

HUMAN RIGHTS AND THE HEMISPHERE

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FIRST OF ALL LET ME EXPRESS MY APPRECIATION FOR THE INVITATION TO PARTICIPATE IN THIS VERY TIMELY AND IMPORTANT SYMPOSIUM, AND SPECIFICALLY FOR THE OPPORTUNITY TO SPEAK ON THE SUBJECT OF "HUMAN RIGHTS AND THE HEMISPHERE."

NOW THE SUBJECT IS BOTH COMPLEX AND CONTROVERSIAL, AND I HAVE BEEN ASKED TO KEEP MY REMARKS TO NO MORE THAN FIFTEEN MINUTES. THEREFORE, I SHALL BE SKETCHING BROAD OUTLINES RATHER THAN PROVIDING DETAILED ANALYSIS. BUT I AM SURE THAT OUR ENSUING DISCUSSION WILL PRODUCE MORE IN DEPTH TREATMENT OF SUBJECTS OF COMMON INTEREST. I AM INTERESTED IN YOUR COMMENTS, AND I WELCOME QUESTIONS. I LOOK FORWARD TO A FRANK AND VIGOROUS EXCHANGE OF VIEWS.

MY PRESENTATION WILL ATTEMPT TO SPELL OUT WHAT OUR HUMAN RIGHTS POLICY IS AND WHAT IT IS NOT. I WILL MENTION A FEW OF THE PROBLEMS WE CONFRONT IN ATTEMPTING TO IMPLEMENT THAT POLICY. THEN I WILL DISCUSS SOME OF ITS RESULTS, BOTH FAVORABLE AND UNFAVORABLE, AND FINALLY I WILL CONCLUDE WITH A FEW THOUGHTS ON THE FUTURE. WHAT I SAY HERE IS WHAT WE HAVE BEEN SAYING IN EXPLAINING THE OBJECTIVES OF OUR POLICY IN PRIVATE DISCUSSIONS WITH OTHER GOVERNMENTS.

THE CARTER ADMINISTRATION HAS FROM THE BEGINNING PLACED RENEWED EMPHASIS UPON HUMAN RIGHTS. SECRETARY VANCE SET OUT A LOGICAL AND, I BELIEVE UNIVERSALLY ACCEPTABLE FRAMEWORK OF THREE CATEGORIES: "THE RIGHT TO BE FREE FROM GOVERNMENTAL VIOLATION OF THE INTEGRITY OF THE PERSON," "THE RIGHT TO FULFILLMENT OF VITAL NEEDS LIKE FOOD, SHELTER, HEALTH AND EDUCATION," AND, "THE RIGHT TO ENJOY CIVIL AND POLITICAL LIBERTIES." IN THIS FRAMEWORK WE HAVE PLACED EMPHASIS ON HUMAN RIGHTS AS A MATTER OF DELIBERATE POLICY AS WELL AS MORAL COMMITMENT. TECHNOLOGY AND MODERN COMMUNICATIONS HAVE SHRUNK THE WORLD TO A POINT WHERE EVERYONE IS MORE ACUTELY AWARE OF HUMAN RIGHTS STANDARDS, OF THE VIOLATIONS OF CIVIL AND POLITICAL LIBERTIES, AND OF THE GAP BETWEEN RICH AND POOR. FINALLY, AS DEPUTY SECRETARY CHRISTOPHER SAID, "OUR STRENGTH AS A NATION AND OUR MAGNETISM TO THE WORLD AT LARGE ARE PREDICATED ON OUR COMMITMENT TO HUMAN RIGHTS. IT IS ONLY PROPER THAT THE HUMAN RIGHTS CONSIDERATIONS SO IMPORTANT TO OUR NATIONAL LIFE BE REFLECTED IN OUR INTERNATIONAL LIFE AS WELL."

I DON'T MEAN THAT WE ARE TRYING TO IMPOSE OUR VALUES ON OTHERS. WE UNDERSTAND FULL WELL THAT OTHER NATIONS HAVE TRADITIONS VERY DIFFERENT FROM OURS. WE ARE BEING GUIDED BY THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, A DOCUMENT APPROVED BY THE UNITED NATIONS IN 1948. WE ALSO HAVE AN OBLIGATION UNDER THE U.N. CHARTER, AS DO ALL OTHER STATES WHICH HAVE SIGNED THAT CHARTER TO PROMOTE RESPECT FOR, AND OBSERVANCE OF, HUMAN RIGHTS.

THE OAS CHARTER TOO GIVES PARTICULAR EMPHASIS TO HUMAN RIGHTS, ESTABLISHING THE INTER-AMERICAN HUMAN RIGHTS COMMISSION TO PROMOTE THE OBSERVANCE AND PROTECTION OF HUMAN RIGHTS AND CALLING FOR THE EFFECTIVE EXERCISE OF REPRESENTATIVE DEMOCRACY. THESE ARE SOLEMN TREATY OBLIGATIONS IN OUR HEMISPHERE.

NOW CLEARLY THE UNITED STATES ITSELF HAS AN IMPERFECT HISTORY AND HAS A LONG WAY TO GO IN ACHIEVING THESE NOBLE OBJECTIVES. UNHAPPILY, SLAVERY CO-EXISTED WITH OUR DEMOCRATIC SYSTEM UNTIL A CENTURY AGO. THERE ARE PLENTY OF HUMAN RIGHTS VIOLATIONS RIGHT HERE AT HOME, SO WE ARE NOT PRETENDING TO BE BETTER THAN OTHERS, OR TO GIVE MORALITY LESSONS TO THE WORLD. WE ARE PAINFULLY AWARE OF OUR OWN SHORTCOMINGS, PERHAPS MORE SO THAN YOU.

SECONDLY, WE DO NOT ENVISION OUR HUMAN RIGHTS ADVOCACY AS AN AMERICAN MONOPOLY. WE REALIZE FULL WELL THAT HUMAN RIGHTS HAVE BEEN DEFENDED IN OTHER LANDS, LONG BEFORE THE UNITED STATES EXISTED. I CITE THE LABORS OF BARTOLOMEO DE LAS CASAS AS ONE EXAMPLE. SO WE DO NOT DRAMATIZE OR GLAMORIZE OUR HUMAN RIGHTS POLICY AS A HEROIC SINGLE-HANDED EFFORT TO MAKE THE WORLD PERFECT. WE ARE SIMPLY TRYING TO COOPERATE WITH LIKE MINDED GOVERNMENTS AND PEOPLES TOWARDS A COMMON GOAL. THE HUMAN RIGHTS CAUSE IS INTERNATIONAL.

MOREOVER, WE SEEK GOOD RELATIONS WITH ALL GOVERNMENTS. WE PREFER DEMOCRATIC GOVERNMENTS, BUT WE WORK FOR FRIENDLY RELATIONS WITH ALL. THAT MEANS WE ARE NOT TRYING TO OVERTHROW OR UNDERMINE OTHER REGIMES. IT ALSO MEANS THAT WE SEEK TO AVOID PUBLIC CONFRONTATIONS, WHENEVER POSSIBLE, AND THAT WE MUCH PREFER TO DISCUSS HUMAN RIGHTS PROBLEMS PRIVATELY, QUIETLY. WE TRY HARD TO AVOID THE HEADLINES, EVEN THOUGH WE ARE FULLY AWARE THAT MORE DRAMATIC TACTICS ARE SATISFYING TO MANY HUMAN RIGHTS SUPPORTERS IN ALL COUNTRIES.

IN ADDITION, WE FULLY UNDERSTAND THAT OTHER GOVERNMENTS HAVE UGLY, DANGEROUS PROBLEMS WHICH

FORTUNATELY DO NOT CONFRONT US HERE AT HOME--FOR EXAMPLE, THE PROBLEM OF WIDESPREAD TERRORISM. WE AGREE THAT EXTRAORDINARY MEASURES ARE SOMETIMES REQUIRED TO COPE WITH MAJOR THREATS TO PUBLIC PEACE AND ORDER. BUT WE ALSO SAY THAT MURDER AND TORTURE, OFFICIALLY CONDONED OR OTHERWISE, ARE UNACCEPTABLE RESPONSES TO TERROR. THAT MAKES PEOPLE WHO FIGHT TERRORISM NO BETTER THAN THE TERRORISTS.

OF COURSE, I DO NOT FOR A MOMENT SUGGEST THAT HUMAN RIGHTS PROBLEMS AND OUR POLICY RESPONSE ARE ANYTHING AS SIMPLE AS I AM MAKING THEM SOUND. WE COULD EASILY SPEND A WEEK HERE DISCUSSING TOUGH CONTROVERSIAL HUMAN RIGHTS QUESTIONS AND THE POLICY AND TACTICS FOR DEALING WITH THEM.

FOR ONE THING, NATIONAL SECURITY CONSIDERATIONS MUST PLAY A MAJOR ROLE IN OUR POLICY FORMULATIONS. THAT FACTOR SOMETIMES GIVES RISE TO CHARGES THAT WE ARE INCONSISTENT IN APPLYING OUR HUMAN RIGHTS POLICY. ANOTHER PROBLEM ARISES WHEN WE TRY TO ASSESS THE PROPER U.S. RESPONSE TO GROSS HUMAN RIGHTS VIOLATIONS IN ANOTHER COUNTRY. FOR EXAMPLE, SHOULD THE U.S. TERMINATE OR REDUCE MILITARY ASSISTANCE PROGRAMS, AND EVEN PREVENT

U.S. MILITARY SALES TO A COUNTRY WHEN, IN OUR BEST JUDGMENT, THE ONLY IMMEDIATE RESULT WILL BE THAT SUCH SALES AND PROGRAMS WILL BE PROVIDED BY OTHER COUNTRIES? AND IS THERE PERHAPS A FALLACY IN WITHHOLDING ECONOMIC ASSISTANCE TO A REPRESSIVE REGIME WHEN, ONCE AGAIN IN OUR BEST JUDGMENT, THE ONLY IMMEDIATE RESULT WILL BE TO DEPRIVE THE POOREST SECTOR OF THE POPULATION OF DESPERATELY NEEDED HELP?

THESE ARE ONLY A FEW OF THE TOUGH, VEXING QUESTIONS THAT PLAGUE US IN OUR DAY TO DAY EFFORTS TO CARRY OUT OUR HUMAN RIGHTS POLICY.

NOW WHAT ABOUT THE RESULTS OF THIS POLICY? HAS IT REALLY HAD ANY IMPACT ON OUR RELATIONS WITH LATIN AMERICA AND ON THE CONDITION OF HUMAN RIGHTS IN THAT AREA? I THINK THERE CAN BE NO QUESTION BUT THAT IT HAS HAD A VERY SIGNIFICANT IMPACT ON LATIN AMERICA AND ON INTER-AMERICAN RELATIONS. IT MUST BE ADMITTED THAT, UNFORTUNATELY, STRAINS HAVE BEEN IMPOSED ON OUR OFFICIAL RELATIONS WITH A NUMBER OF GOVERNMENTS IN THIS HEMISPHERE. WE SINCERELY REGRET THIS. AS I EMPHASIZED EARLIER, WE WANT GOOD RELATIONS WITH ALL, AND WE INTEND TO DO OUR BEST TO ACHIEVE THE CORDIAL, FRIENDLY RELATIONS WE PREFER. ON THE OTHER HAND, IT IS ALSO CLEAR THAT OUR HUMAN RIGHTS POLICY HAS RECEIVED ENTHUSIASTIC SUP-

PORT FROM MANY IMPORTANT SECTORS OF LATIN AMERICAN PUBLIC OPINION, INCLUDING INTELLECTUALS, RELIGIOUS LEADERS, POLITICAL PARTIES, LABOR UNION ORGANIZATIONS, BAR ASSOCIATIONS AND OTHER PROFESSIONAL GROUPS, STUDENTS, ETC. IT IS IMPORTANT TO NOTE THAT MANY OF THESE SUPPORTERS HAVE TRADITIONALLY BEEN CRITICAL OF U.S. POLICY.

BUT I THINK THE MOST IMPORTANT ACHIEVEMENT OF OUR HUMAN RIGHTS POLICY HAS BEEN ITS VERY POSITIVE IMPACT ON THE ACTUAL DAY TO DAY HUMAN RIGHTS SITUATION IN LATIN AMERICA. THERE IS LESS TORTURE AND MURDER, THERE ARE FEWER "DISAPPEARDS," MORE NAMES HAVE BEEN PUBLISHED OF PERSONS BEING HELD, MANY PRISONERS HAVE BEEN RELEASED, STATES OF SIEGE HAVE BEEN LIFTED, CENSORSHIP HAS BEEN REMOVED OR MODERATED, MORE ELECTIONS-- AND MORE HONEST ELECTIONS--HAVE BEEN HELD, THE INTER-AMERICAN HUMAN RIGHTS COMMISSION HAS BEEN INVITED TO VISIT COUNTRIES, AND THE AMERICAN CONVENTION HAS BEEN SIGNED AND RATIFIED. THIS IS ENCOURAGING PROGRESS.

I HASTEN TO ADD THAT I DO NOT CLAIM FOR ONE MOMENT THAT THIS PROGRESS IS DUE MAINLY TO OUR HUMAN RIGHTS POLICY. THE CREDIT BELONGS TO THE PEOPLES AND GOVERNMENTS OF LATIN AMERICA. THERE IS IN LATIN AMERICA A LONGSTANDING TRADITION--OFTEN BRUTALLY

VIOLATED--BUT NONETHELESS ALIVE, OF RESPECT FOR THE RIGHTS OF THE INDIVIDUAL AND THE DEMOCRATIC IDEAL. BUT I DO BELIEVE THAT OUR POLICY HAS MADE A HELPFUL CONTRIBUTION AND I FEEL AMERICANS SHOULD DERIVE QUIET SATISFACTION FROM THAT CONTRIBUTION.

LET ME CONCLUDE WITH A FEW BRIEF COMMENTS ON THE FUTURE. THUS FAR, IN PART BECAUSE OF LEGISLATION ORIGINATING IN CONGRESS, THE IMPLEMENTATION OF OUR HUMAN RIGHTS POLICY HAS INVOLVED QUITE A BIT OF NEGATIVE ACTION, REDUCTION OR TERMINATION OF MILITARY AID, SALES AND TRAINING, VOTING AGAINST ECONOMIC AID PROPOSALS IN THE INTERNATIONAL FINANCIAL INSTITUTIONS, AND THE LIKE. THAT IS UNDERSTANDABLE ENOUGH. BUT I WOULD HOPE THAT WE CAN DEVELOP A MORE POSITIVE SIDE TO THIS POLICY, TO FIND WAYS TO BE MORE FORTHCOMING WITH GOVERNMENTS WHICH ARE IMPROVING THEIR HUMAN RIGHTS RECORDS. AND, IN GENERAL, I WOULD LIKE TO SEE US BECOME MUCH MORE FORTHCOMING WITH LATIN AMERICA ACROSS THE BOARD ON AID AND TRADE. YOU HAVE A POINT WHEN YOU ARGUE THAT WE SHOULD DO MORE ON AID AND TRADE IF WE REALLY CARE ABOUT HUMAN RIGHTS.