

A HUMAN RIGHTS AGENDA FOR THE NEXT ADMINISTRATION

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I would like to thank the American branch of the International Law Association for inviting me here today. It's a pleasure to join such a distinguished group of business people, scholars, and community leaders. I bring the warmest regards of Assistant Secretary of State John Shattuck, who had very much looked forward to attending today. He was, unfortunately, called to The Hague for an emergency meeting regarding the War Crimes Tribunal—a good example of the Clinton Administration's human rights policy in action.

It is often said that “the past is prologue.” The Clinton Administration's human rights agenda in its second term will be certain to capitalize upon the successes of the first term. To this effect, I'd like to discuss what we in the Administration have been doing—and will continue to do—to promote respect for human rights.

There are many reasons why respect for human rights plays an important role in our foreign policy. Three of these reasons stand out.

First, as Vice President Gore recently put it, the United States of America stands for something in this world. People all across the globe look to us as a model of freedom, respect for human dignity, and justice under law. This is one of our proudest legacies, and the American people want us to put these ideals into practice.

Second, our dedication to universal values is a vital source of America's authority and credibility. We cannot lead, and we cannot be a world leader, without it.

Our interests are most secure in a world where accountable government strengthens stability, and where the rule of law protects both political rights and free market economies.

Open borders, transparent legal systems, and respect for freedom of speech are fundamental values to individuals and multinationals alike. A country that respects human rights is far more likely to be a good country in which to transact business than one that does not.

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Third, the costs to the world of repressive governments are painfully clear. In the twentieth century, the number of people killed by their own authoritarian governments is four times the number killed in all this century's wars combined. Even in 1996, after the end of the Cold War, there are still millions of people who live under repressive regimes and authoritarian governments. It is their suffering, courage, and hope that is the moral basis of our efforts.

Today, people around the globe are engaging each other in ways that transcend national borders. National economies are becoming intertwined. New technologies of communication and transportation, satellite TV, and the Internet are bringing people of different countries and cultures closer together, as are shared concerns about the environment, the population explosion, and international terrorism.

Meanwhile, the political and economic forces that are bringing the world together are also driving it apart, as cynical and self-serving leaders fan the flames of nationalism into deadly ethnic conflict.

In this complex interconnected world, it is becoming increasingly urgent that we create new institutions of justice and new ways of resolving conflicts.

Ever since President Clinton took office, this Administration has steadily worked to move human rights to the center of our foreign policy.

We have worked with other countries to build new human rights institutions, such as International War Crimes Tribunals, National Human Rights Commissions, and the new United Nations High Commissioner for Human Rights.

The Human Rights Bureau, has been given authority to oversee those parts of the foreign aid budget going to help new democracies.

We have made an unprecedented effort to work with the business community to promote respect for human rights and worker rights in the countries where they set up shop.

We have, for the first time, integrated women's rights issues into all aspects of our human rights policy. We saw to it that systematic rape was defined as genocide under the Genocide Convention. We have woven women's issues throughout the State Department's annual Country Human Rights Reports and successfully promoted the initiation of a substantial women's rights agenda throughout the United Nations system. At the Fourth United Nations Conference on Women in Beijing we made our position unambiguously clear, that women's rights are human rights.

This Administration has worked to strengthen the structure of international human rights law, by winning ratification of the Convention on Racial Discrimination, and by releasing the first report published by the United States Government on our own compliance with the International

Law of Human Rights. These efforts reflect our commitment to the universality of human rights principles and greatly enhance our own credibility in pressing for human rights abroad.

We have made a significant difference in specific countries. Haiti has its best chance for democracy in its history, thanks to an intensive international effort led by the United States over the last three years. We led the way in creating an International War Crimes tribunal to try the ringleaders of the genocide that exterminated more than half a million people in Rwanda two years ago. We are working with our NATO ally Turkey to curtail the human rights abuses of its military, and move towards fuller democracy. We are running programs to train police and prosecutors in civil liberties in countries all across Eastern Europe and Latin America. And despite the difficulties we have encountered, we have managed to cast a spotlight on human rights abuses in China as never before.

I would like now to turn to Bosnia. The story of Bosnia, of the war there and the diplomatic settlement that has ended the fighting, is the story of our new world, of the challenges we will face, and of the ways we are learning to respond.

Human rights have been at the heart of this terrible war from the beginning. Leaders spurred ethnic cleansing by playing on people's fears that their rights would not be protected in the states emerging from the former Yugoslavia. The conflict they set in motion generated some of the worst atrocities Europe has seen since World War II. And now that the conflict has a chance of ending, justice and respect for human rights are imperative.

Only justice can lift the burden of collective guilt from a society and place it on the shoulders of the perpetrators where it belongs. Without a full accounting that holds those who committed the crimes of genocide responsible for their actions, lasting reconciliation will lie beyond reach.

The Clinton Administration has worked to stop the bloodshed, hold accountable those responsible for war crimes, and ensure that the rule of law—not the rule of genocide—prevails. And the lessons we are learning in Bosnia today can be put to good use tomorrow.

To begin with, it was intensive United States diplomacy backed by credible force that led to the Dayton Accords which ended the conflict. This unprecedented peace agreement synthesizes human rights, justice, and conflict resolution in a framework that offers the best chance of securing a lasting peace.

At Dayton, John Shattuck was the first Assistant Secretary for human rights to take an active part in a major diplomatic peace

negotiation. This in itself was a new integration of human rights into the most serious issues of diplomacy, of war and peace.

The Dayton Accords created a set of human rights institutions, including a Constitutional Court, a Human Rights Chamber, and an Ombudsman; provided for international monitoring of elections and human rights performance; and obligated every party to cooperate with the investigations of the United Nations War Crimes Tribunal in The Hague, however the chips may fall.

And we were not starting from scratch in Dayton—we were working with the lessons of Haiti, where U.S. leadership and support for the reconstruction of civil society, democratic institutions, and the rule of law was essential to ending a human rights catastrophe.

This Administration has consistently, steadily, and successfully helped make international justice a reality in the hellholes of Bosnia, Rwanda, and now, if we succeed in our effort to create a permanent International Criminal Court, throughout the world.

Since the Tribunal's inception in 1993, the Clinton Administration has been its steadiest and strongest supporter. We have given the Tribunal more financial, logistical and political support than any other country. This has taken a lot of heavy lifting in a lot of bureaucracies, but we have stuck with it.

At Dayton, we made sure that support for the Tribunal was an essential element of the Agreement, and binding on all parties. And our military forces in Bosnia have taken it upon themselves to provide a safe environment for the Tribunal's investigations and to assist its investigators in their work.

The significance of the Tribunal's work goes far beyond the present-day conflicts in Bosnia and Rwanda.

The Tribunal is precisely the kind of human rights institution we need to be creating in the post-Cold War world. Just as the postwar generation rose to the task of creating new institutions that guided the international community for the next half-century, so too now it is our responsibility to create new transnational institutions of justice for the global community of the twenty-first century. Much of this work is slow going, and well removed from the headlines. But I am convinced that our work on creating institutions of accountability will stand, not only as a significant achievement of this administration, but as one of our country's noblest efforts.

Half a century ago, the need for a global structure protecting human rights was given special urgency by the unprecedented horrors of

the Holocaust of World War II. But the foundation of that structure is embedded in the deepest values of every part of the world.

Throughout modern history, when fundamental human values have been assaulted by governments and their leaders, humankind has turned toward self-destruction. That is what happened in the Nazi concentration camps, in the Soviet Gulag, in the Chinese Cultural Revolution, in the killing fields of Cambodia, and more recently in the acts of genocide carried out in the former Yugoslavia and in Rwanda. These and other massive human horrors live in our historical memory.

Universal human rights are the measure of these horrors and of our commitment to strive not to repeat them.

It is in this arena of human rights institution-building, of creating structures of justice and accountability that will extend into the future and on which others can build, that the Clinton Administration has made its greatest contribution to the unending work of human rights.

In closing, I would like to remember on whose behalf we labor in the field of human rights, and on whose behalf a global structure of protection is being built. In this work we are responding to the pain and need of men, women, and children on all continents, and to our own interest as Americans in peace, security, and the ideal on which our nation was founded.

The challenges human rights advocates face today are greater than we had ever anticipated during the heady early days after the fall of the Berlin Wall and the end of the Cold War. Yet the new international environment offers unprecedented opportunities for the promotion of human rights and human dignity.

One of our greatest American heroes, the Reverend Dr. Martin Luther King, Jr., said that "the moral arc of the universe is long, but it bends towards justice." We all have a long way to go along that arc, but our nation and our Administration are committed to going the distance.