

The Earth Charter and the 70th Anniversary of the UN Universal Declaration of Human Rights

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October 29, 2017

The 70th anniversary of the Universal Declaration of Human Rights presents an important opportunity to reassert the critical role of international human rights in achieving a more just, peaceful and sustainable future for all.

There can be no doubt that the Declaration has exerted a strong moral, political and legal influence around the world. However, despite the impressive development of international human rights law over the past seventy years, recent decades have borne witness to some of the worst human rights violations ever.

Old and new challenges alike must be confronted.

Increasing civil strife, escalating terrorism, climate change, religious intolerance, new forms of environmental conflict, genocide and the systematic violation of human rights around the world -- all demonstrate the need to reaffirm the Universal Declaration's original vision of rights and responsibilities.

Against the backdrop of this global threat environment, the international community must honestly appraise the human rights successes and failures of the past in order to chart the critical path ahead.

However, the critical path ahead must respond to and reflect the complexity and interdependence of these global challenges.

This means new approaches and soft-law instruments such as the Earth Charter will be essential in order to support the human rights movement and as well, to help promote the global transition to sustainable development.

What is particularly unique about the Earth Charter's ethical vision? And what then are the ways in which the Earth Charter can be used as an important complement to the global human rights movement?

First, despite the important contribution of the Universal Declaration of Human Rights, many would argue that it is not sufficiently underpinned by global ethics and values. There is a growing body of norms and principles that are now recognised as fundamental in character, of enduring significance, and which reflect the common concerns of people of all races, cultures, religions and spiritual traditions. It is clear that the search for common values is ever-present in societies around the world.

Former UN High Commissioner for Refugees and former Dutch Prime Minister Ruud Lubbers asserted years ago:

“ Individuals are searching for a sense of their identity, for values to guide their daily lives, for a greater sense of harmony and a place for spirituality in decision-making”.

At the UN Millennium Summit, many world leaders called for nations around the world to rally around the United Nations to make the twenty-first century the “most peaceful and hopeful period” in the history of humankind.

Certainly the resources exist to manifest this goal into reality, but in the words of Martin Lees, former Rector of the University for Peace in Costa Rica, this goal cannot be fulfilled without:

“A transformation of thinking, new strategies and the mobilisation of public support and commitment to address the threats to peace and progress in the twenty-first century”.

The transformation in new thinking, together with innovative forms of partnership must be grounded in common goals and shared values. Earth Charter Council Chair Professor Steven C. Rockefeller has always emphasised that the need for common values to underlie cooperative efforts are especially important when communities endeavour to address global challenges such as poverty, inequity, economic

proliferation, and terrorism.

This is precisely where the stated mission of the Earth Charter takes on such a profound importance:

“To establish a sound ethical foundation for the emerging global society and to help build a sustainable world based on respect for nature, universal human rights, economic justice, and a culture of peace.”

Second, unlike other aspirational UN declarations such as the Universal Declaration, the Earth Charter is an expression of global interdependence, of partnership and shared responsibility for the well-being of humanity and the larger community of life.

Professor Mary Evelyn Tucker very eloquently expresses the critical importance of the Earth Charter in extending inter-generational consciousness and conscience to the entire Earth community:

“ Within the framework of the universe story, we are beginning to acknowledge that our common ground is the common ground of the Earth itself. Survival of species and the planet depends on this. Adaptation for survival is necessary for all species and thus is especially crucial now for humans. This adaptation will be less biological than cultural. It involves a shift in vision and values from a western Enlightenment mentality emphasizing radical individualism to an Earth community mentality of a shared future.”

Third, the Earth Charter can play an important role supporting the Universal Declaration through its focus on participatory governance.

The Universal Declaration was adopted at a time when national governments were the dominant agents of governance. It specifically called upon the democratic governments of sovereign states to respect the rights of their citizens.

However, the new generation of global threats and challenges require new forms of participatory governance, with all actors working together in a genuine spirit of collaboration and cooperation.

As former UN High Commissioner for Human Rights Mary Robinson has acknowledged, one of the factors that currently impedes implementation of the

marginalised communities cannot claim their human rights because of the limited resources, capacity and will of their governments, not to mention restricted access to decisionmaking.

Ms. Robinson stresses that in these cases, new forms of alliances are critical between governments, human rights organisations and other actors, which have a long-term presence in such communities.

It is important to highlight that participatory governance is not only a fundamental tenet of the Earth Charter, it also characterises the way in which the Earth Charter was actually developed, namely through one of the most transparent and participatory civil society consultation processes in history.

With regard to the principle of participatory governance, the Earth Charter stresses that the new generation of global challenges are best addressed where freedom and democracy thrive. No other governance system is competent to deal with human rights violations.

And here, the Earth Charter's governance vision is for democratic institutions in every part of the world to be strengthened and underpinned by robust commitments to solidarity, inclusiveness and accountability. Only then can decisions be made that will genuinely uphold the balance of public interests, as opposed to the balance of political powers.

In this new millennium, where a record number of individuals live under democratic governance systems, no government can claim legitimacy unless its civil society is empowered to play a central role in protecting its local communities, countering extremist ideologies and participating in decision-making at all levels.

The Earth Charter was designed to inspire all state and non-state actors to assume leadership and responsibility in the creation of a new form of politics that places justice, peace, democracy, human rights and environmental protection at the core of decision-making.

Fourth, the Earth Charter can also support the Universal Declaration through its integrated ethical vision for sustainable development.

The Earth Charter is grounded in the recognition of the fundamental indivisibility and interdependence of the values of environmental protection, human rights, equitable human development, peace and non-violence.

This comprehensive framework is an important complement to the Universal Declaration and will greatly facilitate efforts to address the new generation of complex, multiple and interlinking drivers that perpetuate human rights abuses around the world. Of course the “war on terror” is an example of a new phenomenon, which as Human Rights Watch’s Director of Terrorism and Counterterrorism Joanne Mariner points out, have raised in themselves serious human rights concerns.

On the other hand, as Martin Lees points out, the new generation of threats do not just arise from the “willful consequences of conflict” but also from many other pressures such as environmental resource scarcity, poverty, famine, pollution, and disease, and the collapse in “failed states” of the “minimum social and political capabilities essential to preserve the framework of stable, peaceful societies”.

Since the international community is increasingly called upon to “*manage systemic problems of increasing complexity and under conditions of dynamic change, substantial uncertainty, and risk*”, as Lees describes, it is clear that the responses must be sufficiently systematic, interdisciplinary, and grounded in a new ethos of international solidarity and cooperation and other shared ethical principles.

In all of these respects, the Earth Charter provides an important guide by highlighting the interrelated issues of environment, justice, and peace as lying at the heart of our global challenges and by providing an integrated set of ethics and practices to address the complex interaction between these issues.

With its integrated set of ethical guidelines, the Earth Charter not only supports the Universal Declaration and the global human rights movement, it also provides a stronger basis for developing meaningful and effective solutions for the new generation of global survival challenges.

The Charter’s ethical vision is designed to inspire all members of the human family to identify ourselves, not only with the human communities of which we are members, but also with the larger community of life, of which we are a part.

Now more than ever, the international community needs the Earth Charter to help secure the global transition to sustainable development, of which the realisation of human rights is an integral part.

But what has become patently clear in recent years is that the global transition to sustainable development is not just about reducing humanity’s ecological footprint.

The transition is about bringing about structural changes in economic systems, improving democratic governance and improving the way policies are made, implemented and enforced.

It is also about securing a commitment from all state and non-state actors to assume leadership and responsibility to ensure the full realisation of human rights and the achievement of a truly sustainable future for all.

What is also clear is that as Professor Steven Rockefeller highlights, “no nation state or community can achieve a sustainable future on its own”. Partnership is essential, but in order to be truly effective, it requires common goals and shared values, such as those enshrined in the Earth Charter.

The Earth Charter’s integrated ethical vision of “*global interdependence and universal responsibility*”, which promotes “*our responsibility to one another, to the greater community of life and to our children*”, is an important starting point from which to forge new forms of partnership.

The Earth Charter also provides a solid foundation from which to reassert, 70 years after the adoption of the Universal Declaration, the importance of human rights in the achievement of a just, peaceful and sustainable future, and in the words of former UN High Commissioner for Human Rights, Mary Robinson, to ensure the fulfilment of “humanity’s promise to itself”.