

Putting the *Charter of Universal Responsibilities* on the agenda of the international community

The need of the international community for a “third ethical pillar” as a complement to the Charter of the United Nations and the Universal Declaration of Human Rights, has been recognised since about forty years. There have been numerous initiatives going in this direction. No one succeeded. These experiences not only reveal the difficulty of achieving such an objective but also show the variety of obstacles that have to be overcome.

The process of framing and discussing a draft Charter of Universal Responsibilities has benefited from these experiences and clarified the challenges to be faced. These are classified here in two categories: 1. specific requirements that should be met by a text stating the “universal” ethics of responsibility; 2. how to achieve its introduction into the international debate and its adoption by the international community. The present proposal is the fruit of fifteen years of work on the issue. RIO+20 comes just at the right moment in this process and therefore the initiative of the Brazilian government is decisive.

1. Specific requirements for a “third pillar”

a) A text stating the universal ethics of responsibility must be embedded in the conscience of societies. Ethics cannot be decreed. It is the result of a long history. Ordinary people must recognize the legitimacy of such a text because it resonates in their hearts and lives.

b) Such a text must have a universal scope; it must apply to different levels: from personal life to world governance, from children to States or multinational corporations; it must also apply to all spheres of life: from the economy to international political relations, from the world of sciences to the environment. (Texts that are too much focussed on one area, like the outlines of earth

Charters framed at the World Summit of 1992, have not yielded results.) The text must provide the foundation on which subsequent international conventions pertaining to particular areas (going from bio-diversity to tax havens) can be based.

c) The text must be the fruit of an inter-religious and inter-cultural dialogue. Time is over for a small number of people guided by René Cassin and Eleanor Roosevelt to transform a Western concept into a universal principle: the Universal Declaration of Human Rights. A universal ethical principle must resonate in different cultures. This is the *conditio sine qua non* for both the adoption by an international multipolar community and the implementation in practice.

d) The text must set forth general ethical principles and not list normative precepts. That is the consequence of its general nature. Confronted with the diversity of situations and ethical dilemmas in real life where moral norms are faced with contradictions and one has to define priorities and make choices, the text must propose ways for making choices. Confronted with the diversity of human activities, it must allow for each one to frame more precise principles and even deontological codes. However, the ethical principle is the foundation of the code, it is not the code itself.

e) As the expression “third pillar” indicates, the text must provide a solid and sustainable foundation on which to build in the course of decennia to come a diversified structure consisting of rules of international law, international conventions applying to the most varied areas, professional codes of conduct, educational programs, contracts, etc. ... Like the preambles of Constitutions, it must express in a perpetual way the foundations of “living together”. In order to be enduring the text must be short and not refer to problems to be solved in the short run, but rather to categories of problems that mark different eras.

f) The reasons for proposing the text now must be stated and refer to a profound change of our societies, to a new human condition that is bound to last. Humanity will have to deal with planetary interdependence, the impact of sciences and technologies, the necessity of making the well-being of all compatible with the integrity of the planet.

g) A general text should not be not a vague declaration of intentions acceptable to all because it does not commit anyone to anything. The ethical principles must prove to inspire a change of behaviour in a wide range of concrete situations, whether this emanates from an individual ethical conscience –the wish to make one’s acts coherent with one’s convictions-, from a contractual agreement –like in ethical codes of conduct adopted by an institution or a profession-, or from rules of law derived from an ethical principle –like those derived from human rights.

h) In its transposition to rules of law an ethical principle must follow three paths: the transposition to national law; the creation of international law endowed with its own institutions and its own mechanism for sanctions; the creation of a cultural atmosphere that favours the emergence of an international jurisprudence that moves from one national juridical sphere to another.

The process that resulted in a draft Charter of Universal Responsibilities was directly inspired by the analysis of these specific requirements. We believe that the idea of responsibility on the one hand and its transposition to a draft text on the other, constitute a satisfactory answer to all the requirements set out above. In particular the ten years of discussions and concrete translations of the principle of responsibility in various cultures and different professions allowed for verification of a certain number of these specific requirements.

2. Conditions for adoption of a “third pillar” by the International Community

a) The adoption of a founding text by the international community is the result of a process. An essential phase in the process is to enter on the international agenda the idea of a text –its necessity-, and a draft text –the realisation of a possible response to this necessity. This phase should be crossed on the occasion of RIO+20.

b) the legitimacy of a draft text is the outcome of three considerations: it is the fruit of a process of intercultural exchanges; it satisfies the specific requirements set out above; it is also sustained by a groundswell in societies and is not only the product of

diplomatic negotiations.

c) the ethical reflections must also be carried by society, hence the importance of the Peoples Summit that will precede the RIO+20 Summit of Heads of State. The ethical questions must be taken up during the Peoples Summit, just as the present deadlocks linked to the weakness of international regulations or of international law. Thus the format and the agenda of the Peoples Summit are part and parcel of the overall strategy.

d) A country that counts in the international arena must take the initiative to put this question on the agenda of the Summit; a country that is capable of imposing it on the diplomatic staff that is actually preparing an irresolute summit for fear of threatening national interests. For a series of reasons it is only Brazil that is in a position to take this initiative for RIO+20.

e) A Brazilian initiative should be backed by a group of like minded countries, preferably from Asia. It should not be Europe at the forefront as it has in the past tended to consider that its own values and only them were universal. But once a group of like minded emerging countries would be formed, Europe would be invited to join
