THE BROOKINGS INSTITUTION

SAUL/ZILKHA ROOM

HUMAN RIGHTS IN A TURBULENT WORLD: A CONVERSATION WITH UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS ZEID RA'AD HUSSEIN

AN ALAN AND JAN BATKIN INTERNATIONAL LEADERS FORUM

Washington, D.C.

Tuesday, May 17, 2016

PARTICIPANTS:

Introduction:

BRUCE JONES
Vice President and Director, Foreign Policy
The Brookings Institution

Featured Speaker:

ZEID RA'AD AL HUSSEIN
High Commissioner for Human Rights
United Nations

Moderator:

TED PICCONE
Senior Fellow, Project on International Order and Strategy
The Brookings Institution

* * * * *

P R O C E E D I N G S

MR. JONES: Good afternoon. Thank you for making it out on a rainy day. My name is Bruce Jones, I'm the vice president and director for Foreign Policy Program here at Brookings. On behalf of myself and Ted Piccone from our International Order and Strategy Project; really, the leader of our work on international human rights, it's my pleasure to welcome you today, to today's Alan and Jane Batkin's International Leaders Forum with ZeidRa'ad Al Hussein, the U.N.'s high commissioner for human rights.

I'd like to extend a special welcome to the representative of the Diplomatic Corps who are here today, and to the members of our Foreign Policy Leadership Council, who are also joining us. We are very grateful for you being here, and we are grateful to Alan and Jane Batkin for their support of this forum which allows us to create platform for critical leaders on the world stage, to talk to us about how they see the challenges in front of us, and no surprise, there are lots of them.

I think it's a particular privilege to be able to welcome an individual who is leading on matters of international consequence from his position at the U.N., and also an old and longtime friend of Brookings and of myself.

Zeid assumed the role of high commissioner of human rights in September 2014, after a long career dedicated to the promotion of human rights and the international rule of law, a career that stems back to his time as a political affairs officer, in the U.N. Peace-Giving Mission, UNPROFOR from 1994 to 1996. He then twice served as Jordan's ambassador to U.N. and in that capacity played critical roles in advancing rights-oriented multilateralism. It was no surprise that Kofi Annan turned to him specifically to help tackle, and the first effort to do this, to tackle the challenge of sexual exploitation from peacekeepers.

He was an ardent advocate and a central player in the establishment of International Criminal Court, has been continuously involved in the International Court of Justice. And of course, he has a second career and a second life as a Jordanian diplomat to the United States in which he played a really important role at a crucial time in strengthening U.S.-Jordanian relations, I think, in a very critical way in 2007 to 2010.

Currently as U.N. High Commissioner Zeid has been an advocate for voices that we

would otherwise miss. In my mind he exhibits that rarest of leadership qualities, moral courage. That's evident when he's speaking out against the barbaric vision of ISIS, and when he's speaking about human rights abuses in the region from which he comes, when he's speaking out, or speaking for those caught by the capricious hand of authoritarian regimes. It's evident when he speaks up against human rights abuses by the major powers. It's evident when he criticizes the United States when we fail to live up to our own standards and our vision. And I welcome, I welcome Zeid's courage and consistency in doing that.

I think we are at a time in both American and international politics when moral courage from our leaders is in short supply. So it's extremely important to pay attention to those who exhibit it, and a particular pleasure to welcome Zeid today. I think his efforts on the human rights stage and at the U.N. remind us that human dignity is not restricted by race or creed or gender, or ethnicity, it is a universal value, but it takes universal commitment to defend….

And so I want to both welcome Zeid to the stage but also express my appreciation to him as a citizen of this country and of the world for the work that you do on behalf at the U.N. So, Zeid thank you for coming back to Brookings. (Applause)

MR. AL HUSSEIN: Thank you, Bruce, for that warm welcome. You refer to me as Zeid and Zeid Ra'ad Al Hussein, and it reminds me how in the U.N. now, I am referred in different combinations of names. So, I'm Zeid Ra'ad Al Hussein, sometimes Zeid Al Hussein, sometimes I'm just Zeid Ra'ad, sometimes I'm Zeid, and then Ra'ad Al Hussein is one name. So confusing is this that the other day I was in Brussels, and a journalist came up to me, a Danish journalist, and she tapped on my shoulder, and she said to me: Who are you? And I said, you know, I really haven't the foggiest idea.

Bruce, thank you for this invitation to speak at Brookings, an institution I've always long admired. It has been 100 years since you began developing policy ideas to address national and global challenges. Today the world and this country are caught up in a very tense and difficult period of history. The generation that lives through the horror of the Second World War, and which in its aftermath, built a framework of laws and institutions to keep the peace, is leaving the scene.

We are witnessing policies and posturing that hark back to an earlier period, a period of unprincipled land grabs and the shelling and strafing of defenseless cities. A period of brutal, nationalist

bullies, scape-goating the vulnerable, a period marked by the strutting, boastful sneering of the demagogue, prepared to whip up violence if it will further his agenda.

Tolstoy tells us, in “War and Peace,” that it is a mistake to look back at history as only a series of clear decisions and sharply-defined turning points. It is often, rather, a blur of shifting events, in which half-aware actors never fully grasp that they are making choices at all. Only with hindsight can we see with clarity that at some specific moment we teetered on the cusp of tragedy, not yet hurtling towards it, still able to pull back, and yet blindly swept on, caught up in the lethal churn of events.

My point today is to query whether in the first -- or in a few years' time, we will not be identifying the year 2016 as such a moment. The task of learning to live together, in equality and justice, is humanity's oldest and most essential challenge. It is, very literally, the difference between life and death, between conflict and peace, between destruction and prosperity; between suffering and safety, pain and joy. And as the world lurches from one crisis to another, I suggest we take a closer look at this process, because when we achieve it, and this is a task that can, and frequently is, achieved, we do so with very practical steps.

How is security constructed? How do we build, piece by piece, the architecture of well-being and co-existence? We need to begin by building trust. Rule of law institutions which offer the confidence of impartial justice. Equality: every individual must be clear in the knowledge that regardless of sex, race, ethnicity, opinions, belief, caste, age or sexual orientation, her quality rights, or her equal rights are fully acknowledged.

Trust can only build up if government is transparent and accountable, and people must feel certain that they are entitled to contribute to all decisions in which they have a stake. We must ensure fundamental economic and social rights, such as the right to clean water, to education, to adequate health-care, the freedoms of expression, association and belief must prevail, together with strong and independent media, in order that people be fully informed and free to contribute ideas and experiences without fear of attack.

Step by step, these elements of justice, participation, conflict resolution and power-sharing build into a deep and broad process of confidence, mutual respect and minimal, resolvable grievances. It is a process that embraces diversity and nourishes the resilient bonds of human dignity. It

is deeply principled because the value of human life is the same for all of us, and all of us deserve to live in such a way. And it is also the most effective way of governing, because human rights are not sappy notions but sound policy choices, which build strong, economically healthy societies where there is peace.

Nations thrive when they build institutions that empower their people and enable them to develop their potential in freedom. That broad inclusion immunizes against violent conflict and extremism. But if we fail to maintain this architecture, allowing it to crumble, or to be picked apart piece by piece, by profiteers, then we face nightmares. Places where an iron fist crushes all criticism, where arbitrary violence and discrimination stands in place of law, where hate bubbles up and is crushed into hiding, so that it festers and metastases into appalling, inhuman shapes.

Where a regime kidnaps, tortures and murders children, who scrawl slogans on the wall of their school; then fires on their parents and relatives protesting their abduction; and goes on to shell and bomb millions of its own people; their fields of mulberry trees and the intricate mosaic of their neighborhoods, into a blasted landscape of alienation and hate.

Conflict, discrimination, poverty, inequality and terrorism are mutually reinforcing man-made disasters that are hammering too many communities and individuals. They are constructed. They are contagious. This is true for all parts of the world, but we see a striking example in the Middle East, spreading out from the destruction of Iraq and the tyranny of Syria, much of the region is now engulfed in violence. And this ferocity is further spreading, with severe extremist threats in almost every State.

Widening outwards, to Somalia, Nigeria and Mali, we also see horrific abuse of human rights by terrorist groups that feed on the grievances of the people. Further repressing human rights is not a solution to these conflicts, it is a contributing cause. The work of undoing this construction of conflict, and building, in its place, the processes which lead to human dignity, safety and peace, is the most utmost -- sorry -- is the most urgent preoccupation of my office.

We exist to assist states to uphold the human rights norms that safeguard human dignity, and which states themselves laid down. Our aim is to build up both their will and their capacity to protect human rights, and to ensure accountability for any violations or abuses in order to prevent future violations.

The unique value of our work and the work of our office rests on a dual role: We monitor to identify and analyze problems, and assist, to help those problems change. Through reporting, in-depth assessment and investigations our field offices identify and prioritize the gaps in law and institutions that cause wrongful suffering to individuals; whether torture, land grabs, the oppression of women or discrimination against people because of ethnicity or caste. Then, based on that fact-finding work, we try to assist States to change those factors.

We train prison guards and police to question people without torture. We help judges apply the principles of fairness and rights that are upheld by binding international law, and to maintain fair trials and due process guarantees. We strengthen grassroots actors and amplify their voices, including minority and indigenous groups. We help to train military forces, especially when it becomes their duty to protect civilians.

We build programs for human rights education. We develop technical cooperation programs, guidelines and other tools that assist government officials and civil society to build legitimate and accountable democratic institutions and a diverse ecosystem of strong civil society actors and independent media.

In particular, policing and security forces must embody the rule of law, or fail. It is they who are often seen as the face of the state. When security forces act with contempt for people's rights, treating them as enemies, then enemies are what they may become. Every act of torture contributes to extremism, and every arbitrary arrest and abusive crackdown, every act that represses civil society and legitimate dissent, is a step towards further violence.

And this is the story of hundreds of quiet successes -- sorry -- This is the story of hundreds of quiet successes, some of them small, but all of them significant. Peace, development and human rights are built around each other, and this work which builds, piece by piece, that triple architecture is deeply appreciated.

My office cannot respond to the many requests for our assistance, because of our miniscule resources. It is a continuing source of surprise and dismay for me to note the extraordinarily tiny budgets that we must rely on, and your help in changing that situation would be a meaningful step for the many people who count on our work.

We can set our planet on a course of greater inclusion, more sustained prosperity, more justice, more dignity, more freedom, more peace. We can build in human rights. We can encourage leaders to embrace the voices of their people, instead of cutting themselves off from their most precious resource. We can help them replace institutions that have been constructed to enable the political elite to monopolize power, to extract economic resources, and to act in detriment of the common good, because such institutions inevitably generate instability.

Groups will struggle to seize that power, and the elites will live in fear of their own people, that fear will breed obsessive surveillance systems and mistrust, hampering every kind of progress including economic growth, and driving discrimination. Respect for human rights offers States a path towards greater stability, and not less. Dialogue and respect for human rights, including the rights of minorities, build confidence and loyalty as well as thriving political and economic institutions.

Conflict can be prevented. Peace and security, or peace security and development can be built, brick by brick; equality, dignity, participation, respect. Human rights are the DNA that links peace and development that work together. They are not expensive, they are priceless. They are not luxuries, for times of peace, they are the workhorses, the load-bearing bricks and mortar that build peace. Human rights prime the virtuous cycle of increasing freedom, increasing resilience, and greater security throughout the international system.

That is the essence of the mandate of the U.N. and of my office. From preventing torture to fighting discrimination and upholding the rights to education, housing, and much more, it is the work we do. And our task today, your task at Brookings, as you enter your second century, becomes the need to strengthen the clarity and moral courage of our political leaders in supporting this work. There is absolutely no time to lose.

And I thank you very much for your -- Thank you. (Applause)

MR. PICCONE: Good afternoon, everyone. And thank you for coming out today to hear a little bit more about where human rights fit. In the larger panoply of issues that we are facing, and I think that what we just heard from Zeid is a good demonstration of how interconnected these issues are. And what we might want to do now is drill down a little bit further into some of the specific issues that are on the international agenda. And ask you to elaborate a little bit further about how you see some of these

issues from your very special vantage point in the international system, and also given all the years of experience that you've had as a diplomat in working within the U.N. system, both as a peacekeeper and otherwise.

I think we have to think seriously about what's happening in the Middle East, and in particular the migrant and refugee crisis that's emanating from Syria, from Iraq, from other parts of the region. There are so many human rights issues in play. How do you make order of it? Because your job is to try to address the most pressing problems, you can't address all of them at the same time.

You have issues of obviously direct violations of the right to life, but then you have other problems associated with education and health care for all the thousands and millions of citizens who are fleeing that conflict. There's also another layer of human rights dimension which is in the search for some kind of political solution to that conflict. There is the attention with accountability for the war crimes that we are seeing every day; if you could touch on some of the issues that I've raised in the context of that conflict.

MR. AL HUSSEIN: Thank you, Ted. Yes. I, you know, wouldn't, and I think many of the observers of what's happening in Europe would characterize it as a migration crisis. It's a European crisis; it's a crisis of absent empathy. It's a crisis of humane thinking, that's where the problem essentially lies, but there are drivers, the conflict has driven people out of their homes, and as we have said, people arriving on Europe's shores with the gun having been at their back and a wall now before them, is a terrible indictment of the system that we created post the Second World War, to prevent these very dangerous, pernicious, centrifugal conflicts from expanding.

And the great tragedy is that the people who feel the effects of this most, the people who have fled Syria, because of the appalling atrocities that you have mentioned facing them day by day, are the ones who are footing the bill of the failure of the international system. And it's their repeated suffering which makes this all the more tragic, and really unforgivable.

It's we the people in policy circles who, if we think about it, have failed. The system was not built to allow these sorts of developments to expand till it becomes a case where you not just have, you know, Central Asia, but the Middle East, most of the Central part of Africa is inflamed with human rights related issues, and then this continues worldwide.

And so, yes, we need to think very clearly about what the causes of the failure are, and how we characterize it. And surely, yes, accountability has to feature into whatever the final design of the Syria talks takes, because we've already seen in the case of Yemen, when Ali Abdullah Saleh was provided with amnesty, he and his family. That it backfired horribly. It was an initiative taken by the GCC endorsed by the U.N. Security Council, and clearly, now looking back I think (inaudible), that there was any sense of amnesty provided to him for the sake of establishing some sort of orderly transition, and one hopes that this lesson will be surly grasped when it comes to the latter stages of the negotiations on the Syria front.

MR. PICCONE: So related to this particular problem is the actions of very specific states in this conflict. And you would point in particular to what's happening in Turkey, I think, as a manifestation of the spread of these kinds of problems coming from Syria drawing in Russia and the United States, the very peculiar way in which the United States has approached the human rights issue, which psychologically it sees itself as a champion, as a leader, as a shining city on the hill, but in practice, particularly abroad, has a very, very troubled record.

We've recently had Harold Koh here, former legal advisor to the State Department to help us think through, how do you translate the principles of international human rights law, and humanitarian law to issues of modern warfare, to drones, and other types of new technologies? And we would like you to comment a little bit on some of the countries that I mentioned, given what's happening in the Middle East.

MR. AL HUSSEIN: Yes. One of the points we try and make very clear is that human rights law, the core treaties that basically anchor human rights law, they were not the product of some idle lawyer sitting one afternoon on Sunday with nothing better to do than to sort dream up as idealist, a body of law that we had to adhere ourselves to.

There are people who live through two world wars, they had seen, basically, how when the narrow trumps the collective good, it can lead to global destruction on a scale hither to, never anticipated, certainly not before the First World War. And the concern is that people begin to dismiss the law as something inconvenient, that it stands in the way of new phenomena that are emerging, forgetting that the law is in effect the distillation of human experience over centuries.

There's very little now that hasn't some sort of parallel in the past. I mean, certainly technology is hurtling the world forward, and at a rate we can seldom sometimes grasp unless you are a teenager and you understand all of this stuff really well. And otherwise it's really difficult for us. But the law is what keeps the ship steady, it's what keeps us steady, and if we start to rationalize that we can cut corners here, that we will bomb ISIS as an international community because they are committing outrages.

And if we violate, you know, the law here or there, somehow it's understandable, it's permissible, and I'm afraid it doesn't work like that. Once you begin to cut corners, the unimaginable becomes possible, and having the discipline to stop yourself becomes extremely difficult.

To worries me intensely when I hear, and I saw in the Reuters poll that 7 out of 10 Americans will consider torture to be acceptable in certain circumstances and 10 years ago it was 3 out of 10. I mean, how can that be? How can that be? The convention against torture has in its Article II the simplest, but perhaps best written prohibition any such manifestation of human bestiality.

There is no circumstance that can justify torture. It's absolutely forbidden, and to look for ways around it, to try and justify it, to say that you can you have justifying grounds, is really quite appalling. The second thing is that there has to be accountability wherein the torturer faces, at some stage of course, a legal system that has to be responsive. And it is worrying what we see, the patterns and the way that the counterterrorism narrative has been expanded and blown out of proportion in many instances to justify the use of the oppressive instruments of state to destroy civil society and civil society is disappearing at very high rates across the globe.

It's one thing to have NGOs that are compliant, that basically are, they help the state in designing development frameworks, and of course it's another thing to have dissenting NGOs that hold governments to the mark, and governments have to be mature enough to recognize that it is to the credit of that country to give them space, and they are not, and they are not. In many countries it's disappearing very quickly.

Last September, Ted, I normally reel out the number of countries where we see the space shrinking, and last September there were so many I just couldn't do it. That is probably the majority of states, easily, across the globe. And in part I think it's because civil society has proven its

effectiveness, its potency, and there is a strong reaction against it. And in many countries in the region I come from, but beyond it as well, we see it happening. And we see, we see the extremes become possible.

When I was in Vienna the other day, the presumptive -- I should be careful what I say, because there is a second round of presidential elections on the 22nd of this month, but the leading candidate, the candidate of the Freedom Party carries the sydon, and because he has said publicly he needs to defend himself from migrants. So it's almost certain, I mean we have to see, but it could well be that he becomes president, the president of a Western European country, or a European country that carries sydon to protect himself from migrants.

When I mention this to some American friends, they said, you know, well, not too many people who would be surprised by this if you are speaking about the U.S. context. What's happening to us? I mean, what is happening. And I referred to Tolstoy's remarks when he writes about General Kutuzov, who defended -- who swore that he would defend Moscow, you know, to his dying breath in 1812. Of course it's a fictional tale, but then a week or days later he finds himself miles away from Moscow, miles away.

And he doesn't know how he got there. And he says, how on earth did I get there? And the way that Tolstoy explains it, I mean, it's brilliant, and it is this so many moving parts blending into each other, and we think in boxes, and we think in categories, and we just don't see how it all folds in together, and so we are swept away, and then two years time, we think, you know, we are on the edge of a cliff. The world is in the most terrible, terrible shape and how the hell did we get here. Sorry, excuse. Is this being broadcast?

MR. PICCONE: Well I think this really is a very important point, because we see a variety of indicators that -- we live in a very muddled time, because there are many indicators that suggest that life is improving for thousands and millions of people around the world. When you look at the human development indicators, whether it's China or India, or a variety of other countries, there is a dramatic decrease in infant and maternal mortality, for example.

Increases in literacy, decreases in poverty, so there are some general trends that are favorable. Or if you look at the U.N. human rights system itself, there's a proliferation of norms, of

treaties, of mechanisms, on disability rights, on a variety of issues, on LGBT rights, on the U.N. agenda. Today is International Day Against Homophobia and Transphobia.

I think that's very important that, and particularly in this meeting, but that is amazing to me, that in this day and age, we are able to put that issue on the international agenda and fight of it, against a tide of voices that are in a different direction, and we have to keep fighting that fight.

So there these an optimistic scenario that looks pretty good, but then you point out all the other problems we are facing around the world, as you have so forcefully, and it's very hard to see where we are right. Are we moving forward, or are we moving backwards? And maybe it depends if you are a pessimist or an optimist, but one of the points you made is about leadership and political will. And certainly in this country we are facing a major challenge on that front in the months ahead.

Bu it's not just in this country, you are seeing it in other parts of Europe, the election of someone quite different in the Philippines. You know, this is democratic processes that are leading to elections of some of these kinds of leaders. I'm just wondering. I'm glad you pointed the threats that human rights groups are facing, human rights defenders. Is there anything about the work of the high commissioner, and the office of the high commissioner that you want to point to on these kinds of issues?

MR. AL HUSSEIN: I mean, it's not of course mutually exclusive, it's clear that all of this can coexist, that you have, certainly, the advances that you alluded to, and what it essentially means to us is that there's all the more to protect, there's all the more to defend. And ultimately, there's all the more to lose. When I was meeting with civil society in Vienna a few weeks ago, a very thoughtful member of civil society said to me, you know, the enormous pressure we see from the extreme right, being placed on the immigrant communities in the country, is also making itself -- we've begun to feel it in the LGBT community as well.

In other words, the human experience, and the record of human experience tells us that it doesn't just stop at one vulnerable group, that the gains on the LGBT, a sort of file, in the European country can be rolled back very quickly. And the problem I have with the sort of Steven Pinker sort of analysis of the world which is correct, is that it's sort of -- you become complacent about it, it means that we can, you know, the trajectory is there, things are improving, and they'll improve willy-nilly.

And, you know, whether you are an activist -- are an activist or a not, it's almost

irrelevant, and I think the point lost with that analysis is that it requires an effort to fight for rights every single day. And every single day you have to keep fighting for this. And then once you stop we take it slightly more easy, the rollback can happen, and I think that's really what we are seeing.

We are a very small office. Within the U.N. system, and within the international community, a very small office, and I've said, I think Brookings before, you know, our budget one-tenth of what the Swiss spend on chocolate every year, and it's -- And one of the most alarming things, is that when you travel around the world, and you see the works that we are doing, whether it's in Colombia, or whether it's in Mexico, Cambodia, Brussels, wherever it may be, it's fairly, you know, together with the other human rights organizations. You know, its courageous stuff that our colleagues are engaged in.

And so how do you compare that to the overall size of the capital markets, I think over $36 trillion, you know, funds with hardly -- I mean funds that are trying to see where their next great investment should be, and we are being told there's so much liquidity in the markets. And yet in the other space, to keep this world safe, and keep it safe, not in the military sense, because I make the argument that it makes it worse, but in the value sense. The moneys spent are but a pittance. I mean, no real analysis can justify this sort of imbalance. And it's very lopsided, almost obscene, so.

MR. PICCONE: I've always -- On this podium and elsewhere talked about how human rights is one of three pillars of the U.N. but only get 3 percent of its regular budget, which is really, we are doing human rights on the cheap. And I'm just wondering -- one last point and I'll open it up to questions. Mainstreaming human rights, including at The World Bank, here in Washington, and other financial institutions; you've talked about all the liquidity in the system.

Can you say a little bit more about the work that you are trying to do in pushing the human rights agenda? Not only at places like The World Bank, but also into the U.N. Security Council which generally -- historically has been allergic to those kinds of issues, but increasingly is contending with them.

MR. AL HUSSEIN: It's a good point. I mean, six, seven years ago it was almost inconceivable that the Human Rights Office would be briefing the U.N. Security Council on the many conflicts that we see. And my predecessor, sort of, almost broke new ground, or did break new ground, and now it's commonplace to have that happen. And on the development side, we also see this

realization that you have to have human rights embroidered into development work.

It was remarked a few -- I think about a year ago, I heard this, and I've appropriated this thought, and I've sort of pinched it, without wondering whether there is some sort of intellectual property attached to the thought when it was just mentioned. But Egypt and Tunisia were well on course to fulfill their millennium development goals in 2011. And they were sort of arbitrarily drawn up, but they are still a pretty good indication of the course the country is on, but clearly not enough.

Not enough when food prices were at an all-time high in January, February of 2011, and not enough when the citizens felt that their lives were not being dignified by the state. And that's the key thing. It's not just talking about resilience in economic terms, but it's talking about resilience and sustainability when it comes to a value system that will dignify their people, and so the state has more than just the appearance of a state, but it's actually a state that can withstand the knocks that no doubt will come its way at some stage.

MR. PICCONE: So, we have about 15 minutes for some questions from the audience. And I see several hands; if you could identify yourself and just briefly pose a question without going on to a long comment. I have a hand right here.

MR. LARKIN: Thank you for your centurion encouragement for promoting human rights. My question wants to focus on your comment --

MR. PICCONE: Do you want to identify yourself.

MR. LARKIN: Oh. My name is Michael Lark, and I'm director of the Asia Program for Young Professionals, International Affairs. I want to zero in on your comment about building up will in capacity to protect human rights, and a lot of programs that I run on human rights discussions, the question always comes back to: Okay, now that we list the problems, what do you do about it? And the answer that I've heard from friends of mine who are diplomats, well there's a lot of quiet diplomacy that goes on, and to quote from: It's based on commonsense analysis you can only get so far by shouting at people.

So I was wondering, as a diplomat, could you maybe briefly outline that type of quiet diplomacy that goes on to build up will and capacity?

MR. PICCONE: Can I take a couple more?

MR. AL HUSSEIN: A couple more. Yes.

MR. PICCONE: Okay. A hand right there. Yes. And then the gentleman next to her --

SPEAKER: Thank you Mr. Ambassador. My name is Rosemary O'Horn, I'm a graduate student at an American university. And Mr. Ambassador, you've been very critical of the Security Council and its inability to effectuate any degree of change, with the Syrian conflict. Given the negotiations that are happening right now in Geneva, do you foresee any role for the Security Council in the future, given the individual roles that specifically the U.S. and Russia have been playing with the negotiations? Thank you.

MR. PICCONE: And then one more right here.

MR. GENSER: Hi. Jared Genser, Freedom Now. Nice to see you, High Commissioner.

MR. AL HUSSEIN: I sort know what you are going to ask me, Jared.

MR. GENSER: Well, no, this one may come as a surprise given the context here. But my question actually is on the future of the U.N. Human Rights system, and obviously we've talked already today a lot about the budgetary challenges, and that's clearly a top challenge. But it's been 70-plus years since founding of the U.N., we have the charter-based system, the treaty-based system, and I'd be interested to know your thoughts and ideas as to what are two or three biggest things that you think need to be done to improve the architecture for the 21st Century, given the huge gaps between what you are currently capable of delivering with limited resources and the challenges of our time.

MR. AL HUSSEIN: Shall I answer?

MR. PICCONE: Sure.

MR. AL HUSSEIN: The first question, Michael, on building up will and capacity. You know, it is true of course, that the received wisdom has it that if you criticize the state, and I've come to learn that all states don't like to be criticized, all of them, that you risk losing access. And that's what drives the way that diplomatic work is done. And the Council has always been that you work quietly with the state, you don't embarrass, you don't raise issues that cause discomfort.

I think in the case of Sri Lanka in 2008, 2009 and the Petrie investigation basically, again, reminded us that we could not be a silent service. A silent service to wholesale abuses that you will have to find the right combination of speaking to the issues, not to make it personal, and it's difficult for some

leaders that we have today. But to speak to the issues and expect them to address the issues and not make it personal in return by attacking the U.N. official who is speaking out.

Whether it be myself, my deputy, our spokespersons, the heads of our Field Offices, and we make it clear that the whole phrase, naming and shaming is wrong. They've already shamed themselves, they've shamed themselves by their inaction, their refusal to acknowledge the problems, the denial, and then wholesale outrages that occur in many parts of the world, and then violations of other sorts.

Discrimination that can be very systemic and not addressed. And so we shed a light, and we hear very sharp response, but we shed it back on them again. You can still have a dialogue. You can still have a dialogue, it's not that the access is severed, and it's finally the right combination, which I think is an art that we are trying to practice, trying to perfect, but it's not easy of course.

In terms of the Rosemary, the negotiations, the Syrian negotiations, and for the Security Council, I think eventually probably it will be, I don't know what shape it will take, but my anticipation is that there probably would be.

And Jared, the human rights system. You know, where should we be focused? I think in many cases we are worried about human rights window dressing. We are worried about states exceeding to international treaties, but then not finding the reports as they are supposed to the relevant bodies. We are worried that states will agree to recommendations in this universal periodic review, which is sort of the peer analysis -- peer review sort of experience that all states have to do, and then not follow through with the recommendations.

Such that the human rights actions taken at a legislative level, are consequential your average citizen, your person in a village, district, far removed from the capital, and they have to feel it, and they have to feel the sort of benefits of having a more enlightened approach at, a rights-based approach to their everyday existence. And I think that's where we really need to shift the focus now.

MR. PICCONE: Okay. Why don't we don't take a few more. I a hand at the very far back, and then we'll move forward.

SPEAKER: My name is Ambreen Zaman. I'm with the Wilson Center. Last week you issued a very strong statement on the human rights situation in Southeast Turkey, and you wrote to the

Turkey Government asking them to allow a team of U.N. investigators to come and see what's going on. Did you receive a response from the Turkish Government. And do you belief that the United States and the European Union, are saying enough about the deteriorating human rights picture in Turkey.

MR. PICCONE: Thank you. A hand over here? Yes. In the grey turtleneck.

MS. EDWARDS: Thank you. My name is Bea Edwards. And I'm from the Government Accountability Project here in Washington. We represented Andrews Campos in your office who reported child sex abuse among peacekeepers in the Central African Republic, and whom you suspended after he made that report. An investigation that was done independently and externally, cleared Mr. Campos of any wrongdoing, and yet you continue to criticize him.

I think you told the New York Times that he had done the right thing wrongly, although the investigation found he did the right thing rightly. I wonder if you continue to hold that opinion, and if so why?

MR. PICCONE: We'll take one more, right there.

SPEAKER: (Inaudible), German Historical Institute. I'm really interested in the history of rationing systems of food security, and I was wondering, we see a lot of the history of unconstitutional transfers of the 20th Century, and now there seems to be two things happening. Cash delivery which seems to be a very good thing, and then we have cash for work, or programs that sort of in my opinion, take advantage of the problem, of the scarcity of the situation, and really pushing people into some kind of work they wouldn't choose.

And I'm not talking about refugee camps, but I'm talking from Germany as well. So, would you take issue with that, is that a place where we are cutting corners, or would you say, given the problem of transition, getting people back into the good, secure, legal frame and a new life, that that is acceptable?

MR. AL HUSSEIN: Okay. So, shall we do these three?

MR. PICCONE: Sure.

MR. AL HUSSEIN: We are very worried about the situation in Diyarbakir, in Cizre, in Silopi. We are worried about the situation in Nusaybin. We are hearing more and more reports that the conditions could amount to high levels of destruction. The U.N. has no eyes on sight there. There was a

limited visit -- a visit by the Working Group on Involuntary and Forced Disappearances to Diyarbakir, about a month ago, but they had a sort of a fairly -- a carefully-crafted -- or rather the mandate was limited looking at forced disappearances over a preceding period, and they didn't have access to the city as such.

The Council of Europe is producing, or going to produce a report, and we think once the veil is lifted, it could quite horrifying what we find there. I have said to the Turks, if they have nothing to hide, then they should let us in. After all we operate in many conflict areas, we know the risk, and we are well attuned to how dangerous it could be. And the Foreign Ministry spokesman, said that the high commissioner has -- can always visit when they like.

He was referring to an earlier invitation for me to visit Turkey, and the added explanation was that if you are visiting Turkey, well the Diyarbakir is in Turkey, you can go to the Diyarbakir. But that's not the point, the point is, we need to send in a team at the very early stage. And I sent a letter to this effect early last week, and to my knowledge, I've been away from Geneva for a few days, but I haven't heard a response from the Turkish authorities yet.

Could the EU and the U.S. be doing more? I haven't been watching what the spokespersons of the various governments in the EU or the U.S. had been saying, but I think it is a cause for concern.

In relation to -- Andrews Campos and the SEA, it is a highly complex issue, and I wouldn't characterize it in the terms you've characterized it. I have a huge amount of experience in the field of SEA. I have seen the devastation it causes communities; I have sat with the young girls who had allegedly been raped repeatedly. I have seen the most graphic of prepubescent children being raped, 10 years ago when I was in the Congo.

I have looked at these issues from every angle, and Andrews Campos has a fine record of service with the U.N., what troubled me is he never disclosed what he knew to the high commissioner at the time and he should have. He should have disclosed it to me when I arrived. It was not in my briefing notes. I saw him almost three times a week, and there was no disclosure to me. And you would have thought on something as important as this that he would have turned up in September 2014, and it should have been one of the first things that he mention to me. And my view is, I still hold to my views on

this.

In terms of the rationing system and unconditional transfers, you know, there is a very serious discussion that will take place at Istanbul next week, at the World Humanitarian Summit, about you deal with these complex issues of humanitarian access, and access to food -- the right to access to food is honored in a way that cannot allow you to fall into traps when it comes to violations of human rights.

It's a very, very difficult issue to look at, when looked at more broadly. Is it okay, for instance, and this is a discussion that we still have in place; to have access to certain neighborhoods in Syria, which and where the Syrian authorities allow that access, knowing that across the confrontation line, in the other part of the battle space there is no access, and people are suffering there, perhaps starving.

And then how do you work out the provision of food supplies and medical assistance in those circumstances. And should you do it, or should you stand on principle and say, either we have complete access or no access. And these issues are quite difficult to deal with.

MR. PICCONE: Well, we've actually come to the end of our hour. So we are going to wrap it up, and with a heartfelt sense of gratitude for your time and your thoughts. And your service, to the world, because this is certainly one of the most daunting assignments one can imagine. And we wish you all the best luck, and continued moral courage as you go forward.

MR. AL HUSSEIN: Thank you so much.

MR. PICCONE: Thank you.

MR. AL HUSSEIN: Thank you. (Applause)

* * * * *

CERTIFICATE OF NOTARY PUBLIC

I, Carleton J. Anderson, III do hereby certify that the forgoing electronic file when originally transmitted was reduced to text at my direction; that said transcript is a true record of the proceedings therein referenced; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and, furthermore, that I am neither a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Carleton J. Anderson, III

(Signature and Seal on File)

Notary Public in and for the Commonwealth of Virginia

Commission No. 351998

Expires: November 30, 2016