Nantes, France.
- **Marc Dubourdieu**, Director of HALDE (High Authority on the Battle against Discrimination and in favour of Equality), France.
- **Michèle Gendreau-Massaloux**, Training Manager, Higher Education and Research, Union pour la Méditerranée, France.
- **Isabelle Gillette-Faye**, Sociologist, Director of GAMS (Women's group for the abolition of sexual mutilations and other practices affecting women's and children's health), France.

- **Luc Gruson**, Cité Nationale de l'Immigration, France.
- **Bader Kaba**, Lawyer, Member of SOS Racisme Bureau, France.
- **Gayé Petek**, President of Elele association (Migrations and Cultures in Turkey), Member of the HCI (High Council on Integration), France / Turquie.
- **Catherine Wihtol de Wenden**, Research Director in Political Science, CNRS (French National Centre for Scientific Research), France.

The guarantee of Human Rights in a European criminal court

[ORGANISER] **Delegation of the French Bar Associations in Brussels** (Conseil national des Barreaux), Member of the **Advisory Board of the European Criminal Bar Association** (ECBA).

[MODERATOR] • **Guy Lallement**, former President of the Bar in Nantes, France.

[SPEAKERS] • **Jean Alègre**, Project Manager, Direction of Legal Affairs, Ministry of Foreign and European Affairs, France.

- **Jean Danet**, Honorary Lawyer, Professor and Deputy Dean at the Faculty of law, University of Nantes, France.
- **Catherine Lesage**, President of the Bar, Nantes Bar Association, France.
- **Didier Liger**, Lawyer, Versailles Bar Association, Chair of the Liberties and Human Rights Commission, National Bar Association, France.
- **Laurent Pettiti**, Lawyer, Paris Bar Association, Member of the National Bar Association, Chair of the Human Rights Committee, Advisory Board of the European Criminal Bar Association.
- **Fernando Pierna Vieja**, Consejo general de la abogacía española, Member of the Human Rights Committee, Advisory Board of the European Criminal Bar Association, Spain.

The role of European institutions in the promotion of Human Rights in Europe and across the world

[ORGANISER] **Pays de la Loire Regional Council**.

[MODERATOR] • **Michel Doucin**, Ambassador in charge of Bioethics and Corporate Social Responsibility, France.

[SPEAKERS] • **Geoffrey Harris**, Head of the Human Rights Unit, European Parliament.

- **Claire Ivers**, in charge of Lobbying, Human Rights Watch.
- **Morten Kjaerum**, former Director of the Human Rights Institute in Denmark, director of the European Agency for Fundamental Rights.
- **Kutlu Levent**, Project Coordinator, Human Rights Foundation, Turkey.
- **Vicente Nieto**, Director, Directorate Fundamental Rights and Citizenship, Directorate-General for Justice, Freedom and Security of the European Commission

- **Catherine Piau**, Regional councillor in charge of European Affairs, Pays de la Loire Regional Council, France

Europe and rights of asylum

[ORGANISERS] **International Federation of action by Christians for the Abolition of Torture (FIACAT), ACAT France, Amnesty International France.**

[MODERATOR] • **Patrick Delouvin**, Director of the Action in France section Amnesty International France.

[SPEAKERS] • **Rachel Bugler**, Eastern Europe Coordinator, European Council on Refugees and Exiles (ECRE), United Kingdom.

- **Jean-Pierre Guardiola**, Ministry of Immigration, Integration, National Identity and Development, France.

- **François Julien-Laferrrière**, Professor in public law, at the University of Paris-Sud, specialising in Foreigners and Refugee Law, France.

- **Angela Martini**, Researcher, Asylum section, European Commission.

What role for Europe in the reinforcement of international criminal justice?

[ORGANISERS] **FIACAT, Amnesty International** and the **World's Citizens Centre, Nantes**, France.

[MODERATOR] • **Sylvie Bukhari-de Pontual**, Lawyer, Paris Bar Association, president of FIACAT (International Federation of Action by Christians for the Abolition of Torture), France.

[SPEAKERS] • **Amady Ba**, Head of Cooperation of the Jurisdiction, Complementarity and Cooperation Division - International Criminal Court (ICC)).

- **Karine Bonneau**, Head of the International Justice Desk, International Federation of Human Rights Leagues, France.

- **Simon Foreman**, Lawyer, Paris Bar Association, Member of Amnesty International France, President of the French Coalition for the International Criminal Court

Opening of CRID Summer University (Research and Information Centre for Development) within the Forum

[IN THE PRESENCE OF]

- **Zingan Alihonou**, CSI Afrique (International Union Confederation).
- **Olivier Blamangin**, CGT (Confédération générale du travail) trade union, France.
- **Gurval Cartier**, CRID, France.
- **Douglas Estevam**, Movement of the Landless, Brazil.
- **Gus Massiah**, President of CRID, France.
- **Fanny Petit**, CRID / IPAM (Initiative for a different world).
- **Henri Rouillé d'Orfeuill**, President of Coordination Sud, France.

Thursday 3 July

Local governance and human rights: effectiveness within the reach of all citizens

Plenary session

[MODERATOR] • **Michel Forst**, Secretary General, Human Rights Consultative Committee (CNCDH), France.

[SPEAKERS] • **Jacques Auxiette**, President of the Pays de la Loire Regional Council, France.

- **Jolanta Barska**, Mayor of Nysa, Poland.
- **Patrick Braouezec**, MP, President of Plaine-Commune, France.
- **Albert Jacquard**, Scientist, humanist, philosopher and writer, France.
- **Christian Leroux**, Chef de Cabinet, Mediator of the French Republic.
- **Loggie Naidoo**, Durban Deputy Mayor, South Africa.
- **Martine Roure**, Vice President European Parliament.
- **Pierre Saglio**, President of ATD Quart-Monde, France.
- **Manuel Tornare**, Mayor of Geneva, Switzerland.

[CONCLUSIONS] • **Jean-Marc Ayrault**, MP, Mayor of Nantes, President of Nantes Metropolitan Council (Nantes Métropole), France.

Local governments diplomacy, lever for local democracy and fundamental rights

[ORGANISER] **Pays de la Loire Regional Council**.

[MODERATOR] • **Thierry Guidet**, Journalist, Director of *Place Publique*, France.

[SPEAKERS] • **Jacques Auxiette**, President of the Pays de la Loire Regional Council, France.

- **Patricia Cereijo**, Councillor, Pays de la Loire Regional Council, France.
- **Emmanuel Decaux**, Professor of International and Public Law, University of Paris II

Panthéon Assas, member of the United Nations Human Rights Advisory Committee,

president of the International Permanent Secretariat, Human Rights and Local Governments.

- **Anders Knappe**, President of the Swedish Association of Local and Regional Authorities (SALAR), 1st Vice-president of the Council of European Municipalities and Regions (CEMR), member of the Congress of Local and Regional Authorities, Council of Europe.

- **Eduardo Mancuso**, Deputy Mayor of Guarulhos, Brazil.
- **Antonio Papisca**, UNESCO Chair on Peace, Human Rights and Democracy, Italy.
- **Geneviève Sevrin**, Head of International Relations at the Nord Pas de Calais Regional Council, former President of Amnesty International, French section.

Rights of people with disabilities and local policies

[ORGANISER] **Nantes Metropolitan Council (Nantes Métropole)**, in partnership with the **French Association of Paralysed People**.

[MODERATOR] • **Grégoire Charmois**, Executive Manager of “Délégation 44”, French Association of Paralysed People, France.

[SPEAKERS] • **Catherine Choquet**, Deputy Mayor of Nantes, in charge of disability policy, France.

- **Abdelkader Dounia**, President of the “Centre d'appui au développement Local” (Assistance to the local development), Salé, Morocco.
- **Bruno Gaurier**, former Head of the International Relations Department at APF (French Association of Paralysed People), Member of CFQE (French Council on European Matters), France.
- **Afrim Iljazi**, in charge of the actions in Sales (Morocco) and Veles (Macedonia), Handicap International, Macedonia.
- **Eric Lefebvre**, Municipal councillor, Victoriaville, Canada.
- **Biljana Manascova**, Elected official in charge of Education, Culture, Social Protection and Gender Parity, in Veles, Macedonia.
- **Marylène Morin**, Managing director of Handicap Action Autonomie Bois-Franc, President of the Advisory Committee of universal accessibility policy in Victoriaville, Canada.
- **Adderrahmane Moudni**, Forum on Human Rights in Morocco, Member of the working group “Handicaps”, Bouregreg association in Salé, Morocco.
- **Liliane Plantive**, Mayor of La Montagne, Vice-president of the Nantes Metropolitan Council, in charge of action and missions in favour of the people with disabilities, France.
- **Nathalie Roussel**, Project Manager, Advisory committee on universal accessibility policy, Victoriaville, Canada.
- **Daliborka Zlateva**, President of the NGO “Parents' Association for Cerebral Palsy Children”, Macedonia.

Rights of migrants, local authorities and (co)development

[ORGANISER] **International Permanent Secretariat - Human Rights**

and Local Governments, France, in partnership with **UNDP**, Geneva.

[MODERATOR] • **Mohand Cherifi**, former Minister, Algeria; platform for innovative partnerships, WACAP (World Alliance of Cities against Poverty). UNDP (United Nations Development Programme).

[SPEAKERS] • **Ousmane Diarra**, President of the Association of Expelled People, Mali.

• **Narimane El Djebli**, Doctor and Researcher at the UNESCO Chair for cross-cultural dialogue - Mediterranean Cultural Studies-, Rovira i Virgili University, Spain.

• **Fern Girdlestone**, Art for Humanity, South Africa.

• **Hubert Krieger**, European Foundation for the improvement of living and working conditions, Head of CLIP network (Cities for Local Integration Policy of Migrants).

• **Loren B. Landau**, Director of the programme on forced migrations, University of Witwatersrand, South Africa.

• **Jean-Philippe Magnen**, Deputy Mayor of Nantes, in charge of decentralised cooperation and co-development, France.

• **Frédéric Tiberghien**, President of the Social Services of Assistance to Migrants, France.

Roma “migrants” in Europe: what public action for the host country?

[ORGANISER] **Nantes Metropolitan Council (Nantes Métropole) and the Nantes Urban Community.**

[MODERATOR] • **Dominique Raimbourg**, Lawyer, MP Loire-Atlantique, France.

[SPEAKERS] • **Catherine Bonhour**, Gitanes Foundation, Spain.

• **Rémi Gomes**, Ethic & Co, Spain.

• **Michael Guet**, Secretary of the MG-S-Rom Committee, Council of Europe, France.

• **Syl Jonchère**, Ethic & Co, Spain.

• **Jérôme Richard**, Project Manager on Roms, Nantes Metropolitan Council (Nantes Métropole), France.

• **Blerina Tepelena**, Head of the Technical Secretariat, Ministry of Employment, Albania.

Community cohesion and cultural diversity. Examples of local initiatives

[ORGANISER] **European Agency for Fundamental Rights**, Vienna, Austria.

[MODERATOR] • **John Kellock**, European Agency for Fundamental Rights.

[SPEAKERS] • **Vanessa Broux**, City of Gand, Belgium.

• **Claus Preissler**, City of Mannheim, Germany.

• **Eva Sobodka**, Project Manager at the European Agency for Fundamental Rights.

- **Qudrat Shah**, City of Bradford, United Kingdom.

Local Governments and NGOs, together in the battle against extreme poverty

[ORGANISER] **“ATD Quart-Monde” movement.**

[MODERATOR] • **Perrine Renoux**, Student in Political Science, France.

[SPEAKERS] • **Noémi Barrita**, Expert with the UN High Commissioner for Human Rights.

- **Gérald Basson**, Lawyer, Amnesty International, France.
- **José Bengoa**, Member of the UN Advisory Committee at the Human Rights Council, former Coordinator of the working group of the subcommission on Human Rights.
- **Agnès Dumas Bonkougou**, Campaigner for the ATD Quart-Monde movement in Val-d’Oise, France.
- **Véronique Fayet**, Borneaux Deputy Mayor, in charge of policies on solidarity, health and elderly people, vice-president of the National Union of municipal social centres, France.
- **Martine Payen**, Citizen (written and read testimony), France.
- **Madgalena Sepulveda**, UN Expert in Human Rights and Extreme Poverty.
- **Sandrine Plumerez**, Witness, France.

Local governments, memory and Human Rights

[ORGANISER] **Alliance internationale des Anneaux de la Mémoire.**

[MODERATOR] • **Jean Breteau**, Founding member of Anneaux de la Mémoire, France.

[SPEAKERS] • **Jérôme Alladaye**, Project Manager in charge of Education and Culture, City of Cotonou, Professor at the University of Cotonou, Benin.

- **Henry Bredekamp**, Director of Iziko Museum in Cape Town, South Africa.
- **Yvon Chotard**, President of Anneaux de la Mémoire, France.
- **Betania Correa de Araujo**, Director of the Recife Museum, Brazil.
- **Olivette Otele**, Professor, Paris XIII, Institut catholique de Paris, member of the Black and Minority Ethnic Project, Charter housing Association, Wales, United Kingdom.

Climate-related migrations: a challenge for cities

[ORGANISER] **Argos Collective Group**, Paris, and the **Observatory of Public Decision**, with the assistance of the **International Permanent Secretariat Human Rights and Local Governments**, France.

[MODERATOR] • **Céline Pévrier**, Argos Collective Group, France.

[SPEAKERS] • **Loren B. Landau**, Director of the Programme on forced migrations at

the University of Witwatersrand, South Africa.

- **Jean Favre**, former Deputy Director of UNDP (United Nations Development Programme),
- **Hélène Flautre**, European MP, Chair of the Subcommittee of Human Rights at the European Parliament.
- **Patrick Peugeot**, President of Cimade, France.
- **Fabrice Renaud**, Expert in climate-related migrations, United Nations University.

Social rights, opposable and effective: the right to housing

[ORGANISER] **Nantes Bar Association**.

[MODERATOR] • **Catherine Lesage**, President of the Nantes Bar Association, France.

[SPEAKERS] • **Paul Bouchet**, former President of ATD Quart-Monde, former President of the Lyon Bar Association, France.

- **Franck Boezec**, Lawyer, Nantes Bar Association, France.
- **Florence Bouillon**, Anthropologist with EHESS (Higher Education in Social Science), Lecturer and Member of SHADYC (Sociology, history, anthropology and cultural dynamics) in Marseille, France.
- **Jean-Baptiste Eyraud**, DAL Association (Right to Housing), France
- **Albert Jacquard**, Scientist, humanist, philosopher and writer, France.
- **Loggie Naidoo**, Durban Deputy Mayor, South Africa.

Decentralised Cooperation and Human Rights

[ORGANISER] **Nantes Metropolitan Council (Nantes Métropole)**, in partnership with **Basse-Normandie Regional Council** and **COSI** (Information and Solidarity Centre with Africa), Lyon.

[CHAIR] • **Jean-Philippe Magnen**, Nantes Deputy Mayor, Vice-president of the Nantes Metropolitan Council, in charge of social economy, solidarity and decentralised cooperation, France.

[MODERATOR] • **Camille Durand**, former 1st Vice-president of the Nantes Metropolitan Council (Nantes Métropole), France.

[SPEAKERS] • **Thomas Claus**, Journalist with *Courrier de la Macédoine* and *Courrier des Balkans*.

- **Jean-Paul Gandin**, Technical councillor with Pays de Savoie solidaire, France.
- **Bardhyl Jashari**, Director of Metamorphosis (development of democracy through the promotion of knowledge and communication), Macedonia.

- **Sidi Mohammed Omar Mansour**, Representative of Front Polisario in France, France / Western Sahara.
- **Dieudonné Mbayu**, Lawyer, Goma Bar Association, Democratic Republic of Congo.
- **Jean-François Ploquin**, Director of COSI (Cohabitation Solidaire Intergénérationnelle) in Lyon, France.
- **Gilles Retière**, Mayor of Rezé, Vice-president of the Nantes Metropolitan Council (Nantes Métropole), France.
- **Ben Sékou Sylla**, President of the National Council of Civil Society organisations, Guinea.

The World Charter of Human Rights in the City. Promotion and fulfilment of Human Rights at a local level: challenges of the actions being undertaken

[ORGANISER] **Working group “Human Rights and Local Governments” of the Committee on Social Inclusion and Participative Democracy, UCLG** (United Cities and Local Governments).

[MODERATOR] • **Lucie Lamarche**, Professor, Gordon F. Henderson Human Rights Chair, University of Ottawa, Canada .

[SPEAKERS] • **Patrick Braouezec**, President of Plaine Commune Urban Community, Member of Parliament, Vice-president of CSIPD (Committee on Social Inclusion and Participative Democracy), United Cities and Local Governments, France.

- **Wataru Iwamoto**, Director for the Division of Social Sciences, Research and Policy, UNESCO.
- **Jules Patenaude**, Public Consultation Coordinator, City of Montréal, Canada.
- **Jaume Saura**, Director of the Institute for Human Rights in Catalonia, Spain.

Citizens and Human rights: from education to action

[ORGANISER] World's Citizens' Centre (Maison des Citoyens) in Nantes, France, in partnership with the School of Human Rights in Toulouse, France.

[MODERATOR] • **Sylvie Roquain**, Lawyer, Member of the School of Human Rights in Toulouse, France.

[SPEAKERS] • **Françoise Boivin**, Project Manager, Sports sans frontières, France.

- **Robert Duval**, Founder and Director of Haïti Athlétique, Haiti.
- **Anis Gandeel**, Co-founder of the Canaan Institute of New Pedagogy, Gaza, Palestine.
- **Madani Koumare**, Coordinator of the programme for the promotion of Economic, Social and Cultural rights. Platform for the ESCR in Mali.

Research and development in international cooperation to serve Human Rights

[ORGANISER] **University of Nantes, Latin American committee, CURI** (International Relations University Council).

[MODERATOR] • **Jean-Marie Lassus**, Chair of the “South America, Latin America and Caribbean” committee, International Relations University Council, University of Nantes, France.

[SPEAKERS] • **Gisèle Argenti**, Sociologist, specialising in sciences and technologies, University of the Republic, Uruguay.

• **Clara Rachel Casseus-Eybalin**, Expert in tourism and health in the United States and in Saudi Arabia and in the issue of migration and co-development, Haiti.

• **Olivier Giron**, Head of the “Americas” division, Ministry of Higher Education and Research, France.

• **Nestor Ponce**, Writer, Professor at the University of Rennes II, Argentina.

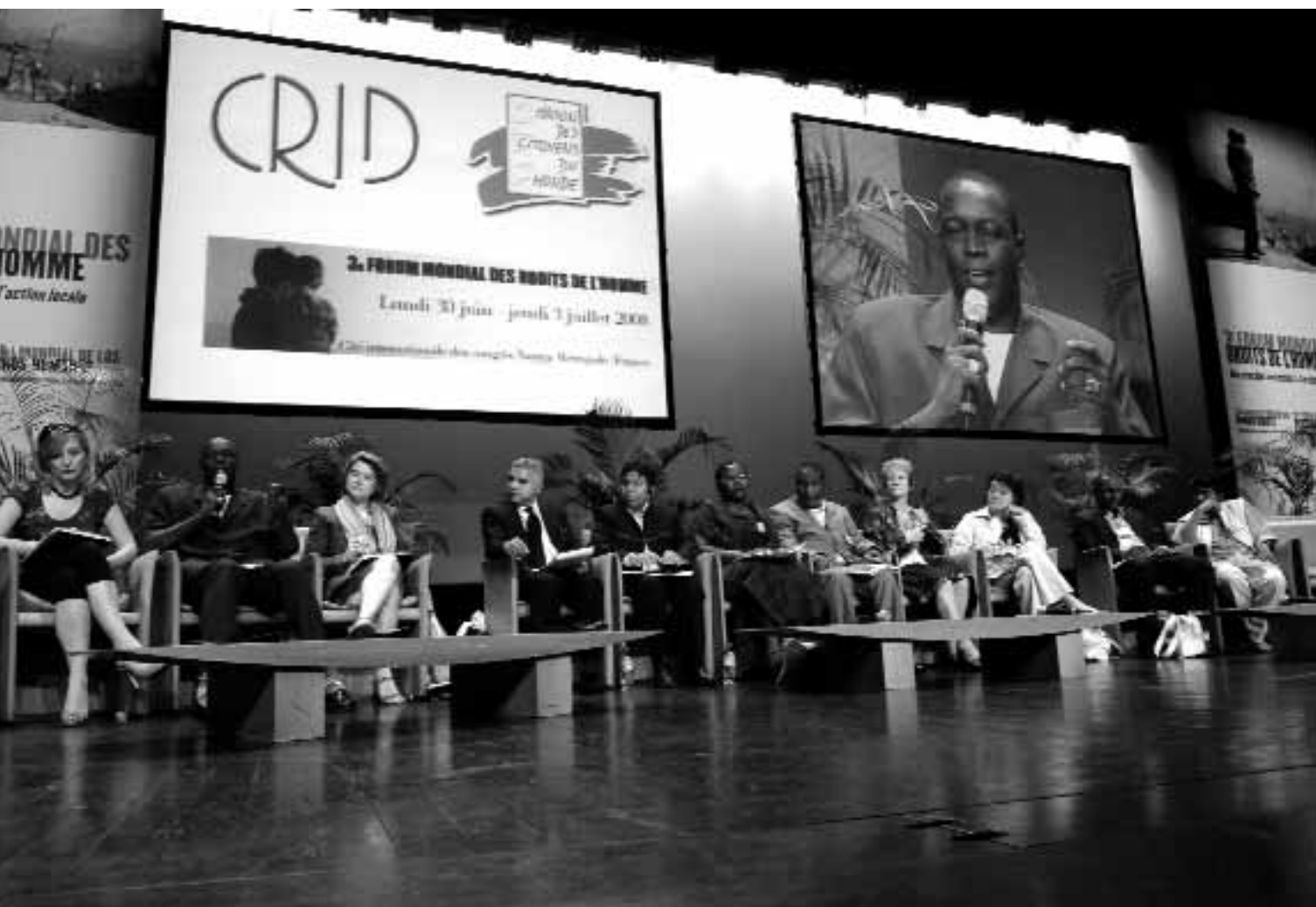


On 30 June 2008, prior to the opening ceremony of the 3rd World Forum on Human Rights in Nantes, 2,000 children met with Stéphane Hessel, a leading figure at the Forum, in order to take part in the drafting of a “Pass Sports in favour of Rights”.

The World's Citizens' Centre (La Maison des citoyens du monde) and the World Forum were the main organisers of that event dedicated to young people, one month before the Beijing Olympic Games.



On 3 July 2008, the closing ceremony featured a press conference to celebrate the liberation of Ingrid Betancourt, released the previous day, after seven years in detention in Colombia. Her portrait was symbolically taken down from the front of the Town Hall. Were present Gloria Cuartas, from Colombia, 2008 winner of the Edit de Nantes award, and the well-known Bangladeshi writer in exile, Taslima Nasreen.



The plenary session held on Wednesday 2 July on the theme “Rights and Solidarity in Europe” in partnership with the International Solidarity Summer University, organised by CRID (Research and Information Centre on Development).

Notes

- 1 See The major international texts on Human Rights, presented by Emmanuel Decaux, foreword by Bernard Kouchner, La Documentation française, 2008.
- 2 The 1st World Forum on Human Rights (May 2004) Overview. UNESCO, 2005 / SHS-2005/WS/23.

The 2nd World Forum on Human Rights (10 – 13 July 2006) Chosen words and texts, International Permanent Secretariat Human Rights and Local Governments (SPIDH), Nantes, 2008. Available on request to SPIDH.

Human Rights and responsibility – World Forum on Human Rights, Nantes. Sandrine Revet, Boris Martin, Bertrand Verfaillie, Charles Léopold Mayer Publications, Paris (France) – Tarik Publications, Casablanca (Morocco), 2007.
- 3 Links between Local and Regional Democracy and Human Rights, contribution of the Congress of Local and Regional Authorities, Council of Europe, to the Forum for the Future of Democracy (Sigtuna, Sweden, 13 – 15 June 2007). Report presented by Keith Whitmore, United Kingdom, (R, GILD), Institutional Commission– 14th plenary session – 11 May 2007. Ref. CG(14)6REP
[https://wcd.coe.int/ViewDoc.jsp?Ref=CG\(14\)6REP&Language=lanFrench&Ver=original&Site=Congress&BackColorInternet=e0cee1&BackColorIntranet=e0cee1&BackColorLogged=FFC679](https://wcd.coe.int/ViewDoc.jsp?Ref=CG(14)6REP&Language=lanFrench&Ver=original&Site=Congress&BackColorInternet=e0cee1&BackColorIntranet=e0cee1&BackColorLogged=FFC679)
- 4 Member of the French Parliament, Mayor of Nantes and President of the Nantes Metropolitan Council (Nantes Urban Community).
- 5 The local authorities partners to the Forum, in addition to the Nantes Metropolitan Council (EPCI) and the City of Nantes, are the Pays de la Loire region, presided by Jacques Auxiette and the Loire Atlantique “département” (county), presided by Patrick Mareschal. Both of them attended the official opening ceremony.
- 6 See the Internet collaborative platform, on www.spidh.org.
- 7 Joseph Gavidu (Fiji) for Asia - Pacific Coalition ; Hans Hesselman, (Nurnberg, Germany) for the European Coalition ; Alok Mukherjee, for the Canadian Coalition ; Loggie Naidoo, e Durban Deputy Mayor, for the African Coalition ; Mohamed Sajid, Member of Parliament and Mayor of Casablanca, for the Coalition of Arab Cities.

- 8 European Parliament Committee on Civil Liberties, Justice and Home Affairs.
- 9 It has to be noted that the special status given to Belarus as a potential member of the EU, was abandoned following non respect for Human Rights and democratic principles by the country.
- 10 Emmanuel Decaux and Serge Sur (ed), OSCE, thirty years after the Helsinki Final Act, co-operative security and human dimension, Pedone, 2008.
- 11 The next elections will be held in June 2009.
- 12 Antoine Madelin, Director of Intergovernmental organisations activities and EU Permanent Delegate with the International Federation of Human Rights Leagues (IFHRL).
- 13 On this particular theme: Human Rights and Corporate Social Responsibility, a Francophone approach, Toogezzer, 2008.
- 14 Book by Michel Doucin, NGOs: A Counterbalance?, Toogezzer, 2007 and Henri Rouillé d'Orfeuil, Non governmental diplomacy: can NGOs change the world?, Atelier publications, 2006.
- 15 It is interesting to note that the SPIDH, co-organiser of the Nantes Forum, fully acknowledges the connection between Human Rights and Local Governments as illustrated by the acronym "International Permanent Secretariat Human Rights and Local Governments »...
- 16 At the request of African, American and European mayors and of the city of Nantes and "Les Anneaux de la Mémoire" (LIEN), the association called "Alliance Internationale des Anneaux de la Mémoire" was set up in November 2005, during the General Assembly of the International Association of Francophone Mayors (AIMF) in Antananarivo, Madagascar. The new Alliance held its first meeting in Nantes, on 10 and 11 July 2006, during the 2nd World Forum on Human Rights.
- 17 For further details, see introduction p. 21.
- 18 The distinction is not only quantitative but also qualitative, with a cyclical effect in the deprivation of rights, leading to the denial of all Human Rights.

Postface

by **Jacques AUXIETTE**

Président de la Région des Pays de la Loire

The Pays de la Loire Region is extremely proud and eager to be a partner of the World Forum on Human Rights. And because the third edition is held the year of the 60th anniversary of the Universal Declaration of Human Rights, it makes the World Forum even more meaningful. Together with the States, the NGOs and other associations which are very active in the field, I am deeply convinced that local governments must become full-fledged actors and need to be recognized as such. This is the message that I wanted to deliver during the Forum, a message in line with the action that I have taken, for several years now, in particular within the world association of local authorities, namely United Cities and Local Governments (UCLG). Why? Simply because the battle for Human Rights can only be led with the local people and in consideration of the territorial realities. The fulfilment of economic, social and cultural rights, of the right to housing, to work, to health, to dignity and freedom are prerequisites for the exercise of political rights. At the same time, exercising political rights makes it possible to take part in decision-making mechanisms for redistribution of wealth, which may lead to the implementation of economic and social rights. Economic and social progress has clearly become interlinked with political and local democracy and we must understand this societal and spacial dimension to take action in favour of Human Rights.

The World Council of United Cities and Local Governments to be held in Istanbul in November 2008 will give us the opportunity to put this message forward and give a new impetus to the movement, so that local authorities make a stronger commitment to fighting for Human Rights. Next to the states and NGOs, they have a key role to play; and local governments need to be recognized as actors of international diplomacy. It is through their unique governance, their ability to manage economic and social issues to best serve the women and men who live in their territory, and also through their commitment to fulfilling fundamental rights, that local governments will achieve these major goals for the future of our planet. During the World Council, I will have the honour to chair the working committee on the drafting of the Global Charter-Agenda for Human Rights in the City, a text with an international dimension which features a selection of fundamental rights and should symbolize the commitment of local authorities to developing public policies for the protection of Human Rights at a local level.

This text will undoubtedly be one of the key priorities of the International Permanent Secretariat Human Rights and Local Governments (SPIDH) and surely, its contents will provide material for the 4th World Forum on Human Rights which will be held in Nantes, in the Pays de la Loire region, in 2010. I would like all those who feel touched by this noble cause to join us in our discussions and efforts within the SPIDH so that, wherever it is possible, together we crush the human and political barriers that stand along the road towards universal achievement of Human Rights.

3RD WORLD FORUM ON HUMAN RIGHTS NANTES - FRANCE 30 JUNE - 3 JULY 2008

"Acting for a new world where human beings are free to speak and free to believe, liberated from fear and misery." The World Forum on Human Rights held in Nantes every second year has become a must-attend event for all those who are actively involved in the defence of Human Rights. From 30 June to 3 July 2008, the 3rd edition brought together 2,500 delegates and speakers from over 100 countries. The discussions of the Forum clearly showed that, 60 years after the adoption of the Universal Declaration of Human Rights, the defence and the promotion of fundamental liberties remain a constant and arduous fight across the world. During inspiring and lively discussion workshops, participants were given the opportunity to express themselves openly and exchange equally. Economic globalisation and respect for fundamental rights, Human Rights diplomacy, the role of Europe, local governance and local action were among the challenging issues raised during "Nantes 2008". A vast range of perspectives on actions to be taken, detailed in this essay drawn from the 3rd World Forum on Human Rights



3rd World Forum on Human Rights – Nantes, France 2008

Photo: Samuel Bollendorff / L'Œil public.

