



# **4<sup>TH</sup> WORLD FORUM ON HUMAN RIGHTS**

*In a world in crisis, what about Human Rights?*

**NANTES - FRANCE** **JUNE 28 TO JULY 1, 2010**  
**NANTES MÉTROPOLE INTERNATIONAL CONVENTION CENTRE**

*From universal principles to local action*

# 4<sup>TH</sup> WORLD FORUM ON HUMAN RIGHTS

Every two years, in Nantes, France, the World Forum on Human Rights opens a large public debate on issues that are of critical importance for the present and future of human rights. As the 4<sup>th</sup> Forum approaches the world is experiencing severe crises: a food crisis, and economic and social crisis, and even a moral and political crisis. The Forum to be held in 2010 will therefore look at the consequences these crises may have on human rights. Will we see a human rights crisis as well? The Nantes Forum will also examine how human rights may contribute to finding feasible solutions.

It is during times of crisis that the need to promote, protect and enforce human rights makes itself felt most strongly. But this requires a collective effort on the part of all components of the international community, from large institutions to individuals, whether organised into networks or working separately. This effort includes national governments, which must ensure compliance with the pacts and conventions they have adopted and ratified, and of course local governments. Now that almost 50% of the world's population lives in urban areas, local government are organising themselves into transnational networks to meet these challenges more effectively.

To play an active role in this collective enterprise, Nantes has been hosting the biennial World Forum on Human Rights since 2004. As with the previous three forums, **the 4<sup>th</sup> will be held at the Nantes Métropole International Convention Center, from June 28 to July 1, 2010.**

## AN INTERNATIONAL INITIATIVE BACKED BY A “COALITION” OF LOCAL GOVERNMENT

Since the 1<sup>st</sup> World Forum on Human Rights in 2004, the objective has been to develop a novel approach that combines both theory and practice, which in the past have often tended to ignore and conflict with each other. And yet it is only by combining thought and action that we will be able to find the most appropriate and effective solutions to the challenges that must be met in defending human rights.

The World Forum on Human Rights was created under the initiative and with the support of the Social and Human Sciences Sector of UNESCO (the United Nations Educational, Scientific and Cultural Organisation), then headed by Pierre Sané. Since 2008, the Forum has been organised by the **International Permanent Secretariat on Human Rights and Local Governments (see page 3).**

## A FORUM FOR SHARING KNOWLEDGE, FORGING NETWORKS AND EXCHANGING BEST PRACTICE

The objective of the World Forum on Human Rights is not to adopt resolutions or make declarations, but to provide a framework for open debate and the exchange of different points of view. Nor does the Forum seek to draw up standards for protecting human rights or monitoring compliance, since this is the responsibility of the authorities and institutions entrusted with these tasks. The Forum's modest yet ambitious goal is to provide a new venue for **broad thinking and intensive discussion on human rights issues, and for above all promoting best practice** towards advancing human rights.

All too often, those involved in defending human rights work separately, in isolation. This is why the Nantes Forum encourages the **exchange of ideas and the sharing of knowledge.** It enables participants to meet others, launch discussions, **forge networks** and agree on how joint actions may be conducted and followed up.

Because without solidarity between all who work to promote, protect and enforce human rights we will not be able to meet the current and future challenges. Although the level and nature of responsibility can of course vary greatly, between national governments and individuals, the international community is linked by a common responsibility that should encourage everyone to act. The Nantes World Forum thus seeks to reaffirm this sense of solidarity and responsibility, with an emphasis on taking action in local communities, since it is here that the actual effectiveness of human rights can be seen.

## GIVING LOCAL GOVERNMENTS A SAY

Since cities, counties, provinces, departments, regions – according to the political organisation specific to each country – are in direct contact with citizens locally they are in a good position to take more effective action in defending human rights, in cooperation not only with other local actors – such as educators, researchers, trade unions, associations and NGOs – but also increasingly with national and international human rights organisations.

For some years now, local government have been joining forces to build networks, make their voices heard and play a growing role in decisions made at the national and international levels. They can even sometimes act as a counter-balancing force against a national government, and sometimes, unfortunately, can also serve tyrants. Whatever the case, local governments have become full-fledged actors in the discussion on human rights, in between the approach of the States and of the individuals or organisations fighting for respect and implementation of these human rights.

The Nantes World Forum on Human Rights thus seeks to reflect the ever-increasing role that cities and other local government are playing in the area of human rights, while raising the questions of their diplomatic influence and their capacity to organise themselves and participate effectively in the international solidarity networks that are so essential to advancing human rights.

This is why the Nantes Forum provides a **platform that enables all types of organisations to work together, on an equal footing, to promote and defend human rights, with an emphasis on local action**. By bringing people together and promoting discussion, the Forum seeks above all to further the exchange of ideas, experience and knowledge to strengthen cooperation between all who work to defend fundamental human rights within their local communities, regions, countries and throughout the world.

## THE INTERNATIONAL PERMANENT SECRETARIAT ON HUMAN RIGHTS AND LOCAL GOVERNMENTS

**The International Permanent Secretariat on Human Rights and Local Governments** is a not-for-profit “Loi 1901” association based in Nantes.

The Permanent Secretariat (aka SPIDH), and consequently the World Forum on Human Rights, were made possible by the unwavering support of a “coalition” of local government that includes Nantes Metropole (representing the Nantes urban community), the Pays de la Loire Regional Council, the Department of Loire-Atlantique and the City of Nantes. The Forum is also supported by the French Ministry of Foreign and European Affairs, the International Organisation of La Francophonie, and the Caisse des dépôts.

Like the Forum itself, the Permanent Secretariat’s board of directors reflects the diversity of the various actors in the area of human rights, and includes, for example, representatives of political organisations, non-governmental organisations, educational institutions and legal experts. SPIDH’s president, Emmanuel Decaux, is a professor of law at the University of Paris II Panthéon-Assas, and a member of the Advisory Committee of the UN Human Rights Council.

In addition to organising the World Forum on Human Rights every two years, the Permanent Secretariat has the broader mission of forming and leading a network of people who work to defend and implement human rights, and particularly at the local level. As a member of the global federation United Cities and Local Governments (UCLG), SPIDH has, since November 2007, been heading a working group on human rights composed of local government from all over the world. Furthermore, now that the City of Nantes has been made a “Human Rights Hub” within the Global Alliance of Cities Against Poverty, which is headed by the United Nations Development Program (UNDP), SPIDH is responsible for overseeing the Human Rights Hub on behalf of the City of Nantes.

The 3<sup>rd</sup> World Forum on Human Rights, which SPIDH organised in 2008, brought together over 2,500 speakers and participants (compared with 1,200 in 2006) representing some 100 different nationalities.

# WHO CAN PARTICIPATE?

The Nantes Forum is open to the general public, free of charge. Its objective is to bring together all categories of actors in the area of human rights and provide an environment where they can cooperate on an equal footing. As in the past, the 4<sup>th</sup> Nantes Forum will feature discussions on current human rights issues with:

- **Public authorities** at the local, national, regional and international levels, representatives of governments, parliaments, cities, inter-governmental organisations, as well as national human rights commissions and national institutions for the defence of human rights.
- **Representatives of civil society**, non-governmental organisations, associations, trade unions, foundations, defenders of fundamental rights and the media.
- **Human rights institutions and specialists**, lawyers and experts working with national, regional and international organisations, and educators and researchers in the field of human rights.
- **Representatives of the business community**, and in particular multinational corporations and economic development agencies.

All of the above are invited to help prepare the programme for the Forum and participate in its organisation, for example, by proposing round tables or conferences.

# HOW CAN I PARTICIPATE?

The Forum provides a place where all can come to meet and openly discuss issues that concern the implementation and defence of human rights. The Forum includes:

- **Plenary sessions, organised by the Permanent Secretariat and its partners, in accordance with the Scientific Committee's recommendations.**

Each plenary session will present an overview of one of the major themes selected by the Scientific Committee (see below). The more specialised themes will be discussed at the round tables. Plenary sessions will be held in French, English and Spanish, the Forum's three official languages.

Regardless of their geographic origin or category (e.g. public institution, university, trade association, NGO, etc.) the organisations represented at the plenary sessions may propose the following activities and events:

- **Round tables proposed and organised by participants.**

Round table meetings enable more in-depth discussion of specific aspects of one of the three main themes. They may be organised by any organisation willing to attend the Forum, regardless of category, and held in French, English and Spanish. The Nantes International Convention Centre has facilities to simultaneously accommodate five round tables with interpretation if necessary. Other rooms may also be made available to participants, but without interpretation.

- **Cultural events, exhibitions, and other events**

Participants and the Organising Committee can also propose other events and means of participation. One example are cultural events that reflect cultural diversity and contribute to our understanding of others and to mutual respect between the various peoples and cultures represented. Participants are also invited to organise exhibitions. Proposals for exhibitions must be submitted to the Scientific Committee and the Organising Committee for review and approval (see below).

## **RULES APPLYING TO THE SELECTION AND ORGANISATION OF ROUND TABLES, CONFERENCES AND EXHIBITIONS**

**The World Forum's objective is to further the cause of human rights, in accordance with the common ideal expressed in the Universal Declaration of Human Rights of 1948.**

Round tables must address one of the three main themes selected for the World Forum. They may be held in the morning or the afternoon and are expected to last 2 ½ hours, to enable in-depth debate and discussion with the public.

Those who organise round tables or conferences must submit their proposals to the Scientific Committee for review, while indicating the nature of their organisation and including a detailed description of the theme to be discussed (at least one typewritten page) and the number and title of any speaker or speakers invited to participate.

Once this proposal has been approved, the organiser becomes entirely responsible for the round table or conference, including the payment of all expenses required for its preparation.

Round tables, conferences and exhibitions must not include any content that:

- is aggressive or in violation of others' rights
- justifies or encourages hatred, hostility or violence based on national, ethnic, racial, sexual, religious, cultural or linguistic differences
- encourages or legitimises the disruption of law and order, terrorism or any act of violence.

Each round table is led by a moderator, who must ensure that no one is allowed to talk for more than two to three minutes at a time. If necessary, the moderator may grant a right of reply of no more than two minutes.

The terms and conditions to be observed when organising round tables, conferences, exhibitions and cultural events are described in detail on the registration and participation form attached with this document.

## **A REPRESENTATIVE ORGANISATION**

The following two committees are responsible for preparing the Forum:

**1. The Scientific Committee**, which makes recommendations concerning the Forum's general framework, its programme and the themes to be discussed at the plenary sessions. This committee also recommends criteria for selecting participants, key speakers and the proposed round tables and workshops. The Scientific Committee is composed of 30 members who represent all categories of Forum participants (see members below).

**2. The Organising Committee**, which is composed of the Permanent Secretariat's board of directors and permanent staff members, and representatives of the various partners. The Organising Committee makes decisions concerning organisational matters, in accordance with the Scientific Committee's recommendations, and decides on practical matters dealing with participation in the Forum, cultural events, communication and relations with the media.

# ONLINE WORKSHOPS

To facilitate the preparation of the round tables, a collaborative website (in French, English and Spanish) was set up at the following address:

**<http://www.spidh.org>**

It provides the following basic information:

- An introduction to the Permanent Secretariat and its partners
- 4<sup>th</sup> World Forum on Human Rights themes and other information
- Online registration forms for the 2010 Forum
- Database of documents and archives on the previous three forums
- Discussion list
- Newsletter, and more.

But above all **www.spidh.org** has an extranet that provides a platform for working collaboratively in online workshops that are open to anyone interested, wherever in the world they may be.

**This free service** is available to anyone with a personal access code.

When a user has been approved by the site's administrator he or she may use the collaborative platform to:

- register for an online workshop
- set up their own online workshop
- set up a personal workspace and subsequently modify workshop options.

## SHARING INFORMATION

An online workshop is a virtual workspace that brings together participants (or "contributors") to consider a common subject of interest, such as a round table theme. Online workshops are open to everyone, even those who do not attend the World Forum on Human Rights. They can therefore be used to prepare or pursue a discussion before, during or after the Forum. Individual participants and user groups must identify themselves on the home page using their registration form and login.

Each workshop is managed by a moderator who volunteers to do so and who is, for example, the head of an organisation that wishes to organise a round table at the next Forum. The moderator is responsible for administering the workshop, regulating discussions and contributions if necessary, making sure they are relevant and prohibiting any remarks that show disrespect for human dignity and rights. The moderator is the website administrator's correspondent and submits contributions for approval for posting online.

Participants in an online workshop are provided with practical and simple information and communication tools that include a document centre, discussion list, messaging system and common calendar. Using these tools they can:

- make a document exclusively available to workshop participants
- propose a discussion thread on a given theme, in a list accessible only to workshop participants
- consult the common workshop calendar
- send e-mail to the other workshop participants.

To facilitate access to information, all workshop participants receive an e-mail alert whenever a new contribution is posted.

**Should you be interested, please contact the site's administrator:**

Amanda Rio de Pedro, SPIDH, tél. +33 (0)2 51 83 70 07. Courriel : **[a.riodepedro@spidh.org](mailto:a.riodepedro@spidh.org)**

# THE GLOBAL CHARTER-AGENDA OF HUMAN RIGHTS IN THE CITY:

## LET THE DEBATE BEGIN!

It has become widely recognised that national governments, and therefore public authorities, have a three-fold obligation to respect, implement and protect human rights. Public authorities must not only respect these rights but also ensure they are respected by others, including private individuals. They must also implement these rights, which means using all appropriate means to ensure they are observed as effectively as possible. And this applies not only to civil and political rights (CPR) but to economic, social and cultural rights (ESCR) as well.

Cities and other local governments are “public authorities” that can make a difference – especially in the economic, social and cultural spheres – by developing rights in such areas as housing, health, employment, education, culture, leisure and local democracy, particularly when we consider that most ESCR require progressive realisation. It is noteworthy that the UN Committee on Economic, Social and Cultural Rights now systematically refers to the “obligations of actors other than States parties” and those of local authorities in particular.

To effectively address human rights issues at the local level will require widespread mobilisation of the public and private sectors, through initiatives, innovative partnerships and new forms of solidarity that promote the “desire to live together”. Among other things, this will require an inventory of the “best practices” being developed, whether within an institutional framework or informally.

This is one of the key goals of the International Permanent Secretariat on Human Rights and Local Governments (SPIDH), the organiser of the World Forum on Human Rights. SPIDH gives priority to action at the local level (Human Rights in the City) and to the role that “local governments” may play in promoting human rights as they work in partnership with local organisations and individuals, either alone or in networks. Examples of such networks include the European Cities for Human Rights Conference, the International Coalition of Cities Against Racism, the World Alliance of Cities Against Poverty (a UNDP programme) and United Cities and Local Governments (UCLG).

As a member of UCLG, SPIDH coordinates the Human Rights and Local Governments working group, whose main task is to prepare the Global Charter-Agenda on Human Rights in the City. This working group reports to the UCLG Social Inclusion and Participative Democracy Commission, chaired by Ricard Gomà, the deputy mayor of Barcelona, Spain.

Charter-Agenda, which was drafted by a committee of international experts, is currently under public debate. You may participate in this debate and contribute your observations, criticism or suggestions at <http://www.spidh.org/fr/la-charte-agenda/index.html>

The objective is to agree on a final version to be submitted to the approval of delegates at the next UCLG conference, to be held in Mexico in Autumn 2010.

# IN A WORLD IN CRISIS WHAT ABOUT HUMAN RIGHTS?

## THE 2010 FORUM THEMES

After the food crisis that hit many countries so severely, toward the end of 2008 the world was confronted with a general economic and social crisis of a scale not seen since the last world war. The result of a breakdown in the international financial system that initiated in the United States, like a shockwave this crisis has “globalised” and spread from country to country.

As this economic and social crisis in turn feeds a moral and political crisis (and vice-versa), the world now finds itself in a situation of chronic instability that has shaken many optimistic certainties about the future of human societies as the 21<sup>st</sup> century gets underway. Although the effects of the economic crisis are very different from one region of the world to another, its consequences are dramatic for the most vulnerable populations in the developing, emerging and developed countries. These consequences may also have political implications, as frustrations find an outlet in nationalism and cause regional confrontations and crises throughout the world.

Given the seriousness of this situation, political and economic leaders are working to find a way out of the current crisis, which will severely compromise the goal of achieving sustainable development that will respect natural resources and the needs of humankind and will also pose a long-term threat to peace and well-being in some parts of the world. In the richest countries, the national government has even returned to play the leading role, although sometimes reluctantly, in putting out the fire and setting right a system that has gone mad. But there is now less confidence in national governments, since they were unable to provide the governance that could have prevented the excesses and abuses within the financial system that ultimately led to the crisis.

This is why a growing number of individuals, intellectuals and political leaders are now questioning even the very legitimacy of an economic model that has been commonly accepted until now. And many people now doubt that national governments will be able to sustainably “moralise” financial capitalism, which continues to produce more inequality.

In response to this situation, and considering the extreme difficulty the international community seems to have in undertaking concerted action, can human rights offer some solution? We may even wonder, given the major disruptions in today’s world, whether these rights are still considered to be an imperative, as described by Kofi Annan<sup>1</sup> in 2005, when he made human rights one of the three pillars of a renewed system that would serve the cause of peace: “[...] development, security and human rights go hand in hand. [...] Not only are development, security and human rights all imperative; they also reinforce each other. This relationship has only been strengthened in our era of rapid technological advances, increasing economic interdependence, globalisation and dramatic geopolitical change.” Now, after the failure of the United Nations reform in 2005 and the global crisis of 2008, a truly “democratic governance” of the planet, based on commonly defined values, is more necessary than ever.

<sup>1</sup> Kofi Annan, Secretary General of the United Nations, in a report on United Nations reform in 2005:

*In larger freedom: towards development, security and human rights for all,*

<http://www.un.org/french/largerfreedom/>

<http://www.un.org/largerfreedom/>

<http://www.un.org/spanish/largerfreedom/>

Considering these new challenges, the question of the potential role of a “Human Rights” approach is now more relevant than ever. We must first of all ask this question to national governments and the international community, given their responsibility for the current situation, it being widely acknowledged that the poor governance that enabled the financial and economic crisis that erupted in 2008 is responsible for many human rights violations observed worldwide. But this is also a question for cities, regions, provinces and other local government, which now intend to apply human rights as an imperative when defining local public policies, as well as for corporations, financiers and large property owners, since globalisation has too often resulted in “social dumping”, offshoring, unemployment and social exclusion. Lastly, this is a question for each and every one of us, wherever we may take action, either collectively or individually.

To take the full measure of the current crisis and its potential threats, and make clear the reasons why we must take action together, the 4<sup>th</sup> World Forum on Human Rights has decided to focus on the following three main themes:

- The importance of defending the various forms of freedom of expression – political freedom, freedom of information, conscience and conviction – against oppression and intolerance.
- Individual identity, diversity and respect for minorities, to develop the “desire to live together”, at the local and international levels.
- The critical role that employment, defending labour law and the right to work can play in the current crisis.

And, for the first time, in partnership with the European Lascaux programme:

- The imperative need of food security and access to land for the most disadvantaged populations, which are hardest hit by the current crisis, economically and socially, as well as environmentally, mainly as a result of global warming. This will be the subject of the From Land to Food / From Values to Rules colloquium, to be held June 28 and 29, 2010.

The Nantes Forum will be looking at the latest developments in all of these areas. The objective is not only to point out and denounce setbacks and attacks against rights and justice that have increased since the economic crisis, but also to defend the “common ideal” expressed in the Universal Declaration of Human Rights: the hope that people working together, either individually or within local, regional, national or international organizations, will succeed in building a world that serves human needs, based on the values of freedom, equality, justice and solidarity.

# MONDAY, JUNE 28, 2010

## **FROM LAND TO FOOD / FROM VALUES TO RULES COLLOQUIUM (PART 1)**

(see description on pages 14 and 15).

A plenary session in two parts:

**9:30 AM - 12 PM:**

**PRODUCTION (ECONOMIC ASPECTS).**

**2:00 - 4:30 PM:**

**PROTECTION (ENVIRONMENTAL ASPECTS) AND PROGRESS (SOCIAL ASPECTS).**

## **1. YOUNG CITIZENS OF THE WORLD AND HUMAN RIGHTS**

(programme under preparation)

### **OPENING CEREMONY**

In the evening

# TUESDAY, JUNE 29, 2010

## **FROM LAND TO FOOD / FROM VALUES TO RULES COLLOQUIUM (PART 2)**

**9:30 AM - 12 PM:**

**TWO WORKSHOPS, HELD SIMULTANEOUSLY.**

**2:00 - 4:30 PM:**

**SUMMARY AND CLOSING.**

## **1. IDENTITIES AND MINORITIES – LIVING AND ACTING TOGETHER, IN DIVERSITY**

Equality of all human beings, in both dignity and rights, is an inviolable principle that is asserted in the very first article of the Universal Declaration of Human Rights. And yet this universal principle is continuously called into question by the diversity that is inherent in most human societies. There are many causes of this diversity, ranging from the various historical and geographical factors that have shaped the world's peoples, nations, ethnicities and communities, to more personal characteristics and choices with respect to such things as philosophical and religious beliefs or sexual orientation.

This diversity is the source of frequent demands that arise from the affirmation of individual or group identities. An identity, which can be defined as "...a structured and differentiated system that is rooted in the past, shapes and coordinates current behaviour and offers a future that is legitimated by a common objective, ideals and values. It [identity] structures the multiple aspects of individual identity – such as physical or emotional identity – and group identity, such as role or status within the group"<sup>2</sup>.

In order to implement human rights, we must therefore be able to reconcile the goal of equality for all human beings, which is a universal and abstract principle, with the need to respect multiple, and sometimes contradictory, cultural and personal identities. And we must do this as the globalisation of the world's economy and migrations brings together peoples of very different origins and lifestyles and sometimes causes tense situations which are regularly related by the media.

The economic crisis has made the fight for universal human rights more important than ever, since there is a risk that some communities or groups of individuals will retreat into isolationism, for real or imagined reasons, in reaction to what they perceive as a “levelling” or even a denial of their specific identity. In some extreme cases, this reaction can result in hatred for anyone who is different and even violence.

What is even more disturbing is the moral relativism that these times of crisis and profound change tend to encourage, which leads some people to put the affirmation of their identity above the principle of equality between human beings, in the name of freedom and the “right” to be different. This opposition, which can be expressed both individually and collectively, sometimes pushes entire nations into conflicts that are fuelled by political and/or religious ideologies, resulting in a “clash of civilizations” that has been announced as if it were unavoidable.

Yet in some parts of the world there are native peoples or ethnic groups whose identities are repudiated and are even subjected to brutal repression to prevent them from making any demands that could pose a threat to a state’s sovereignty and territorial integrity. Often this national unity is simply a pretext for defending a dominant group’s interests.

Some types of discrimination against minorities can also be found in democratic societies. In the European Union, for example, a survey completed in April 2009 by the European Fundamental Rights Agency (FRA) on discrimination and racist crimes committed against immigrants and ethnic minorities revealed that discrimination, harassment and violence of a racial nature is much more common than official statistics suggest. Indeed 55% of the immigrants and members of minority groups surveyed by the FRA consider that racial or ethnic discrimination is common in their country of residence and 37% feel they have been a victim of discrimination over the past 12 months. Furthermore, during this period 12% of the survey respondents were victims of a racist crime. And yet, 80% of these people did not report these crimes to the police.

In Europe, Romas reported the highest rate of discrimination, with one person out of two claiming to have been discriminated against over the past 12 months. High levels of discrimination are also reported by Sub-Saharan Africans (41%) and North Africans (36%). For more information see <http://fra.europa.eu/eu-midis/>

We must also take into account the “multiple discriminations” to which some people, especially women, are exposed. This is because a person can be oppressed not only for the colour of their skin but also their gender (as many women unfortunately throughout the world have learned) and/or their sexual orientation. Who and what we are and the lifestyle choices we make can sometimes make it very difficult to live free and equal to others in dignity and rights.

In all of the above cases, reconciling human diversity with the universality of human rights will be a major challenge in defending these rights against those who oppose them with the argument of moral relativism. How can we respect the principle of equality between all human beings while living with others in society and respecting their diversity? In response to those who attempt to instrumentalise our differences, will we be able to work together and use these differences positively to build a constructive dialogue?

## **POSSIBLE SUB-THEMES FOR ROUND TABLES (non-exhaustive list)**

- **The right of indigenous peoples and ethnic minorities to cultural diversity**
- **Indigenous peoples and their rights to natural resources**
- **The condition of religious minorities throughout the world**
- **Immigration, diversity and citizenship**
- **Identity and diversity – developing citizenship in countries with high ethnic diversity**
- **Human rights, biomedical technologies and ethno-racial identity.**
- **Homophobia and the criminalisation of sexual orientation**
- **Cities and local governments as actors against racism and discrimination** (see the International Coalition of Cities Against Racism and the cities network of the EU’s Fundamental Rights Agency / FRA...)
- **Romas, citizens of the European Union and victims of discrimination**
- **Organ donations – identity issues, the weakness of the social bond and the promise of new forms of fraternity** (proposal under preparation which associates the Group of reflection “Demain la Greffe”, the French Ministry for Foreign and European Affairs, The Biomedecine Agency, the French national commission for UNESCO, the French national advisory commission on human rights and the MACIF)

...

# WEDNESDAY, JUNE 30

## THE CONSTANT STRUGGLE TO PROTECT FREEDOM OF EXPRESSION AND OPINION

The freedoms of expression, conscience and conviction go hand-in-hand with democracy. They are fundamental individual and collective rights recognized by the Charter of the United Nations, the Universal Declaration of Human Rights, The International Covenant on Civil and Political Rights (articles 18 and 19) and the Millennium Declaration of September 2000 (art. V). These freedoms not only give everyone the right to express their thoughts, ideas and beliefs, and to worship the religion of their choice, but also to be informed and to inform others and to convey knowledge and ideas with no other restrictions than those that are “prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.” There is a close link between obeying one’s personal conscience and the law, and freedom of conscience, for example, which is an inalienable right, may, in some extreme cases, be indissociable from conscientious objection.

The debate concerning the exercise of these “intellectual” freedoms has recently been revived and renewed. This is the result of advances in information and communication technologies and also political factors. In the current context of tense international relations, which some people attribute to a “clash of civilizations”, the strengthening of authoritarian theocracies and the resurgence of politico-religious ideologies have tended to repress the freedoms of expression, thought, belief and worship.

In addition, legislation enacted to counter the “terrorist threat” sometimes results in vague incriminations that strengthen government control over individuals and their ideas and over the press. The first thing that authoritarian regimes attack is the freedom of the press and other media, and journalists and intellectuals who defend human rights have been paying a very heavy price across the world.

It is therefore clear that the fight to protect freedom of expression and opinion is a never-ending one. Yet freedom of expression is the only right that carries with it specific “duties” and “responsibilities” by virtue of international law. Now that the global economic crisis has caused many people to perceive globalisation as an even greater threat, there has been a resurgence of communitarianism and nationalism that has strengthened opposition to migrant populations and minorities and increased the incidence of racist, xenophobic and discriminatory reactions. These reactions sometimes unfortunately go beyond words. In any case, they always begin with hate speech and a call to violence. Such language is increasingly being expressed unblushingly in the public arena, and even in the press, in violation of national or international legal standards<sup>3</sup>. And this can be seen all over the world, on every continent. Furthermore, the global information technology revolution provides almost unlimited possibilities not only for immediate and unprecedented freedom of expression and creation, but for the dissemination of hate speech as well.

So what is the best way to ensure that human rights are observed, while defending fundamental freedoms and prohibiting expression that encourages hatred and violence? Since they determine our ability to think and express ourselves and our freedom to believe or not to believe, these “natural” rights are the very foundation of our humanity. In today’s increasingly complex and fast-changing world, what roles can those who defend human rights play to protect these rights, either separately or collectively and at the international and local levels?

## POSSIBLE SUB-THEMES FOR ROUND TABLES (non-exhaustive list)

- Freedom of expression, diversity and media independence
- Religions, democracy and freedom of expression
- Limits to freedom of expression in democratic society
- Freedom of expression and the rise of new media
- Accessing the means of expression to promote democracy and human rights
- Human rights defenders and the denial of freedom of expression

...

<sup>3</sup>. Article 20 - 2 of the International Covenant on Civil and Political Rights:

“Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law”.

# THURSDAY, JULY 1

## DEFENDING AND STRENGTHENING LABOUR LAW DESPITE THE CRISIS

At the International Labour Organisation (ILO) summit meeting on the global employment crisis in June 2009, Raymond Torres, who heads the International Social Studies Institute of the International Labour Office in Geneva, said: "Since the onset of the financial crisis, the labour market situation in most countries has deteriorated dramatically with millions of workers losing their job [...]. " He went on to say that unemployment would continue to rise throughout 2009: "Vulnerable employment is also increasing, and more people are being pushed into poverty. What is also of concern is that the shortage of new employment opportunities is worsening. [...] *Some regions – including the most developed countries – are even expected to show a contraction in employment this year.*"

United Nations statistics show that some 60 million people lost their job in 2009, which would increase the total number of unemployed worldwide to 240 million!

Under these conditions, how can economic and social rights – which are an integral part of human rights – be defended and respected? Of course, national governments are responsible for setting up mechanisms and means for settling disagreements and disputes, with respect to labour relations and in other areas. However, the process of social deregulation has often proved to be beyond governmental control when the state fails to employ sufficient means and/or will. Yet even before the financial crisis erupted, defending work-related human rights seemed to be merely an academic or even a futile pursuit in many countries and industries. So does not the global economic crisis risk deteriorating labour conditions worldwide and compromising the effectiveness of international labour standards, which have already suffered from decades of neoliberalism?

Although there is a profound gap in work-related human rights between the developing and the developed countries, and between the Northern and Southern countries in particular, we must keep in mind that the labour market globalisation that has accompanied the globalisation of trade, has tended to increase the job insecurity and vulnerability of workers worldwide. Putting workers in the North in competition with those of the developing countries is deteriorating labour conditions in the Northern countries, while increasing the exploitation of those in the South.

At its ultimate and most ignominious stage this deterioration could result in forced labour, trafficking in human beings and even slavery, which is no more humane today than it was in the past in any of its forms, such as sexual exploitation, forced enrolment in armed forces or more frequently the domestic slavery of child servants. But even leaving such extremes aside, how many workers throughout the world are shamelessly exposed to "occupational" risks? Given these situations, how can we expect human rights to be respected in the current economic crisis? What protection can international law really offer? What rights will trade unions be able to preserve under these conditions?

## POSSIBLE SUB-THEMES FOR ROUND TABLES (non-exhaustive list)

- **Slavery yesterday and today – can we build a universal conscience?**
- **Economic crisis and the corporate social responsibility.**
- **Does recession and the informal economy leave any place for a decent job?**
- **How globalisation and offshoring are threatening union rights.**
- **Trafficking in human beings, migration and forced labour.**
- **Slave trade and prostitution**
- **Trafficking in children and forced labour**
- **The demobilization of child soldiers and their return to society**
- **Health and safety in the workplace, a basic human right.**
- **Social protection and peasant farmers** (in partnership with the International Center for Farming and Rural Culture (CICPR) and the CNRS Law and Social Change laboratory (UMR 3128) of the University of Nantes, which will be organizing an international colloquium on this theme, from July 1 to 3, 2010.
- **Women, the first to suffer from labour law violations in times of crisis.**
- **Employment discrimination against tribal and indigenous peoples.**
- **The sporting-goods industry and human rights.**
- **The social economy, solidarity and human rights.**

- **How can actors in civil society cooperate to ensure that human rights in the workplace are observed all along the subcontracting chain?** The association De l'éthique sur l'étiquette (Ethics on the Label) is currently preparing a proposal in possible partnership with CFDT trade union, a southern partner organisation (Workers Assistance Center or Thai Labour Campaign), Clean Clothes Campaign (European network) and CCFD.
- **How trade unions can promote and protect human rights.** A proposal is currently being prepared by the Institute for General Corporate Responsibility (Audencia Nantes /Management School), in partnership with RIODD, the International Network for Research on Sustainable Development and Organizations.
- **Human rights and employee rights – an analysis of the discursive work on corporate social responsibility of the French think-tank *Institut Montaigne*.** A proposal is currently being prepared by RIODD, the International Network for Research on Sustainable Development and Organizations, France.
- **Corporate social responsibility, international labour standards and access to training and employment – Comparison of some experiments in France and Brazil.** A proposal is currently being prepared by the Institute for General Corporate Responsibility (Audencia Nantes /Management School) and the ISAE/FGV Center for Social Responsibility and Sustainable Development of Curitiba, Brazil.
- **Access to the right to health and exclusion caused by unemployment, new forms of poverty and non-citizenship.** Proposal currently jointly being prepared by the International research institute on biomedical ethic, the French and French-speaking society on medical ethic, the laboratory on medical ethic of the University Paris 5, the department of consultation and public health of the University hospital of Nanterre, the French national commission for UNESCO, the French Ministry of Foreign and European Affairs, the French national advisory commission on human rights.

...

## IN PARTNERSHIP WITH LASCAUX, THE EUROPEAN RESEARCH PROGRAMME



**ON JUNE 28 AND 29, 2010**

### **THE *FROM LAND TO FOOD / FROM VALUES TO RULES* COLLOQUIUM**

In addition to the themes presented above (from page 8), which will serve as a basis for organizing plenary sessions and round tables, the 4<sup>th</sup> World Forum on Human Rights will be developing a special work project in partnership with the European LASCAUX programme. Its theme is *Law – Food – Land* (<http://www.droit-aliments-terre.eu/>).

The Forum will thus host a colloquium entitled *From Land to Food / From Values to Rules*, that will be open to the general public at no cost on June 28 and June 29.

No call for papers will be made, but anyone who attends may participate in discussions during the various sessions that will be proposed.

The objective of the Lascaux programme is to ensure that “law serves the cause of the sustainable and equitable development of farming and the food industry in both poor and rich countries.” The programme seeks to “find the legal causes of global food crises and food-related problems, and to increase awareness of the right to food”. The Lascaux team – which is headed by François Collart-Dutilleul, a professor of private law at the University of Nantes and a member of the University Institute of France – is composed of some 80 researchers from around the world. Although most of these academics are legal experts the team also includes economists, sociologists and anthropologists.

## THE COLLOQUIUM

Over the past few decades, we have seen a very encouraging increase in European and international legislation that has expanded, classified, described and combined a large number of human rights, including the right to sufficient and healthy food, and to a lesser extent the right of peasant farmers to have access to arable land. There is now a very broad consensus on the importance of these human rights.

And yet the number of famine victims continues to increase steadily, along with the number of poor farmers who lack arable land and are victims of the economic system, indifference and the environment. But these factors are too vague to enable us to determine exactly what the problem is. It is not enough to point our fingers at:

- the inadequate regulation of an economic system based solely on free-market forces;
- the cynical indifference of institutions and companies that go about their work and business with no consideration for the suffering they cause or allow to happen;
- disruptions to the environment that may result in global warming, a shortage of fresh water and soil infertility caused by pollution.



We must understand that these “factors” are just a small part of an extraordinarily complex global problem for which there seems to be no ready solution. Human rights do not appear to be of much use in stopping global speculation on agricultural commodities, illegal deforestation, the brutal impact of global trade on the most vulnerable populations, the lack of agrarian reform, global warming, and the selfishness of all those who place their personal interest above the common good.

Can we reverse this tide? Can we make progress by increasing the scope of human rights and ensuring that they are enforceable?

Human rights actually serve more as guidelines for action than as solutions in themselves. It will require bold new thinking in the areas of politics, economics and law before human rights will have sufficient substance to enable access to food, water and farming land.

Some of the political and/or economic solutions proposed are already the subject of debate. Other ideas are gradually taking shape, such as those to be discussed in the FAO's Global Summit on Food Security to be held in Rome in November 2009. But there are practically no potential legal solutions to be discussed. Although the need for more regulation is often expressed, what is generally referred to are the rules that govern economic activity, markets, ethics, science and technology.

And yet we have had sufficient proof in our time that if the law is not used to regulate activity the results can be catastrophic for the environment, society, health and the financial system. No real solution is possible without a legal approach, because the law is the only means of regulating relationships and trade between human beings that is considered legitimate by all citizens and which takes the common good into account. Although policy decisions and economic choices will obviously be able to provide many solutions, it is through the language, resources and coercive force of the law that these solutions must be prepared and enforced.

If we sincerely want to help the hundreds of millions of people who are caught in the iron grip of hunger and malnutrition, we must succeed in combining political action, trade, social cohesion and law-based regulation into a coherent whole.

By putting political, economic and legal approaches into proper perspective the Lascaux programme seeks to advance this cause and ensure that the Earth and its food resources are not just simply another form of merchandise.

With this goal in mind, the World Forum on Human Rights will be bringing together the imaginations of researchers, NGOs, political leaders and concerned citizens over the first two days of the Forum, on June 28 and 29, 2010.





- **Mrs Christine Allan de Lavenne**, lawyer at the Bar of Paris, member of the Human Rights Research Center, University of Paris II Panthéon-Assas;
- **Mr Federico Andreu-Guzman**, Deputy Secretary-General and General Counsellor for the International Commission of Jurists (Colombia);
- **Mrs Martine Anstett**, Mission leader, pole Rule of law, Freedoms and Rebuilding, Mission of the democratic governorship, European and Foreign Affairs Ministry (France);
- **Mr Jean-Louis Atangana Amougou**, professor of law at l'Université de Yaoundé II (Cameroon);
- **Mr Antoine Bernard**, Executive Director of the International Federation for Human Rights (Paris, France);
- **Mrs Laurence Boisson de Chazournes**, Professor and Director of the International Public Law and International Organisation Department of the University of Geneva Law School (Switzerland);
- **Mr Madjid Benchikh**, Emeritus Professor and former President of the Faculté de droit d'Algers (Algeria) and professor at l'Université de Cergy-Pontoise (France);
- **Mr Mouloud Boumghar**, professor of Public Law at l'Université du Littoral – Côte d'Opale (France);
- **Mrs Virginia Bras Gomes**, Member of the United Nations Committee on Economic Social and Cultural Rights (ESCR) and Head of the Social Research and International Relations Department of the Directorate General of Solidarity and Social Security – Portuguese Labour and Social Solidarity Ministry (Portugal);
- **Mrs Sylvie Bukhari de Pontual**, President of the FIACAT (International Federation of Christians for the Abolition of Torture), attorney and professor of International Law at the Social Sciences School of l'Institut catholique de Paris (France);
- **Mrs Christine Chanet**, counsellor at the Cour de Cassation, personal representative of the United Nations High Commissioner for Human Rights for Cuba, and former chairperson of the United Nations Human Rights Committee, (France);
- **Mr Abdoullah Cissé**, professor and Rector of l'Université de Bambey, Diourbel (Senegal);
- **M. Emmanuel Decaux**, professor of International Law at l'Université Paris II Panthéon-Assas, President of the International Permanent Secretariat “ Human Rights and Local Governments ” (SPIDH), Vice President of the National consultative commission for Human Rights (France); member of the UN Human Rights Council Advisory Committee ;
- **Mrs Yvonne Donders**, Deputy Director of the International Law Center of the University of Amsterdam (Netherlands);
- **Mr Michel Doucin**, Ambassador of the French Republic in charge of Corporate Social Responsibility and Bioethics (France);
- **Mr Jean-Marie Fardeau**, Director of the Paris office of Human Rights Watch (France);
- **Mr Michel Forst**, General Secretary of the National Consultative Commission of Human Rights and United Nations Special Rapporteur on Human Rights in Haiti (France);
- **Mrs Françoise Gaspard**, senior lecturer at l'École des hautes-études en sciences sociales (EHESS) and former vice-chair of the United Nations Committee on the Elimination of Discrimination against Women (CEDEW) (France);
- **Mr Régis de Gouttes**, Senior Advocate-General at the Cour de cassation and former chairman of the United Nations Committee on the Elimination of Racial Discrimination (France);
- **Mr Ryuichi Ida**, Law Professor at the University of Kyoto, former President of the UNESCO's International Bioethics Committee (Japan);
- **Mr Pierre-Henri Imbert**, Phd Public Law and former General Director of Human Rights for the Council of Europe (France);
- **Mr Ibrahim Kaboglu**, Constitutional Law Professor at the University of Marmara, former president of the Human Right Consultative Council, (Turkey);
- **Mr Anil Naidoo**, Managing Director of Indiba Africa Development Alliance (Durban) Advocate of the High-Court of South-Africa, Chairman of the South-African Coalition for an International Criminal Court (South Africa);
- **Mr Fatsah Ouguerouz**, Professor, Judge at the African Court on Human and People's Rights, Executive Director of the African Foundation for International Law, former Secretary at the International Court of Justice of The Hague (Algeria);
- **Mr Francis Perrin**, Member of the Executive Committee and former President of the French section of Amnesty International France (France);
- **Mrs Mónica Pinto**, Public Law Professor, Coordinator of the Human Rights program at the University of Buenos Aires (Argentina);
- **Mr Bertram G. Ramcharan**, professor, former United Nations Deputy High Commissioner for Human Rights, and Chancellor of the University of Guyana;
- **Sir Nigel Rodley**, member of the United Nations Human Rights Committee and professor of International Law at the University of Essex (United Kingdom);
- **Mr Hugo Sada**, Head of Delegation on Peace, Democracy and Human Rights, International Organisation of La Francophonie, substitute Mrs Alexandra Veleva;
- **Mr Pierre Sané**, former UNESCO Deputy General Director for Social and Human Sciences (United Nations);
- **Mr Jaume Saura**, Director of the Institute of Human Rights of Catalonia (Spain);
- **Mr William Schabas**, professor and Director of the Irish Centre for Human Rights, National University of Ireland (Canada / Ireland);
- **Mr Linos Sicilianos**, University of Athens (Greece), Rapporteur to the United Nations Committee on the Elimination of Racial Discrimination (CERD);
- **Mr Théo Van Boven**, professor of International Law, University of Maastricht, former United Nations special Rapporteur on torture (Netherlands);
- **Mr Yann Tanguy**, professor of Public Law at the University of Nantes, Deputy-director of the Université Numérique Juridique Francophone (UNJF) and Honorary President of the University of Nantes (France);
- **Mr Philippe Texier**, Counsellor at the Cour de cassation and Chairman of the United Nations Committee on Economical, Social and Cultural Rights (France);
- **Mr Vladimir Volodine**, chief of section Human Rights and Gender Equality, UNESCO (United Nations);
- **Mrs Leïla Zerrougui**, vice-chairperson of the International Commission of Jurists, judge, United Nations Deputy Special Representative of the Secretary-General for the Democratic Republic of Congo (MONUC), and former chair of the United Nations Working Group on Arbitrary Detention (Algeria);
- **Mr François Zimeray**, Ambassador of the French Republic for Human Rights (France).

# THE NANTES FORUM – AN EXAMPLE OF LOCAL PERSEVERANCE

Since the first World Forum on Human Rights in 2004, the City of Nantes has been supported in its initiative by a “coalition” of local government that includes the Region of Pays de la Loire, the Department of Loire-Atlantique and Nantes Métropole, which represents the urban community. The contribution of these institutions is not only financial, but also political and intellectual, since they see the Forum as an opportunity for public debate on various matters that concern them directly, such as cooperation within a decentralised framework, using human rights in the area of local democracy to guide public policy, and ensuring equal access to public services, solidarity with the most disadvantaged populations and social cohesion. Elected officials and government departments, working with members of civil society, participate in this civic-minded debate.

When the Nantes-based International Permanent Secretariat founded the association **Human Rights and Local Governments** in 2007, these same local government also supported this initiative and participated in its board of directors, which brings together the French Ministry of Foreign and European Affairs, the Ombudsman of the French Republic, such international NGOs as the International Federation of Human Rights and Human Rights Watch, local NGOs, such as the Nantes-based *Maison des citoyens du monde*, as well as legal experts from universities and practicing lawyers, including many from the Nantes bar.

The fact that this diverse group of institutional, non-profit and professional organisations has been contributing to the project that Nantes undertook in 2004, and have even increased their support since 2007, is a tribute to the original role the World Forum on Human Rights plays in defending human rights and the international recognition it has gained. This achievement may be attributed to the ceaseless effort to share knowledge and best practice, and to build networks between local actors worldwide, for whom Human Rights are not just fine-sounding words but a fervent obligation to make these rights at last a “reality for all”, in accordance to the goal expressed by Sérgio Vieira de Mello\*.

That this is happening in Nantes is no accident. To the contrary, it is only because this city and this region, along with many public, non-profit and private-sector institutions, have clearly expressed their political will and determination to ensure that economic, scientific and technological development is not disassociated from the values that underlie international human rights law.

Nantes has already assumed this responsibility with respect to its own “colonial” history, in a collective public project that began in 1991 and continues to this day, with the construction of a **Memorial to Slavery and its Abolition**, a work of the artist Krzysztof Wodiczko and the architect Julian Bonder. Similarly, the **International Alliance of the Rings of Memory** (*les Anneaux de la Mémoire*) another City of Nantes initiative that is chaired by Nicéphore Soglo, a former president of the Republic of Benin and the mayor of Cotonou, seeks to bring together all actors concerned with the common history of slavery and its consequences on today’s world, and especially cities and local government.

This attitude of responsibility may also be seen in the public policies that Nantes, and its partners, promote and implement throughout the year, whether locally, in decentralized cooperative actions in such countries as Bolivia, Burundi, Cameroon and Senegal, or within such international networks as United Cities and Local Governments (UCLG) and the Eurocities network of European cities in which Nantes is leading the fight against global warming.

All of these efforts are in keeping with the “common ideal” of humanity as expressed in the preamble to the Universal Declaration of Human Rights. Cities and local governments – whose influence is growing within the international sphere – have a major role to play in achieving this ideal, working in partnership with public institutions, NGOs and everyone who wishes to play an active role in the life of their City.

No one, and particularly those who work to defend human rights, claims this will happen overnight. There are all too often some very discouraging setbacks. This is why, as Nantes and its partners have well understood, continuity of action and stubborn perseverance are so necessary.

\* “We all have a part to play in making the enjoyment of all human rights a reality for all”.

The former United Nations High Commissioner for Human Rights, Sérgio Vieira de Mello was killed in a terrorist attack in Baghdad, Iraq on August 19, 2003, during a mission as the Special Representative of the United Nations General Secretariat.

## PROGRAMME AND OVERALL ORGANISATION:

International Permanent Secretariat "Human Rights and Local Governments"

34, rue Fouré. 44000 Nantes. T +33 (0)2 51 83 70 10. F +33 (0)2 51 84 82 75. secretariat@spidh.org

## WEBSITE (French, English, Spanish)

[www.spidh.org](http://www.spidh.org)

## WITH THE SUPPORT OF:

- Nantes Métropole [www.nantesmetropole.fr](http://www.nantesmetropole.fr)
- Pays de la Loire Regional Council [www.paysdelaloire.fr](http://www.paysdelaloire.fr)
- Loire-Atlantique County Council [www.cg44.fr](http://www.cg44.fr)
- City of Nantes [www.nantes.fr](http://www.nantes.fr)
- Caisse des dépôts [www.caissedesdepots.fr](http://www.caissedesdepots.fr)

## AND THE PARTICIPATION OF:

- United Nations Educational, Scientific and Cultural Organisation (UNESCO) / Sector of Social and Human Sciences [www.unesco.org](http://www.unesco.org)
- United Nations Development Programme (UNDP) / Platform for innovative partnerships – Geneva [www.undp.org](http://www.undp.org)
- French Ministry of Foreign and European Affairs [www.diplomatie.gouv.fr](http://www.diplomatie.gouv.fr)
- International Organisation for the French-speaking communities (OIF) [www.francophonie.org](http://www.francophonie.org)
- University of Nantes [www.univ-nantes.fr](http://www.univ-nantes.fr)
- Maison des citoyens du Monde (World Citizen's Centre in Nantes) [www.maisondescitoyensdumonde.org](http://www.maisondescitoyensdumonde.org)
- The Lawyers Council / Bar of Nantes [www.barreau-nantes.avocat.fr](http://www.barreau-nantes.avocat.fr)

## THE 4<sup>TH</sup> WORLD FORUM ON HUMAN RIGHTS THANKS ITS PARTNERS



international permanent secretariat  
*human rights and local governments*  
nantes, pays de la loire. france