



“The Future of Human Rights and Peace and Security”

**Roundtable 1, Human Rights 75 High-Level Event
Tuesday, 12 December 2023, 10.00am to 12.45pm CET**

Additional background paper

This additional background document has been prepared by **Pablo de Greiff (New York University)** and **Adam Day (United Nations University)**, commissioned by the Office of the United Nations High Commissioner for Human Rights in support of Round Table 1 at the High-Level Human Rights 75 Event in Geneva. It does not necessarily reflect the views or positions of the Office.

The Human Rights 75 initiative takes place during a period of deep geopolitical divisions, resurgent violent conflict, and decreasing levels of trust in the ability of the multilateral system to forge durable solutions to contemporary global challenges. As laid out in the [Secretary-General’s Policy Brief on the New Agenda for Peace](#), violent conflict has increased dramatically over the past 10 years, driven by a growing willingness of international actors to intervene directly in internal conflicts, including non-state actors.¹ Globally, environmental crises, cyberthreats, and growing inequalities impact on peace and security. Within countries, rising rates of violent conflict are driving deepening inequality, political exclusion, polarization, racism, xenophobia, poor governance, and low levels of trust in state institutions.²

In this context, the Human Rights 75 Initiative has dedicated a track to the role of human rights in peace and security. This reflects the underlying rationale for adopting the United Nations Charter, which speaks of saving succeeding generations from the scourge of war and emphasizes the central role of human rights. It also speaks to the clear links between the Universal Declaration of Human Rights (UDHR) and conflict prevention. This initiative aligns tightly with renewed efforts by the UN High Commissioner for Human Rights, Volker Türk, to position human rights more centrally across the work of the Organization.³

This paper describes roles, added value, and specific contributions that human rights can play in addressing today and the risk of tomorrow’s conflicts. On this basis, it offers some specific proposals that could be considered in the Human Rights 75 discussions.

I. A Richer Narrative on Human Rights and Peace

When the UDHR was first adopted 75 years ago, it was seen principally as a preventive instrument. Preventing the recurrence of “barbarous acts” and building a world where people could live in freedom from fear was part of a narrative that saw human rights as a problem-solving, forward-looking engagement.⁴ Since then, the human rights movement has tended to emphasize the redress function of human rights, that is, their usefulness as *ex post* mechanisms to promote accountability for violations. While these functions are crucially important, this anniversary is also a vital moment to recall and reemphasise the *ex-ante*, anti-grievance, preventive, problem-solving roles that human rights play.

Looking to the future, the human rights narrative will continue to need to address squarely the artificial and misguided distinctions that have at times arisen between civil and political rights on one hand, and economic, social, and cultural rights on the other. This distinction – a remnant of the Cold War period – should be discarded, and Human Rights 75 should constitute a clear moment when the indivisibility of all human rights is further reaffirmed, rhetorically and in practice.⁵ For human rights to be effective problem-solving tools for all people, no set of rights can be elevated above the other, or stated as a precondition for the realisation of the other. Indeed, a key finding of the extensive peace and security literature is that group



inequality is one of the most important drivers of violent conflict. Protecting the social, economic, and cultural rights of peoples and addressing discrimination in these contexts is not only required by the UDHR, but also crucial to preventing violent conflict. Such an emphasis would help reaffirm the universality of the human rights agenda.

A richer narrative on human rights should also squarely address the problem of declining trust between States and their populations, in all parts of the world. The Governments which originally approved the UDHR understood that human rights protect individual rights *and* promote systems of responsive and accountable governance necessary for viable communities. Thus, for example, the right to work protects individual choice but also fields of work from interference that may hamper their development. By ensuring that people can participate in the economic life of the country, the right to work creates a positive cycle, where populations contribute productively to the economy, pay taxes and enable the government to deliver the services that lead to the enjoyment of other rights, among other virtues. This positive, reinforcing cycle between government and those governed is clearly laid out in the Secretary-General's call for a new social contract in his Our Common Agenda report. At a time when governments face increasingly severe crises of legitimacy and confidence, and amidst decreasing trust and growing polarization in many parts of the world, it is important recalling that human rights stand as part of the solution to these problems.

Finally, a revitalized narrative on human rights should acknowledge the reality that the universality of the UDHR has been met unevenly in practice. People facing food shortages and declining livelihoods are not helped by high-flown rhetoric on universal human rights. People marginalized and treated unfairly by their governments, or who endure enormous suffering in armed conflict, do not in any real sense enjoy the protections that universal human rights should provide. In today's polycrisis, one of the risks is of a widening gap between the aspiration and reality of universal human rights. We should focus on how human rights can help deliver a more equitable, safe, viable future for people everywhere.

In fact, as the next section describes, there is compelling evidence demonstrating that human rights can and does deliver, including in terms of reducing the risks of violent conflict.

III. The value proposition of human rights to peace and security

In the face of deeply negative global trends, there is a clear and growing body of evidence demonstrating the positive impact of human rights on peace and security. This section explores five arguments that protection and realization of human rights (1) addresses root causes of conflict; (2) provides important early warning and action processes for conflict prevention; (3) reduces the risks of violent conflict; (4) offers creative and impactful approaches in the shrinking peacekeeping/peace-making space; and (5) is a potential bridge to acknowledging and resolving geopolitical fractures.

1. Human rights engagement addresses the strategic risk of inequalities, exclusion and unaddressed grievances.

According to the UN/World Bank *Pathways for Peace* report, one of the most important drivers of violent conflict is a "sense of injustice" caused by political and economic exclusion.⁶ Whether inequality amongst groups (e.g. discrimination amongst political or ethnic groups) or amongst people, the uneven distribution of political, economic, and social capital is widely recognized as both a trigger and a deeper cause of widespread violence.⁷ And inequality is worsening, not only at a global level amongst states, but also within many national boundaries.⁸ Increases in inequality are partly the result of global trends toward fractured, weakened political structures from the constituencies they are supposed to serve, of different forms of state capture and, at the limit, of more authoritarian forms of governance, characterized by highly centralized political power, unequal distribution of resources, and in many cases serious restrictions on political and civil space.⁹ Worryingly, there is some evidence that the UN's traditional approaches may be failing adequately to address and respond to authoritarian tendencies.¹⁰



The terms “inequality” and “marginalization” can act as euphemisms. For most people experiencing marginalization, reality manifests, cruelly and directly, as extreme poverty, discrimination in education, access to health care, abuses by governing authority, and an inability to meaningfully participate in politics and governance. Similarly, the notion of “bad governance” readily obscures the lived experience of populations living under autocratic rule. In many cases, inequality, marginalization, and poor governance are the result of and lead to (further) violations of human rights. These trends are especially observable in settings where security and stability are prioritized, and where the UN’s peace and security system, if engaged at all, is not directly mandated to engage on root causes, meaning that human rights are not explicitly encompassed by its work.

The Human Rights 75 discussion should give central space to the question of how the human rights system broadly conceived (not just the UN, but all actors) can best contribute to building more inclusive, participatory forms of governance, helping to protect the basic rights of all people by giving them a stake in their own political processes. Easy to understand concepts like civic participation and the right to education can help bring together the rights and peace discourses in positive, constructive ways. Here again, the function of human rights as an “anti-grievance mechanism” may be one of the most important concepts to refine the human rights narrative.

Some specific proposals in this arena could include: (1) a UN-wide policy on addressing and tracking inequality as a strategic priority for all agencies, programmes and departments; (2) a regular Secretary-General’s report on horizontal inequality, perhaps called the “World Fairness Report,” offering a broad sense of trends and advice to Member States (this could be made more active by modelling it on the AU’s vulnerability and resilience assessments); and/or (3) the development of capacities to support nationally-led human rights initiatives/institutions with proven preventive potential.

2. Human rights analysis generates early warning and can prompt early action on conflict risks.

The human rights system* produces some of the most important – and clearest - early warning signals of emerging social unrest, violence, and possible conflict.¹¹ Widespread or systematic human rights violations not only signal increasing risks of violent conflict, but also help identify some of the most relevant points of entry for early action, where concerted, targeted engagement may rapidly reduce the risks of an escalation into wider violence and open armed conflict.

Crucial lessons have been learned at the national level regarding the prevention of massive human rights violations and their contribution to conflict risks. These include the effectiveness of constitutional and legal tools such as ‘guarantor institutions,’ (e.g., institutions that do not depend upon a particular branch of the state, but that help protect fundamental rights, such as National Human Rights Institutions, Independent Electoral Commissions, Anti-Corruption Bodies, and other oversight institutions); initiatives to strengthen and reinforce judicial independence; and reforms of the security sector to adopt policing measures that offer protection in a rights-compliant way and to strengthen civilian oversight over armed forces.¹² These kinds of nationally-led initiatives should be foregrounded and supported in the UN’s peace and security work.

There are a range of steps the UN system could take to position human rights more centrally to the system’s conflict prevention priority.¹³ The Human Rights Council (HRC), for example, rather than hewing to a narrow definition of peace and security, has developed practice addressing a wider set of contemporary issues than other parts of the UN system (e.g., human rights violations in the digital space, the right to a clean, healthy, sustainable environment, and the right to development). Moreover, the HRC is configured to be open to a broader range of sources of information and has many tools at its disposal for this purpose,

* We define the human rights system broadly to include the formal UN structures, but also the wide range of actors considered part of the “human rights movement,” which includes NGOs but also women, youth, activists that are not formally organized, religious organizations, and others.

including Special Rapporteurs, the Universal Periodic Review, and potential involvement of OHCHR's human rights presences in more than 100 countries worldwide. Indeed, a 2021 study for the UN General Assembly recognized the important role that human rights Special Procedures have played in preventing escalation into more widespread human rights violations.¹⁴ The information generated by HRC actors and procedures as well as OHCHR's structures and frameworks could be more systematically fed into an early warning and action processes of the wider UN system.¹⁵ Improving the connective tissue between national human rights bodies (both official – NHRIs—and unofficial –NGOs and CSOs more generally) and the UN's peace and security architecture is a clear step that would improve multilateral conflict prevention.

While information gathering and analysis relevant to prevention has improved significantly through the establishment of structures such as the UN's Regional Monthly Review and the existing UN Operations and Crisis Centre, (plus analytical tools such as the [Framework of Analysis for Atrocity Crimes](#) developed by the Secretariat, and the [Early Warning and Urgent Procedures](#) initially developed by the Committee on the Elimination of Racial Discrimination), what remains missing is a fuller framework that integrates the information and analyses from these sources as well as the lessons learned at the national level about prevention into a comprehensive *policy* that is more than a series of disconnected initiatives, but rather an whole-of-system approach to prevention that addresses prevention systematically and sustainably.

Finally, human rights informed early warning could be more directly and regularly linked to the formal peace and security architecture of the UN system. Consistent with the experience that the different pillars of the UN work better in concert with one another, and that human rights have something to offer to peace and security—that they have a lot to offer to development has long been recognized even if not put into practice sufficiently—efforts should be made to strengthen those links. To that end it may be worth considering: (1) formalization of the role of the HRC in briefing the Peacebuilding Commission on a regular basis; (2) providing roles for Resident Coordinators to brief the HRC on country specific issues; and (3) greater exchange between the Special Rapporteurs, SC, PBC, and the General Assembly.¹⁶

3. Human rights engagement reduces the risks of violent conflict.

Some of the most important recent research findings include:

- Protecting civil, political, cultural, social, and economic rights has a direct impact on stability and the risks of violent conflict;¹⁷
- Serious violations of human rights are a direct driver of insecurity, violence and large-scale violent conflict, meaning addressing human rights reduces conflict risks;¹⁸
- Protecting political rights is one of the most important ways a country can end cycles of violence;¹⁹
- Access to justice reduces the risks of violent conflict in a wide range of settings;²⁰
- Peace agreements with strong human rights aspects are more durable and effective;²¹

These findings significantly bolster the recognition amongst Member States at the founding of the Human Rights Council that human rights should be a crucial aspect of the UN's peace and security work. As far as UN peace and security work is concerned, the contributions of human rights to that work can be seen as follows:

- The presence of human rights actors in peacekeeping has directly contributed to more impactful engagements by the UN and its partners;²²
- Human rights reporting has helped to generate action by the UN Security Council and the General Assembly in conflict settings;²³



- The Universal Periodic Review has helped to identify emerging conflict risks and opened space for dialogue amongst key conflict actors;²⁴
- There is a direct relationship between improved human rights and achieving progress the SDGs, including SDG16.²⁵

This body of research also suggests that a strong human rights engagement on the part of the UN, as well as others, contributes to reducing the risk of conflict.

4. Human rights in a shrinking space for peace-making and peacekeeping

The New Agenda for Peace policy highlights the increasingly tight space for multilateral peace-making²⁶ and peacekeeping worldwide. One cause of this are deepening geopolitical fractures, where major and growing powers both see lessening value in using the traditional multilateral forums to resolve conflicts.

The mixed track record of UN-led peace operations as well has contributed to downward pressure on existing missions, which will have a powerful effect on the UN's human rights work. A significant percentage of human rights staff are deployed in UN peacekeeping operations, providing a crucial network of monitoring and investigation, early warning, advocacy, and capacity building in some of the most serious and long-standing conflicts in the world. Many of these human rights actors rely on UN sites and protections for their work. However, the peacekeeping footprint is set to shrink dramatically in the coming few years.

The pressures facing both peacemaking and peacekeeping also offer a strategic opportunity to think through the value and impact of the UN in reducing the risks of violent conflict. For example, regional organizations and frameworks have become increasingly recognized as essential actors in addressing conflict risks. Providing greater support to AU-led peace support operations, including through assessed UN budgets must be accompanied by robust human rights safeguards. Their effectiveness is directly related to the implementation of the same robust legal, policy, and operational frameworks that apply to UN-led operations which ensure compliance with international human rights/humanitarian law standards. Here, the application of the human rights due diligence policy as a tool of engagement with national security forces, including in contexts of peace operations and UN Country Teams, is especially important. And the experience of the Human Rights Compliance Framework as a risk-reduction tool can help to frame human rights as an operational necessity for effective peace support operations.

More broadly, the role of human rights in the future of peace operations raises strategic questions for the UN. Could the UN consider smaller, more rights-based engagements – either as earlier interventions with lighter footprints or as transitions from peacekeeping settings that are focused on addressing underlying grievances and root causes of conflict, maintaining political space, and holding actors accountable for delivering for their populations? How could we reconceptualize the transitions these countries are undergoing as opportunities to build stronger social contracts based on human rights, as envisioned in the Our Common Agenda report?

In situations of higher intensity crisis but where the international community does not support a peacekeeping intervention, are there specific and novel models of engagement (e.g. missions, offices, approaches) that could address and respond to the kinds of conflict risks we see in these settings?

5. Human rights as a bridge in a divided world

While this paper is framed around the potential for human rights to positively impact the UN's peace and security work, it is important to recognize the downsides as well. Overtly framing issues in human rights terms, given current understanding of human rights, can sometimes generate a negative reaction, with states raising sovereignty barriers and accusations of bias. Given the instrumentalization of the distinction

between different types of rights, framing issues of inequalities and political inclusion as human rights concerns may be seen by some as co-opting the development agenda, adding “strings” to development aid. In an era of low trust amongst states, a human rights framing of peace and security can be seen as instrumentalised. Equally, such arguments can be seen by others as self-serving and scant reflection of populations’ own views.

Here, the recovery of a narrative of human rights that emphasizes problem-solving, social integration, and the sort of effective norm-affirmation that restores trust in institutions can help to create a bridge rather than deepen fractures amongst states and peoples. Moving the narrative towards “we want to help deliver with you and for you” is a good first step to getting us out of zero-sum mindsets for human rights. Building strong systems of collective, shared investment to protect rights and avoid abuses must be a central part of the UN’s development and peace and security agenda.

Across all of the above areas, it is crucial that the human rights community remains cognizant of the difficult political terrain facing the UN’s peace and security work. As the New Agenda for Peace recognizes, the space for meaningful international intervention in many of today’s conflicts is narrow, and the role for the UN may be quite small. Rather than push for greater supply of human rights to the UN’s peace and security work, it may be more useful to think of how the narrative of human rights as problem-solving mechanisms helps to deliver.

¹ Secretary-General’s New Agenda for Peace Policy Brief, available at <https://www.un.org/sites/un2.un.org/files/our-common-agenda-policy-brief-new-agenda-for-peace-en.pdf>.

² See, Joe Hassell, “How has Income Inequality within Countries Evolved over the Past Century?” <https://ourworldindata.org/how-has-income-inequality-within-countries-evolved-over-the-past-century>; Jennifer McCoy and Murat Somer, “Toward a Theory of Pernicious Polarization and How it Harms Democracies,” *Annals of the American Academy of Political Science* (2019), 681: 234-271; John B. Judis, *The Politics of our Time: Populism, Nationalism, Socialism* (New York: Columbia Global Reports, 2021), pp. 114; <https://www.un.org/development/desa/dspd/2021/07/trust-public-institutions/>.

³ See, e.g.

https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The_Highest_Aspiration_A_Call_To_Action_For_Human_Right_English.pdf; see also, ‘Human Rights up Front: An Overview’ Interagency Standing Committee, https://interagencystandingcommittee.org/system/files/overview_of_human_rights_up_front_july_2015.pdf.

⁴ Preamble to UDHR.

⁵ E.g. In the Plan of Action on Human Rights.

⁶ <https://www.worldbank.org/en/topic/fragilityconflictviolence/publication/pathways-for-peace-inclusive-approaches-to-preventing-violent-conflict>.

⁷ See, <https://www.worldbank.org/en/topic/fragilityconflictviolence/publication/pathways-for-peace-inclusive-approaches-to-preventing-violent-conflict>; SC/12340 ‘Security Council Unanimously Adopts Resolution 2282’ (2016) on Review of United Nations Peacebuilding Architecture (27 April 2016) <<https://press.un.org/en/2016/sc12340.doc.htm>>;

⁸ World Social Report 2020: Inequality in a Rapidly Changing World (United Nations publication, 2020).

⁹ Pablo de Greiff and Meghan Knapp, “State Capture as Enabling Condition for Human Rights Violations,” A Report of the Prevention Project, forthcoming at <https://chrgj.org/focus-areas/prevention/>

¹⁰ Adam Day, Sarah von Billerbeck, Oisín Tansey, Ayham al Maleh, “Peacebuilding and Authoritarianism: the Unintended Consequences of UN Engagement in Post-Conflict Settings,” UN University, 2020, available at http://collections.unu.edu/eserv/UNU:8035/UNU_Peacebuilding_FINAL_WEB.pdf.

¹¹ https://link.springer.com/chapter/10.1007/978-3-030-36510-3_6; ‘Human Rights up Front: An Overview’ Interagency Standing Committee,

https://interagencystandingcommittee.org/system/files/overview_of_human_rights_up_front_july_2015.pdf>;
<http://www.gsdr.org/docs/open/hdq1195.pdf>.

¹² Pablo de Greiff, “A Framework Approach to Making Prevention a Reality,” available at <https://chrgj.org/focus-areas/prevention/>

¹³ Limon, M. and Montoya, M. “The Prevention Council: The business case for placing human rights at the heart of the UN’s prevention agenda” Universal Rights Group (2020). See also, A/HRC/43/37
<http://undocs.org/A/HRC/43/37>

¹⁴ A/HRC/48/21 ‘Study on the contribution of the special procedures in assisting States and other stakeholders in the prevention of human rights violations and abuses’ (13 October 2021) <<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/286/27/PDF/G2128627.pdf?OpenElement>>.

¹⁵ Tistounet, E. *The UN Human Rights Council: A Practical Anatomy* Edward Elgar Publishing (2020) pp. 37-43, 310, 316, 322-323.

¹⁶ See, Adam Day and Erica Harper, Delivering the Right to Peace,” The Geneva Academy for International Humanitarian and Human Rights Law, October 2023, available at: https://www.geneva-academy.ch/joomla-tools-files/docman-files/RB_DELIVERING%20THE%20RIGHT%20TO%20PEACE.pdf.

¹⁷ <https://s42831.pcdn.co/wp-content/uploads/sites/3/2023/03/From-Rhetoric-to-Action-Flagship-Report-2021-WEB.pdf>.

¹⁸ <https://www.mdpi.com/2076-0760/8/2/41>.

¹⁹ <https://journals.sagepub.com/doi/10.1177/00223433221140432>.

²⁰ https://s42831.pcdn.co/wp-content/uploads/sites/3/2023/07/Rising-to-the-Challenge_FINAL_7Jul23.pdf/

²¹ https://peacerep.org/wp-content/uploads/2022/04/Pospisil2022_Chapter_PeaceAccordsAndHumanRights.pdf

²² Forthcoming EPON study. See also, https://collections.unu.edu/eserv/UNU:8263/UNU_ProtectingTogether.pdf; Office of the High Commissioner for Human Rights, United Nations Peace Operations Guidance Note: Integrating Human Rights in United Nations Military Components: Good Practices and Lessons Learned (Geneva: OHCHR, 2013); Ralph Mamiya, Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions (New York: United Nations Department of Peace Operations and Office of the High Commissioner for Human Rights, 2020); "Integrating Human Rights into Peace Operations Brings Missions Closer to People, Advances Inclusive Development, High Commissioner Tells Security Council," United Nations Security Council, 7 July 2020, SC/14242, <https://www.un.org/press/en/2020/sc14242.doc.htm>.

²³ See, e.g., A/HRC/52/40 ‘Conflict and the right to food Report of the Special Rapporteur on the right to food, Michael Fakhri’ para 62-70, (29 December 2022).

²⁴ For a comprehensive examination of the UPR’s role on sustaining peace, see ‘Integrating Human Rights and Sustaining Peace Project Report: Exploring the Universal Periodic Review’ Quaker UN Office (2018) <https://quono.org/sites/default/files/resources/QUNO%20Integrating%20Human%20Rights%20and%20Sustaining%20Peace_FOR%20WEB.pdf>.

²⁵

²⁶ Note the recent joint DPPA-OHCHR Practice Note on human rights and mediation, “Enhancing the quality and effectiveness of mediation through human rights: <https://peacemaker.un.org/sites/peacemaker.un.org/files/DPPA-OHCHR-Joint-Practice-Note.pdf>