**Human Rights and Human Rights Diplomacy: An Introduction**

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Welcome to this introductory lecture on human rights diplomacy. This is the first class video lecture that will introduce the topics that are part of the everyday life of a diplomat, who is in charge of promoting human rights. As a result, this class will just lay the basic foundations of the topic. We will explore the literature but we will be quite superficial in our treatment, so do not worry about that. We will find more information in the reading materials that are included in the book.

But to begin with, let's start with a brief overview of the topics we're going to discuss together. The first point that we should discuss is a backgrounder on human rights diplomacy. So, simply put, where do human rights come from? I mean, human rights as a norm, as a value, because we all know that human rights are an important part of everyday life. Human rights, however, were not part of international politics. If you think of the very basic foundation of the current international system that many people trace back to the Westphalia Peace Agreement, we will find that international politics is made by statesmen for national interest. So, values are set aside, norms and even laws are a marginal part of international politics.

As a result, we should discuss when and where human rights come from and if they are, and I think they are, a critical part of the current international system. We will see, then, the definitions that have been elaborated by the literature, and we will see that we will need to shuttle from international law to international politics. But this is something that is necessary because it is an evolving field. We will see that definitions are important really to set the foundation of what diplomats need to know when they perform their job, but at the same time, it's just a first step, and there is still a lot to say about it. There is still room for investigation.

Finally, we will discuss the implications that come from the considerations that we are going to make. Simply put, we will see that there are more problems that need to be faced than solutions. But let us start from the beginning.

So, let us start from the beginning, as we say, with the backgrounder on human rights diplomacy. I know that it is a very blunt choice, but I will locate at least the last wave or the resurgence of human rights in the early '90s. Because, as you will see, well, there were other initiatives that were made to promote human rights, and I'm referring to the 1948 convention. But what changed in the early '90s was a completely different international setting, a different system, I would say. Simply put, we might remember, if you are younger than I am, probably you won’t remember that, but if you were born in the '70s, as I was, you will remember that in the early '90s, it was a period of great hope, expectations for the new international order, the end of the Cold War, the end of bipolarism, were met with really, catastrophic, tragic events like the war in former Yugoslavia and even more the atrocities that we experienced in Rwanda.

So, what happened is that this unlikely situation where high expectations met with blunt disappointments led diplomats, especially the United Nations, to devise a new framework to promote human rights. We refer to the 1993 Vienna Convention on Human Rights. Again, this is a really diplomatic effort that eventually led to the signature and ratification of this agreement. And as I said, it’s not the first time in history that states tried to claim that human rights are important. The first experience was in 1948, but it is quite understandable that such a commitment simply was overshadowed by the realities of the Cold War. You might remember that during the Cold War, the overarching problem of nuclear annihilation and competition, MAD, Mutual Assured Destruction, simply left human rights on the sidelines.

But in 1993, diplomats and statesmen convened that a new time had come to stress the value of human rights. And the document is quite lengthy; we cannot discuss it in depth, but we might remember two features that qualify this document as groundbreaking, as a landmark document. And the first feature is that there was a clear attempt to find a compromise between universalism and cultural differences. Some rights were simply held to be universal, so genetic rights, any individual should be endowed with these rights, but at the same time, the door was open to leave all cultural differences respected. And that, of course, was a reflection of the rising controversies and tensions among third-world states, as they were called at the time, and developed states. So, this is the first feature, universalism versus cultural differences.

The second feature that is equally relevant was the ambition to include, and it is a very long list, all possible rights. Because when we think of human rights, we think of civilian, political, social rights, and there was still, during the Cold War, a cleavage, a division between those states that considered some basic civil rights as prioritarian, while other states were more concerned about social rights. In the end, the document included rights like women’s rights, children’s rights, workers’ rights, environmental issues as well. So, ending up in a very lengthy list of rights that, and this was the final point, governments had the responsibility to promote or at least to abide by in their own territories. Critics might dispute that this document is just worth the paper it was written on, but on the other hand, there were later feature initiatives that we'll see very quickly that prove that the document really left a mark.

The first one was at the multilateral international level. And the first big change was at the United Nations level. A new commissioner was created, the United Nations High Commissioner for Human Rights had a clear task just to make the United Nations more effective when it comes to human rights promotion. And just to show how remarkable this position was, the tasks were to counsel the highest body of the United Nations, and of course, I'm referring to the Secretary-General, and to monitor the compliance to human rights law in states around the world. Similar figures were also developed in other regional institutions or regional organizations like the European Union, the Organization for Security and Cooperation in Europe. And finally, the same structure was replicated at the national level.

In about 120 states, officers were created with the task of promoting human rights. And of course, this is quite controversial because some states abide by human rights, so one might claim that the institutions are superfluous. In other states where human rights simply are not considered, there is nothing like that. But what’s important is that national institutions are now federated, are now integrated into an alliance which has the task of promoting best practices and, as a result, to promote transnational cooperation.

So, it's time for some tentative conclusions. The bottom line is that, contrary to what many critics will say, international politics is not only a realpolitik. International politics needs to take into consideration some values, some principles, some norms, and human rights are one of these norms. But of course, this is the most optimistic view. There is also a pessimistic view that we should take into consideration, and we'll see that right now.

Now it's time to move to the definition, what is human rights diplomacy? And I think that it is not possible to answer this question if we do not take a step back. International human rights law is a body of norms regulating human rights among nation-states. So one may say, okay, that’s something that we all know, laws exist, even international law. So the first part of the definition that we need is that norms are the basic foundation of international human rights. But norms mean that, well, as we all know, both international lawyers and political science experts, norms can be contested. Norms are by definition contested. When a norm arises, it is contested, and the very basic framing of a norm, the wording of a norm, is the end result of some kind of discussion. And even the implementation probably, I would say, even more of the implementation is an argument, is a reason for contention. So, it is subject to arguments. But this, as I said, is the first part of the story. Why? Because we will see that diplomats need to play a part in the definition of norms.

The spin-off of this definition is that international human rights law and diplomacy are closely intertwined as states maneuver in international forums to achieve their goals with respect to human rights. So, again, it is contrary to common wisdom, human rights are divisive. States have different interests when it comes to promoting human rights. We will see that in more detail in a few seconds. But this gives us the possibility to move to the first definition that we can consider when it comes to defining human rights diplomacy. What is human rights diplomacy? Very simply, that’s the basic definition, the first one, the simplest one, it is the utilization of diplomatic negotiation and persuasion for the specific purpose of promoting and protecting human rights. So, the key terms are diplomatic negotiation and persuasion.

Here, if you are familiar with diplomacy at large, here we talk about the basic functions of diplomacy, persuading, debating, discussing. Because this is also the limit of this definition. If we take this one as our starting consideration, well, we will find that diplomats have got all that it takes to drive to promote human rights.

But if we add another consideration, the one that you can read here, human rights diplomacy is also the public and private effort of governments and their officials to engage with their foreign counterparts on human rights issues. So here we’ve got public and private. If you have already had a look at the class's video lectures on new diplomacy, public diplomacy, that’s what we’re talking about. Diplomats do not perform their task just behind closed doors; they are every day engaged in public discussions through new media. So that makes things a little more complicated. Diplomats willing to promote human rights now are faced with a very hard task, to use all the means at their disposal to promote human rights.

Now, it’s time to move to the implications. What do we move from here? What are the consequences of the complications of the dual nature of human rights? By dual nature, I mean law and politics. Let’s see them together. The first implication is a dilemma. It is a dilemma between compromising versus uncompromising action. What do we mean by that? Well, diplomats need to balance both approaches. The art of persuasion implies some kind of compromise; diplomacy is compromised by definition. And as a result, when framing norms, when monitoring and promoting the implementation of norms, diplomats must be careful. Sometimes they may need to come to terms with their counterparts. So this is the principle of being pragmatic and getting to compromise, that may really be critical to get results. But at the same time, compromise means watering down principles that are universal or the application of principles that are universal. This situation is quite unfortunate. It is unfortunate because it may create other problems, like double standards, and we’ll see them in a second. It may create a situation where states cannot be entirely credible when they promote human rights. A very simple example: when you make exceptions, a compromise-led approach allows for exceptions. But especially when it comes to framing a norm, the wording must be clear and must be universal, and the implementation as well should follow from this consideration. So, this is why being a diplomat engaged in human rights diplomacy from the very beginning requires a lot of ingenuity, a lot of creativity, and sometimes even pure genius in order to balance these conflicting incentives.

We also have a second dilemma, and the second dilemma is about the competencies, the skills that a diplomat must have. Here we should distinguish between technical versus strategic competencies. So again, this is mirroring the first dilemma. When it comes to international law, you need people with technical skills, judges, even policymakers, or the members of the parliament. When they frame a law, they need to know the technicalities of the jargon of international law and domestic law. So diplomats as well need to be trained, and I guess most diplomats are trained in international law, but sometimes also in domestic law of the country they operate in. But that regards the, I would say, the legal part of the story. When it comes to monitoring, pushing for the respect of human rights, here we’ve got a problem. We need other skills that complement the technical skills. Diplomats must be strategic. By strategic, I mean they need to ponder the pros and cons of their own actions, the tools they’ve got at their disposal. Sometimes they need to create new tools. And for that, yes, we might have technical skills, for example, in communication. But the point is that diplomats must be strategic; they must, in a way, anticipate the results of their own actions, which is very difficult because the result of their own action does not depend alone on their own action; it also depends on the feedback they get from a variety of audiences, public opinion, domestic international public opinion, other statesmen etc.

And let us move to the third implication, which is a problem. And the problem is that, contrary to standard classical diplomacy, well there is no handbook. We try to write one with these video lectures, but there is no established practice when it comes to promoting human rights. In fact, the very same practice of diplomacy is based on rituals, on standardized procedures, sometimes on symbols. When it comes to human rights, I would say there is nothing like that. Symbols, procedures, practices may actually be a problem when it comes to inventing new ways to promote human rights.

So again, we can sum up our consideration in a very simple bottom line, human rights diplomacy is a murky topic. Indeed if you are searching for academic literature on how to promote human rights, you will find a lot of human rights law, but in terms of political science, for example, or even sociology, there is not much, and especially so when it comes to the praxeology, the how to, there is no doctrine on how to promote human rights. So, as I said at the beginning, this is a very superficial introductory overview of the complexities that a diplomat needs to deal with when it comes to human rights promotion. In our future classes, we will see whether we can add some suggestions, some guidelines, and make the life of a diplomat a little bit better.

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