

*Check against delivery*

Statement by Mary Robinson,  
United Nations High Commissioner  
for Human Rights  
at the

55<sup>TH</sup> Annual DPI/NGO Conference

**REBUILDING SOCIETIES EMERGING  
FROM CONFLICT:  
A SHARED RESPONSIBILITY**

New York - 9 September 2002

Dear Colleagues,  
Ladies and Gentlemen,

I was delighted to be asked to participate in this year's annual DPI/NGO conference. It is a particular pleasure to share a platform with Lakhdar Brahimi with whom my Office and I have worked closely over this last eventful year in Afghanistan.

The theme of your conference - rebuilding societies emerging from conflict – could not be more relevant. You place emphasis on partnership and in particular on the role of civil society -- local and international. This is appropriate. Building modern, democratic, and accountable institutions of government cannot be done without the full participation of civil society. While this is an obvious proposition, it creates a major challenge for many societies emerging from conflict. During conflict, countries are often drained of their brain power. Even after the conflict ends, the society often remains divided along ethnic and political lines; moreover countries that underwent protracted conflicts frequently lack the tradition of ensuring the participation of all members of society in decision-making processes.

As I have witnessed over the last five years, societies emerging from conflict face many difficulties and needs. The topics to be discussed over the three days of this conference: establishing the rule of law and good governance, restarting the economy and the provision of social services, illustrate the scale of needs. Listing the range of issues that will be debated in the NGO workshops on reconstruction is an education in itself. It illustrates how much skill and effort is committed by NGOs to the cause of peace.

In societies that have experienced conflicts, human rights NGOs have played an indispensable role in identifying the most vulnerable, in monitoring the human rights situation before, during and after the conflict, in pinpointing the weakness in the previous system of government, in showing how these weaknesses could be overcome, and in supporting, encouraging and nourishing local human rights initiatives.

Let me pay a special tribute here to the role of women's groups – both international and local women's groups - in peace building. I saw this first hand when I visited Somalia and Rwanda as President of Ireland. But I have really been privileged to see how vital it is

in the many situations of conflict and post-conflict I have witnessed in this job. It was not before time that the Security Council and the General Assembly afforded proper recognition to the leading role of women as actors for peace. As the Irish poet, Eavan Boland, put it: women who had been “outside history” needed to be written back into history – “finding a voice where they found a vision.”

Humanitarian and development NGOs also play a crucial role through such activities as their work for the return of refugees and in helping to create income-generating projects. Such activities are well reported in a new publication by the UN Inter-Agency Standing Committee. “*Growing the Sheltering Tree: Protecting Rights through humanitarian Action*” looks at the contribution of humanitarian workers who often find themselves on the front lines, as they struggle to safe-guard basic rights to food, water, shelter and medical care. The book documents how these workers came to realize that humanitarian assistance involves more than saving lives through the provision of material aid. It includes saving lives in other ways: by helping people to realize rights they have not yet achieved, by empowering people to regain rights that have been taken away and by protecting people from the suffering caused by

armed conflict. The book gives examples of practical and innovative methods developed to promote respect for human dignity, often against overwhelming odds. It tells stories of true partnerships between local communities, NGOs and the United Nations in areas such as family reunion, trafficking in human persons, and property laws.

An example that demonstrates effective partnership between the UN's human rights programme and the NGO community is that of Sierra Leone. Since 1998, the national NGOs have taken a courageous lead in monitoring and reporting on the human rights situation in that country. It has been the UN's privilege to assist them develop their skills and capacities. More recently, the national NGO community, assisted by international human rights groups and with support from OHCHR, has led a national public information campaign about the Truth and Reconciliation Commission. All acknowledge that without this NGO leadership the efforts to get across the message of the Commission to the people of Sierra Leone would have failed.

Dear Colleagues,  
Ladies and Gentlemen,

It is worth reminding ourselves of the obvious. Unfortunately, the full spectrum of human rights violations tends to be revealed during conflict. Frequently a conflict has its origins in patterns of discrimination. The conflict itself, with its targeting of the civilian populations, constitutes an assault on all forms of human rights. Furthermore, conflict, not least because of the related destruction of national infrastructure, undermines the capacity of the State in the future to carry out its responsibilities for the promotion and protection of the rights of its people.

It would be far better, therefore, if we could learn how to prevent large-scale deadly conflict rather than pick up the pieces afterwards. The Secretary-General has pledged to move the United Nations from a culture of reaction to a culture of prevention. Prevention must be a priority for all - including NGOs. How many lives would have been saved, how much development advanced, had even a fraction of the funding needed to bring an end to deadly conflicts been used in their prevention? How much suffering could

have been avoided if the international community had summoned the will to act effectively over gross violations of human rights which so often foretell deadly conflict? It is estimated that at least half of ongoing conflicts today are in fact relapsed old conflicts. That sobering figure emphasizes that there is a direct link between building peace and preventing future conflict.

Given the often causal link between conflict and abuse of rights, it is clear that effective rebuilding of societies must pay serious attention to the establishment of strong systems for national human rights protection. It is also necessary to confront injustices of the past in order to provide a basis for a future built on justice and reconciliation.

In the first place it is the state which has the responsibility to face these challenges. It alone has the legitimacy and the ability to design a future properly attuned to the needs of its people. Without this local leadership, efforts are destined to be piecemeal, of limited effect and unsustainable.

When I speak of the State I refer to all of its components – not just the Government, but also its Parliament and its civil society,

including its NGOs. It is our experience in human rights work that NGOs have a lead role to play at the heart of the post conflict reconstruction efforts in all situations in which they have a presence.

## **Protection**

One of the main issues to be addressed in the immediate aftermath of conflict is protection. With the formal end of hostilities, revenge attacks often occur. Some previously powerful groups suddenly become vulnerable. National protection systems are often weak or non-existent after a protracted conflict. As their rehabilitation takes time, there is a need to think of solutions for the short and medium term.

Protection in this context can mean the presence of an international security force. Such presence could deter violence, especially as warring factions become increasingly keen to establish their legitimacy after the conflict ends. But international forces are not present in many post-conflict. Often the humanitarian and development agencies constitute the only international presence. It becomes extremely important to establish proper links with these groups and to ensure that humanitarian and

development groups are human rights-sensitive and assume an appropriate responsibility towards the protection needs of the population they serve.

Speaking, as I am, just before Mr. Brahimi, the case of Afghanistan comes to mind. Human security remains the most pressing issue in Afghanistan today. The presence of the International Security Assistance Force (ISAF) provides relative security in Kabul. But the rest of the country remains unsafe. I welcome the indications that the International Force may now be extended beyond Kabul and urge that this is imperative, precisely as a measure of prevention.

Protection also means enhancing national capacity. It seems to me that we all, Government, civil society and the UN, got it right in Afghanistan in terms of how to build a strong post-conflict human rights culture. To enhance national protection, my Office supported the establishment of the National Human Rights Commission in Afghanistan. This important institution is part of the Bonn Agreement which was signed by the Afghan parties on 5 December 2001. Although this institution has enormous potential, it is still in its infancy. Afghans, especially in the NGO community,

have taken a lead and the human rights teams of my Office and UNAMA work in support of them. We must continue to give priority to assisting the Afghan national NGO community to further develop its own capacity in the working groups on womens rights, on human rights education and on transitional justice.

## **Justice**

Which leads me to another thorny issue in a post conflict situation, the hunger for justice.

Any society emerging from conflict must face the issue of how to address the human rights violations committed in the recent past. Ignoring these abuses runs the risk of repetition as impunity continues to reign. Accountability for these abuses is thus not only a question of seeking justice for past events, but also a forward - looking strategy for the future.

Let me refer, in this context, to the central role of the International Criminal Court (ICC). The ICC Statute is based on the principle that international prosecution complements national efforts. The ICC statute encourages the emergence of national legal

and judicial systems that are willing and capable of prosecuting these crimes in accordance with international standards. Support for the ICC, therefore, means not only support for international prosecution, but above all a commitment by those States that are a party to the Statute to establish proper, effective, and fair legal systems that can conduct trials in accordance with international standards. It is sad to see some current undermining of the legitimacy of the ICC, but I believe this is a short term problem which will not impede the vital work of this first international institution to tackle impunity for gross violations of human rights.

Let me turn to the positive experiences of local justice in Sierra Leone and East Timor where my Office has been involved with NGOs in supporting the establishment and functioning of truth and reconciliation commissions. Our efforts were particularly aimed at ensuring that those truth commissions would be authentic responses to domestic needs, would be established by law, comply with fundamental principles of human rights, be independent, and be equipped financially, politically and technically to discharge their mandates.

In both these countries, the commissions are complemented by the efforts of courts to prosecute most serious violations. This balance ensures that there is no impunity for war crimes, crimes against humanity and genocide. It also respects the right of nations to learn the truth about past events. Full and effective exercise of the right to the truth is essential if recurrence of violations is to be avoided. In Sierra Leone the Special Court has been established to try the most egregious crimes and it will function in close co-operation with the Truth and Reconciliation Commission. In East Timor the problem is more complex, and quite worrying. The Serious Crimes Court in Dili is working well, but there is widespread anger and frustration at the proceedings of the Ad Hoc Human Rights Court in Jakarta.

Two weeks ago, while visiting East Timor, I was conscious that the whole population is seething about the lack of justice for the worst crimes in 1999, while the UN was preparing for the popular referendum that led to the independence of East Timor. It is hard to have a healing process in such circumstances, and yet I saw it happening. I had the privilege of attending the first community reconciliation meeting of the East Timor Reception Truth and Reconciliation Commission.

We travelled to a small village near Liquica outside Dili. Hundreds of locals came, headed by their traditional leaders as well as a regional representative of the Truth Commission. We gathered in a large open air thatched hut. At its centre was an arrangement of coconuts and other symbols to be used in the ceremony. After an introduction by the regional commissioner, three perpetrators of minor crimes during the 1999 violence came forward and confessed. They spoke frankly; freely admitting both guilt and remorse. They were listened to respectfully - of course there were a few heckles but these made even the perpetrators smile. When they finished speaking, villager after villager stood up and addressed the gathering. We listened to a woman whose house they had burned down. Another who had been threatened by them. Remarkably, every speaker urged that they be forgiven and, time and time again, the villagers insisted that these culprits were themselves the victims of a nation-wide campaign of indoctrination and hate.

We left the ceremony while the leaders were considering what symbolic punishment should accompany the act of forgiveness,

and so I can not tell you how the ceremony concluded. But during the part of the event which I witnessed, I could sense the relief within the community - it was facing its past and coming to terms with the dark side. There was a palpable feeling that life could now move on.

I tell this story not just to record a remarkable and, for me, emotional, human moment - what is more important is that it is a concrete contemporary story of forgiveness and reconciliation in practice. People can do it. It need not take years. And all our efforts to promote processes of truth and reconciliation are worth the effort.

But Truth and Reconciliation Commissions cannot work in a vacuum. The entire legal and judicial system of countries emerging from conflict often requires rehabilitation to ensure that human rights are protected by law, to be applied by independent and impartial courts and enforced by a professional police. The promotion of the rule of law is therefore a main objective of many of OHCHR technical cooperation programmes.

Dear Colleagues,  
Ladies and Gentlemen,

Let me repeat. Our efforts cannot succeed without a strong NGO community. And let me illustrate with the case of Cambodia which I visited last month. The NGO community in Cambodia is very young. It developed after the 1991 Peace Agreements and the arrival of UNTAC. UNTAC played a major role in facilitating the establishment of the first human rights NGOs. Since 1993, OHCHR has worked closely with local activists to assist them to build their capacity to monitor and investigate human rights violations, to provide education and training to officials and the general population, to develop their legal skills, report on the human rights situation, and establish coalitions to coordinate their actions on human rights issues.

Over the past decade, Cambodian human rights NGOs have blossomed into a vibrant community that provides services to the most vulnerable sectors of the population. NGOs work in cooperation

with the Government on the drafting of new legislation protecting human rights (for example on criminal procedure, domestic violence, and trafficking). At the same time, the local NGOs provide independent criticism of government policies and action when human rights are infringed.

So far, I have stressed the work of national NGOs. But, as I leave this job, let me take this opportunity to pay tribute to you, my international NGO colleagues and friends. I cannot count the number of times that you provided me with valuable information and insights.

As you may know, before each of my country missions, I invited NGOs to meet with me for briefing in Geneva. These meetings have been very useful, and frequently shaped the agenda of the meetings in the countries concerned. I have also benefited from the human rights research and analysis done within the NGO community.

The day after tomorrow, I will re-join the human rights struggle as a private citizen. I would like to bring the experience I have gained over the past five years into two particular areas. I want to re-inforce the point that human rights is not about words and rhetoric – though we hear a lot of rhetoric!- but rather that it is a system of legally binding rules. I propose to bring that normative framework

into the debate on globalization, and work with others to shape a more ethical globalization.

Secondly, I would like- in a low key way - to help fill the gap which troubles me in human rights at the international level. We still do not put enough emphasis on helping developing countries to build their own national protection systems for human rights. This requires resources, both financial and intellectual. Also the building of a national protection system must be country-led, requiring both the political will of the government and the involvement of civil society. And help from the outside must be offered in support, so that the approach is truly sustainable. I admire the “light footprint” which Lakdar Brahimi insists on in Afghanistan! Working in these two areas is likely to keep me busy for the foreseeable future.

Meanwhile, reflecting on the past five years, it has been an incredible honour and privilege to serve as UN High Commissioner for Human Rights. It has brought home to me that this post has a unique position in the UN system, because it serves- more perhaps than any other post- the first three words of the Charter “ We the peoples”.

