

A life of human dignity for all

A human rights strategy for foreign policy

Summary

Human rights are the rules for a society in which people are free to be different, and all are equal before the law. They oblige governments to protect their citizens from violence and ensure that all people enjoy equal opportunities. Human rights are the fundamental values on which democratic states and the rule of law are built: justice, equality, humanity, respect, solidarity and love of others. We want to work towards a society based on these values – not only for ourselves, but for others too. Everyone has a right to human dignity. It is this strong moral conviction that drives us to pursue a more active human rights policy.

But this choice is also born of a sense of reality. Persistent violations of human rights undermine stability, and the consequences – terrorism, international crime, forced migration – are no longer restricted, in today's world, to certain countries or regions, but extend right into the heart of our societies. At the same time, we can enter into close relations in all kinds of areas with countries that do respect human rights. More than ever before, protecting and promoting human rights as an essential part of the international legal order is firmly in the interests of a country like ours.

With our foreign policy we hope to work towards a safe, equitable, clean and prosperous world. This is not an abstract goal. It is ultimately about the people who live in this world – about our fellow human beings, and about ourselves.

A human rights strategy for foreign policy

Our goal is comprehensive and ambitious: to protect and promote human rights throughout the world. It will require extra investment in human rights policy across the board. At the same time, we will make strategic choices in response to developments in the world around us, choosing issues where our input is most needed, and developing a vision of how we can achieve results on those issues.

More investment across the whole of human rights policy will make human rights an *integral* part of our relations with other countries, our efforts at EU level and our actions in multilateral fora. Where necessary, the Netherlands will be critical of its allies, and will be equally prepared to examine its own record.

This extra investment in human rights policy is a task for everyone – ministers, ambassadors, staff at ministry headquarters and at the embassies. Everyone will be called upon to be alert, inventive and proactive. The Dutch Human Rights Ambassador will also be involved.

But, no matter how much we might want to, we cannot do everything at once. We will have to use our resources where they are most needed. With this in mind, we have singled out four key themes: universality; human rights, peace and security; the indivisibility of human rights; and the voice of human rights.

Human rights for all people, in all places and at all times

Universality – the idea that human rights apply to all people, in all places, at all times – was the basic principle underlying the 1948 Universal Declaration of Human Rights. Now, more than ever, it is important that this value form the centrepiece of human rights policy. At a time when intercultural dialogue is high on the agenda, it is vital that we emphasise the common basis. Human rights are part of that basis. The conviction that everyone is equal in terms of their rights and dignity is for example the driving force behind efforts to secure equal rights for men and women, to prevent cultural and religious traditions being used as a pretext for not respecting certain rights, and to ensure that everyone in the world is free to express their views.

In specific terms, this has led to a decision to make extra efforts in six areas where serious human rights abuses are currently occurring. The Netherlands will for example press for child labour to be banned, and take action throughout the world to combat discrimination against homosexuals.

- The protection of life and the person, guaranteeing physical integrity, is one of the most fundamental human rights, relevant to everyone on the planet. The death

penalty (1) and torture (2) constitute extremely serious violations of this right. The battle against the death penalty and torture is far from won. There is still no worldwide consensus on the abolition of the death penalty, and the absolute ban on torture is under pressure. The Netherlands will continue to work for the universal abolition of the death penalty, with a worldwide moratorium on executions as a first step. The Netherlands will also make efforts individually, at EU level and via NGOs to persuade as many countries as possible to eradicate torture.

- Human rights for all people, in all places and at all times means that it does not matter if someone is a Muslim, Christian, Buddhist or atheist. Human rights transcend all religions. No restrictions may be placed on human rights in the name of religion. No religion may formulate its 'own human rights'. This also means that every individual is free to practise his or her religion or belief, change his or her beliefs or choose not to have any religious convictions. Governments have a duty to protect this freedom, both in legislation and in practice. Inequality before the law, discrimination and the persecution of religious minorities are serious violations of the rights to which every individual is entitled. With this in mind, the Netherlands will make particular efforts to promote individual freedom of religion and the protection of religious minorities (3).
- In many parts of the world, women (4) are prevented from functioning as fully-fledged members of society. The rights of women and girls are violated on a massive scale, whether in the form of rape as a weapon of war, discrimination at work or domestic violence. The universality of human rights is not therefore a reality for around half of the world's population. Women's rights are human rights. Political attention is therefore needed to combat discrimination and violence against women. The Netherlands will work to move women's rights higher up the political agenda in its bilateral contacts, in an EU context, within the Council of Europe and at the UN.
- Children are the most vulnerable members of our society, and they therefore especially need support to achieve their rights. The Netherlands will therefore promote, in a bilateral and multilateral context, a focus on children (5), particularly in terms of combating violence against children and child labour.

- The Netherlands will also make every effort to combat discrimination against homosexuals (6) throughout the world. We will work to stamp out discrimination by governments on the grounds of sexual orientation and strive to ensure that homosexuality is nowhere defined as a criminal offence.

Human rights, peace and security

The connection between human rights, peace and security is the second key theme of our human rights strategy. Persistent human rights violations almost always lead to instability in the long term. Today's society, where threats to security transcend national boundaries, is highly vulnerable in this respect. Countries whose structure and stability are undermined become a haven for international terrorism and international crime.

Human rights are closely linked to stability. Security is always jeopardised when human rights are violated, and the reverse is also true. Human rights will therefore feature prominently in our efforts to promote peace and security.

Human rights policy and security policy must reinforce each other. They intersect at various levels. At an international political level, it is important to increase support for the concept of 'Responsibility to Protect'. Though this concept is emphatically based on states' own responsibility to protect the rights of their citizens, it also acknowledges that, where a state is unable or unwilling to do this, the international community cannot stand passively on the sidelines. The Netherlands will promote this concept wherever possible. In our own foreign policy, human rights must form part of our efforts to tackle instability in other countries. This is relevant to our policy on fragile states, security sector reform, small arms and arms exports. The meshing of human rights and security must also be reflected at an operational level, in the way we prepare for and implement crisis management operations.

There can never be a just peace if crime goes unpunished. The Netherlands will work at international level to combat impunity, making a major contribution to this process itself.

The security of the individual is a fundamental right and the protection of individuals a fundamental responsibility of every government. Combating terrorism helps create an

environment in which human rights can be protected and promoted. This applies both to our own country and to countries where we are contributing to the international effort to fight terrorism. Terrorism aims to undermine societies based on the rule of law and democracy by using or threatening violence to sow fear and disorder. Lack of respect for human rights and fundamental freedoms can also foster extremism and violent political opposition. Ultimately, the best defence against terrorism is a well-functioning national and international legal order which provides peaceful means for everyone to express themselves and defend their own rights. Though the fight against terrorism will demand some new restrictions on individual rights, they must always remain within the bounds of the limitation clauses enshrined in the various international human rights instruments. After all, the primary aim of the fight against terrorism is to protect and uphold democracy and the rule of law.

At international level and in its bilateral contacts, the Netherlands will actively call for the fight against terrorism to be linked to promotion of human rights. The Netherlands will also work towards solutions to the problems currently facing the international legal system.

The indivisibility of human rights

Civil and political rights and development-related rights (economic, social and cultural rights) are equal in status and must be promoted without distinction. This is referred to as the indivisibility of human rights. Like civil and political rights, economic, social and cultural rights are necessary to a life with dignity. Civil and political rights are vital if progress is to be made on economic, social and cultural rights. The integrated nature of our foreign policy gives us excellent opportunities to give practical expression to the indivisibility of human rights.

The Netherlands will, among other things, contribute to structural improvements in all rights by building and strengthening national systems for the protection of human rights. Furthermore, its development policy will focus attention on the relationship between human rights and the Millennium Development Goals. The private sector also has a valuable contribution to make to both civil and political rights and economic, social and cultural rights through corporate social responsibility.

The voice of human rights

We can promote respect for human rights throughout the world by reminding countries of their international obligations, and by protesting against violations. However, for a society to change, pressure from outside is not enough. In the end people have to stand up for their own rights. Fortunately, however, in every society there are people courageous enough to raise their voices, inform their fellow citizens and call their governments to account, despite the dangers this can entail. Human rights defenders are the voice and the conscience of a society. Freedom of expression is needed if they are to be heard by their fellow countrymen and the government. Without media freedom human rights defenders are silenced, and without media diversity the public have no access to a range of different views. The Netherlands will support human rights defenders both politically and practically. It will also promote freedom of expression by encouraging media freedom and diversity.

A special annual award – the ‘Human Rights Tulip’ – has been created to honour human rights defenders.

Strategic effort

The Netherlands wants to make a difference and achieve progress on these key themes (universality; human rights, peace and stability; indivisibility; and the voice of human rights). They will be reflected in the resolutions that the Netherlands introduces in the United Nations, either individually or with its EU partners, they will be consistently raised in international discussions, and they will form the subject of activities organised or funded by the Netherlands. We hope in these efforts to join forces as far as possible with international, regional and local civil society organisations.

To increase funding for human rights projects, a new human rights fund has been set up. A total of 20 million euros has been earmarked for the fund in 2008.

For foreign policy to be effective, it is important to view the promotion of the international legal order and of human rights in combination with other elements of policy. To ensure

an appropriate response to the challenges and threats of our time, we need to take a firm stand on human rights, without losing sight of the wider context.

We must also be careful to choose the most effective strategy in each situation. Sometimes, making an issue of something is counterproductive, and merely puts the people concerned at risk. In such cases, quiet diplomacy is the best approach, perhaps in the form of a critical dialogue behind closed doors. Sometimes, however, it is more effective to call a country publicly to account, by issuing a statement, for example, or calling upon its ambassador to clarify matters. The goal – to improve the human rights situation – is always paramount, even though the means may vary. At the same time, it is important to remember that the human rights situation cannot be improved overnight. We must therefore persist in our efforts, even when results are not immediately apparent.

Guide for the reader

This document setting out the human rights strategy opens with a chapter discussing the importance of human rights in this day and age and exploring the active role the Netherlands feels it must play. Chapter 2 'Human rights for all people, in all places and at all times' looks at the six key themes that the Netherlands intends to pursue in order to strengthen the universal application of human rights. Chapter 3 looks at the relationship between human rights, peace and security. Chapter 4 examines a number of aspects of the indivisibility of human rights, and explores ways of ensuring they are better reflected in Dutch foreign policy. Finally, Chapter 5 looks at Dutch efforts to support the 'voice of human rights' from within.