

Address by Jean Asselborn, Minister of Foreign and European Affairs of Luxembourg

Human Rights and the Rule of Law

*Faculty of Law and Political Sciences, National University of Laos
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Dear students,

Ladies and gentlemen,

It is a pleasure and an honour to be with you at the National University of Laos today. As you may know, Luxembourg and Laos have been cooperation partners for over 20 years: our diplomatic relations were established in 1997, which is perhaps the exact year in which some of you were born.

It is therefore a particular pleasure for me to have the opportunity to exchange views with you. Since you belong to the Faculty of Law and Political Sciences, I would like to concentrate my opening remarks on the idea of the rule of law, both at the national and at the international levels. I would also like to discuss how the rule of law ties in with human rights and the protection and promotion of human rights. Since the development of the rule of law and the promotion of human rights both require international cooperation, I would like also to address multilateralism and the vital role of the United Nations.

Dear students,

We live in a world in which international relations are often understood as a zero-sum competition. Many politicians believe that for one country to win, to make progress, another must necessarily lose. I believe this is wrong, and also dangerous.

I believe that the friendship between our two countries is a concrete reminder that two countries – half a world apart from each other – can cooperate to their mutual benefit.

This cooperation needs goodwill and shared aims and objectives. It also needs to be based on certain rules and norms.

The foundational document of the international rules and norms-based system that we know today is the Charter of the United Nations, signed in San Francisco on 26 June 1945. At that time, the Second World War had just ended in Europe and North Africa, and was still going on in Asia and the Pacific.

In the first half of the 20th century, the two World Wars taken together cost around 100 million human lives. The war crimes, crimes against humanity, and genocide committed in these years were unparalleled in history.

This reality was foremost in the minds of the women and men who drafted the UN Charter. In its preamble, they *“reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small”*.

They also affirmed their determination to *“establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained”*.

In these two fundamentally important sentences, you can see the link between human rights and the rule of law on the international level.

The murder of millions of human beings during the world wars was not confined to the battlefields of Asia, Europe, and North Africa.

Mass atrocity crimes happened wherever States were no longer able or willing to protect the people they had a duty to protect. In the Second World War, the Nazis actively destroyed States and the legal protection that they provided both to their own citizens and to people living on their territory.

They replaced the rule of law by the rule of force. This allowed them to murder 6 million Jews, as well as millions of other civilians in the countries they occupied.

This is the hell that the second UN Secretary-General, Dag Hammarskjöld, referred to when he said, and I quote: *“The United Nations was not created in order to bring us to heaven, but in order to save us from hell.”*

The United Nations today has 193 Member States. It has three main missions: to guarantee international peace and security, to promote sustainable socio-economic development, and to protect human rights and the rule of law on the international level. Its fourth mission is to provide humanitarian aid, when natural or man-made disasters strike.

This is what multilateralism means: problems are solved collectively. Conflicts are prevented or resolved, mutually beneficial development partnerships are established, and the fundamental rights of people are protected everywhere. Multilateralism works globally, as well as regionally.

The founders of the UN also foresaw that the world would become increasingly complex, and therefore allowed for regional arrangements to maintain

international peace and security. This is addressed in Chapter VIII of the UN Charter.

There are different models of regional cooperation. The Lao People's Democratic Republic is a Member State of ASEAN, the Association of Southeast Asian Nations. Luxembourg is a Member State of the European Union.

These regional cooperation arrangements allow us to work together closely on matters of shared interest: security, trade, infrastructural programmes, scientific and technological cooperation, environmental protection, cultural exchanges, and many more undertakings to improve our daily lives.

All 193 UN Member States share a commitment to achieve 17 Sustainable Development Goals until the year 2030. This "Agenda 2030 for Sustainable Development" has ambitious objectives: to end poverty, to end hunger, to achieve gender equality, to reduce inequality between and within countries, and to combat climate change, to mention just a few.

None of these goals can be realised when countries act alone, or even bilaterally; all of them require multilateral cooperation based on trust, good faith, and the belief that we can achieve more when we work together.

And none of these goals can be achieved without respect for the rule of law and the protection of the rights of all human beings, or without a real commitment to good governance.

When the United Nations Member States conducted the “World We Want” survey in 2013, in order to prepare Agenda 2030, people around the world overwhelmingly named three top priorities: besides a good education and better healthcare – more important even than food and access to clean water – they asked for an honest and responsive government.

They asked for eliminating corruption and ending the abuse of power. In asking for this, they understood that all development goals can only be reached if there is a responsible exercise of power and redistribution of wealth, in the public interest, keeping in mind the well-being of both current and future generations.

Sustainable Development Goal number 16 is about promoting peaceful and inclusive societies, providing access to justice for all and build effective, accountable and inclusive institutions at all levels. Institutions have to work for everybody and leave nobody behind.

At the heart of Goal 16 is the protection and fulfilment of all human rights, both civil and political rights, but also economic, social, and cultural rights.

These human rights are often presented like a Western invention, or a foreign model that the West attempts to impose on countries with a different cultural or political tradition. To this, I would answer that people from around the world have contributed to the drafting of the Universal Declaration of Human Rights, drawing on both Western and non-Western sources of law and political science for inspiration.

The international framework for the protection and promotion of human rights under the United Nations holds all States to account, rich and poor. They are, each and every one, held to the same high standards.

In fact, my country's own human rights record has been put to the test this year. We have taken part in the Human Rights Council's Universal Periodic Review in Geneva. In this important exercise, all Member States of the United Nations can make recommendations to the State under review to help it improve its human rights record. Luxembourg participated with an open mind, ready to learn from others and to continue our efforts towards greater respect for human rights.

Dear students,

It is easy to believe that the responsibility for upholding human rights and the rule of law lies with governments only. However, I believe that each of us has a responsibility. We all, as individuals, have to work for a fairer, more just society, where all of us, regardless of our political opinion or religious beliefs, our gender identity, our sexual orientation, our nationality, our ethnicity, our age, or any other factor, can live together in peace and free from fear and discrimination.

As future lawyers, magistrates, after graduating from this University, you will have a unique responsibility, both as human beings, as well as in your role as guardians of the rule of law. That is an exciting responsibility to have. And I am sure that you will be up to the task!

Thank you for your attention.

And now I am looking forward to hearing your questions.
