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on

HUMAN RIGHTS AND RESPONSIBILITIES

By Edith Sizoo ¹

(Coordinator International Forum on Ethics & Responsibility)

“If we all discharge our duties, rights will not be far to seek”

Mahatma Gandhi

A worldwide struggle for the establishment of basic human rights is going on. It is officially supported by the Universal Declaration of Human Rights (UDHR) adopted by the General Assembly of the UN on the 10th December 1948. ² Since then the majority of the UN Member States gradually ratified this Declaration, thus also committing themselves to the introduction and/or maintenance of the rights mentioned in the document. And quite a number of them have used the text as a basis for further legislation.

There is no such international reference text pertaining to the obligation to assume responsibility, to evaluate the impacts of far-reaching decisions and to account for the consequences of actions, whether the actors are individuals, organizations, corporate businesses or governments. And yet, *responsibility* for safeguarding the environment and ensuring a life of dignity for present and future generations is a *common* task that has to be *shared* by all, be it at different degrees.

¹ With thanks to Sipko De Boer, Benjamin Quinones, Sudha Sreenivasa, Betsan Martin and Ricardo Jimenez for their valuable comments on the draft of this text.

² with 48 votes in favour, no abstentions and 8 Member States against. It took another 47 years before the two Covenants on implementation of this Declaration were ratified by 132 States (1995).

The horizon of critical issues has widened, notably in the fields of ecology, economics, finance and governance, thus increasingly destroying the livelihood support systems of less privileged people. Consequently, endeavors to address these issues have become more challenging. Pollution is still rampant in many parts of the world. Access to basic resources, e.g. water, poses increasingly a problem to many people. Inequalities are dangerously widening in and between societies. A continuing financial crisis causes turmoil, insecurity and poverty. Failed states emerge and serve as bases for terrorism inside and outside their borders.

This state of affairs provokes protests and calls for action, but their effect is usually limited as a result of which a large part of the population of our planet cannot enjoy many of the rights established in the UDHR: the right to life, liberty and security of person, the right to freedom of movement, the right to own property, the right to freedom of expression, to mention only a few.

Current efforts to tackle the negative developments in the different fields referred to above need to be strengthened in order to be more effective. There is an urgent need to complement the existing juridical instruments because the current unprecedented crises are not only violating rights but are also life-threatening for present and future generations. A shift to a new paradigm is needed: *from* an anthropocentric worldview that puts the human being at the center of creation assigning to him the right to appropriate all resources *to* a worldview that imposes responsibility to care for the survival of all living species. The worldwide interrelated threats to humanity and the planet go beyond the issue of rights. They are of a different nature and require new instruments to be dealt with.

Why is effective dealing with those crises so difficult to achieve? The complexities of the challenges to be met are undoubtedly playing a role. However, another factor should be mentioned: a widespread tendency to shy away from responsibilities. That weakness is urgently in need of much more exposure and has to be addressed. *“The world has changed and we must change with it... What is required of us now is a new era of responsibility.”*³

³ President Obama in his inaugural speech (2008)

As has been observed: the world is a dangerous place, not so much because of those who do evil, but because of those who watch and sit by and let things happen.⁴ Many are those who can assume responsibility, but prefer to do nothing and to remain free-riders. Many are also those who strenuously try to reduce their responsibilities. They feel uneasy about the need to answer for the consequences of their decisions in a world that is becoming more and more complex and characterized by an increasing interdependence among its components. They do not want to be held responsible for (known and unknown) negative effects of their behavior. Consequently, these negative effects are not taken care of.

Fortunately, there are also actors and agencies that do recognize at least *co*-responsibility for important tasks.⁵ But even they are frequently not really moving because of conflicts among each other about what needs to be dealt with first or about the way in which the burden that needs to be carried should be distributed. International conferences, e.g. those dealing with climate change, are clearly illustrating this point. The same tussles can be observed at national and lower governmental levels as well as in the world of corporate business. In these conflicts divergent interests manifest themselves quite openly while cultural differences, particularly with respect to what needs to be prioritized, exacerbate the conflicts.

In spite of all these diversities, however, a sense of responsibility is common to all human beings. A Universal Declaration of Human Responsibilities issued by the UN would appeal to this sense. It would serve as a countervailing force against irresponsible behavior. It would complement the two existing pillars of international life: the Charter of the United Nations on poverty and development, and the Universal Declaration of Human Rights. Given its status and authority, equipping the UN with a Universal Declaration of Human Responsibilities as a third pillar would significantly boost efforts to counteract tendencies to abstain from doing what should be done. Just as the Universal Declaration of Human Rights has succeeded in strengthening the establishment of basic rights, so

⁴ Remark attributed to Einstein

⁵ In UN statements « shared but differentiated responsibility » is recognized.

would a Universal Declaration of Human Responsibilities strengthen the application of the principle of responsibility.

The UN needs such a Declaration highlighting the importance of that principle, describing major areas related to societal relations and the biosphere where responsibilities have to be assumed; and areas where responsibilities are common but have to be shared according to people's access to information, knowledge and power. Explicit references to these responsibilities will implicitly point to irresponsible behavior. This would stimulate juridical steps to discourage acting in irresponsible ways. Thus the struggle to fend off the dangers threatening humanity and the biosphere can be advanced more forcefully.

A Universal Declaration of Human Responsibilities that is acceptable to a majority of the members of the UN will not be easy to bring about. Yet there is an urgent need for it. Such a Declaration would constitute another pillar in support of the UN's attempt to enhance human dignity and promote peace and harmony within and between societies.
