

**Anna Lindh Lecture at Lund University (Sweden) on 28 January 2013
Delivered by Dr Danilo Türk**

A few words of thanks by Ambassador Hans Corell

Dr Türk, former President of Slovenia,
Governor Pålsson,
Vice-Chancellor Eriksson,
Ambassador Benko,
Your Graces,
Excellencies,
Ladies and Gentlemen,
Fellow students!

Allow me now in my capacity as former Chairman of the Board of Trustees of the Raoul Wallenberg Institute of Human Rights and Humanitarian Law to express on behalf of all of us our warmest thanks to Dr Türk for delivering the Anna Lindh Lecture of the year 2012. The intention was of course that the lecture should have been delivered last year. But because of circumstances that neither Dr Türk nor we here in Lund could control, the delivery was postponed to this day. But this means that we are all the more delighted that the event could take place and that we were able to welcome not only Dr. Türk but also his wife Barbara today.

Before I convey our thanks to Dr Türk, let me recognize the presence of Mr. Lennart Svensäter, President of the Court of Appeal of Skåne and Blekinge. As of 1 January this year, Mr. Svensäter is the Chairman of the Board of Trustees of the Raoul Wallenberg Institute. We welcome him in this capacity.

Traditionally, it is the Chairman of the Institute who delivers the address that I am about to give. But President Svensäter thought that, since Dr Türk's lecture should have been delivered last year during my tenure as Chairman and since Dr Türk and I are friends from the period when we both served in the UN Secretariat that I should have the honour. I thank Mr Svensäter for this gesture!

Dr Türk chose to address the topic *Human Rights in a Temporal Perspective: From the "Age of Human Rights" to an Era of Uncertainty*.

In thanking Dr Türk, let me focus on some of the elements in his lecture that struck me as particularly interesting, relevant and in some cases disturbing.

Dr Türk said that *the Helsinki Final Act on Security and Cooperation in Europe* from 1975 included legally modest, yet politically powerful provisions on human rights.

I couldn't agree more. I was actually suspicious at the outset, when they started formulating political declarations on the basis of language in treaties that were already legally binding on the states. But in the process I changed my mind completely: the Helsinki process demonstrated that political will at the highest level in states can make a tremendous difference. And there is no doubt that this process contributed

more to the fall of the Berlin Wall in 1989 than the many treaties that this wall violated.

Dr Türk also referred to *the Universal Declaration of Human Rights*, adopted in 1948, and said that it represented a stellar moment in the history of the United Nations.

Again, I agree. The Declaration is the basis for the two Covenants, the one on Economic, Social and Cultural Rights, and the one on Civil and Political Rights, from 1966 that Dr Türk mentioned. The two Covenants are now ratified by more than 160 states out of the 193 UN members. In addition, I believe that there is now more or less general agreement that the Universal Declaration, although not a treaty, has assumed the binding force of customary international law.

In addition to the provisions quoted by Dr Türk, I should like to point to a provision of particular importance to students. I spoke about it at another university just a couple of days ago – article 26 (2). This article is about education that shall be directed to the full development of the human personality, to the strengthening of respect for human rights and fundamental freedoms and to the promotion of understanding, tolerance and friendship among all nations and racial or religious groups.

My suggestion is that, if you have not already done so, you read carefully the 30 articles of the Declaration. And this is irrespective of which faculty you belong to. Rehearse them and use the Declaration as a lodestar in the years to come.

You should then also reflect on article 29 (1) which deals with everyone's *duties* to the community "in which alone the free and full development of his personality is possible", as the provision reads.

Today, we should of course refer to *his or her* personality.

Dr Türk rightly pointed to the situation of *inequality of women*.

Let me therefore reiterate from this rostrum: empowerment of women is one of the most important elements in our strife for peace and security! There is a direct correlation between the standing of the women in a society and the level of development in the same society.

Last November, my wife and I listened to a lecture by Susan Rakhsh, a researcher and author on the board of the Kvinneuniversitetet Norden (The Nordic Women's University). The title of her presentation was "The Arab Spring Has Become the Women's Winter". Let us hope that *your generation can make a real difference in this important field*. No state is above criticism here.

Dr Türk also pointed to the *international criminal tribunals* and the need for international criminal justice.

As a young judge back in the 1960s, I was very doubtful with respect to the possibility of establishing criminal justice at the international level. My experiences as a war crimes rapporteur in Bosnia-Herzegovina and Croatia back in 1992-93, made me change my mind completely. As I have said in another context:¹

Just make a comparison with the criminal justice system at the national level. Would it be possible to administer a country if all of a sudden the criminal justice system would not apply in certain municipalities or counties? The answer is self-evident: it would not! If we look to the administration of our modern day international globalized society, the answer is the same. The international criminal justice system must therefore apply in all states.

In his lecture Dr Türk emphasized that in the globalized world of today, *economic and social rights must be recognized and treated as human rights*.

Indeed! And this also raises a question of great ethical dimensions. The way some of us lead our lives on the globe where resources may become scarce is a major problem that must be solved in a reasonable manner in the future. This is so closely connected to the respect for human rights.

Dr Türk also said that we need a "*Global Rule of Law Report*" as an instrument of strengthening the needed protection of human rights.

Again, I could not agree more. Thanks to the initiative of a former President of the American Bar Association, Bill Neukom, there is today available a Rule of Law Index within the framework of the so-called World Justice Project. I suggest you study this. Google the three words "World" "Justice" "Project", and you will find it immediately.²

But this activity should not depend entirely on private initiatives. As Dr Türk suggests, this kind of work should be the duty of the United Nations and be presented in a "Global Rule of Law Report".

In this context, I am glad that Dr Türk mentioned the recently published guide, prepared by the Raoul Wallenberg Institute and the Hague Institute for the Internationalisation of Law: *Rule of Law – A guide for politicians*.³

The Genesis of this guide was a discussion in a meeting in 2008 of the InterAction Council of Former Heads of State and Government. The guide should of course be spread to parliaments and political parties all around the world. However, I believe that we have among us a former Head of State who is exceptionally well placed to convince the deans of law schools around the world that this 41 page guide, which is now being translated into many languages, should also become part of their curricula. Why not set the example there in Lund!

¹ Reflections on International Criminal Justice: Past, Present and Future. Keynote Address at a Symposium on the International Criminal Court at Ten, held at Whitney R. Harris World Law Institute and Washington University School of Law, St. Louis, MO, on 12 November 2012
<http://www.havc.se/res/SelectedMaterial/20121112corellkeynoteicj.pdf>.

² The direct link is <http://www.worldjusticeproject.org/about/>.

³ See <http://rwi.lu.se/what-we-do/academic-activities/pub/rule-of-law-a-guide-for-politicians/>.

Well, these were a few reflections having listened to Dr Türk's lecture. I would suggest – to the students, in particular – that the lecture be studied carefully; bearing in mind that it was delivered by a former Head of State with academic qualifications in and practical experiences from dealing with the subject matter. Use the lecture as an inspiration for further discussions, research and writings.

Dear Dr Türk, allow me on behalf of all of us to again thank you warmly for your insightful and thought-provoking but also in some parts worrying presentation.

Ladies and gentlemen,

This brings us to the close of this ceremony in memory of Anna Lindh.

Quod bonum, felix faustumque sit! Dixi!