



Ambassador Jeffrey L. Bleich – Australian Human Rights Centre Annual Lecture

**Remarks of Ambassador Bleich
“The U.S. and Australia’s Commitment
to Human Rights in the Asia Pacific”
University of New South Wales, Sydney**

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Thank you for that introduction. And thank you Professor Andrew Byrnes, Professor Andrea Durbach, and the Australia Human Rights Center for inviting me to speak this evening.

We are fortunate to have the Australia Human Rights Center and organizations like it to strengthen national human rights institutions in the Asia Pacific. I want to congratulate you on your work and congratulations to UNSW on its 40th Anniversary and to Australian Human Rights Center on its 25th Anniversary.

The principle that you advance is based on a simple question: Why should a person living in any nation in the Asia Pacific be denied their basic human dignity because of the country where they were born, or who their parents are, or where their ancestors came from. While every nation is different, and free to govern according to different values and in different ways, the fact that people exist in one nation rather than another does not make them any less human. So why should a child born in North Korea or Burma be prevented from doing the things that are essential to being human: to think for themselves, to express their beliefs, to live without fear of being enslaved or harmed merely because they think differently or look different.

This principle is an article of faith in our nations and an essential part of our nations’ laws and our foreign policy. The United States was founded on this basic principle. In the Declaration of Independence, Thomas Jefferson wrote: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” Jefferson’s words have come to be reflected as universal values embodied in the Universal Declaration of Human Rights. In the United States and Australia, these universal values are taken almost as an article of political faith. But the question is why do we believe that all people are endowed with these particular inalienable rights? And why do we seek to advance and defend these values not only in our own Countries but in all nations.



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I'd like to talk about this today, by first sharing some of my own reflections on the origins and meanings of these principles in U.S. history, and then reviewing how these influence the actions that the U.S. and Australia are currently pursuing in this region. In particular, I'd like to talk about our collective efforts in North Korea, and Burma, and Fiji: countries with vastly different histories and that have arrived at markedly different – but no less challenging – places in human rights and democracy in 2011. Because unless we understand the reason we hold these truths to be self-evident, unless we understand the legitimate basis for them, we can't really assess whether we are doing the right things or doing them well.

So why are human rights part of our foreign policy? Why did Americans or Australians object when leaders of Burma incarcerated Aung San Suu Kyi – a pro-democracy leader with views different from the Generals? Why do we insist that Kim Jong Il allow citizens of North Korea to communicate freely with people in the outside world. Why do we sanction Fiji's leaders for shutting down voices of dissent and barring elections. Why do we urge these nations to allow a free press and insist that these are human rights? That these rights are universal, and indeed work to make them part of the Universal Declaration of Human Rights. What gives our nations or the United Nations a basis for recognizing these particular rights as extending across all borders and to assert them wherever they are ignored or rejected?

Jefferson I think may have stumbled on these questions himself. In fact, he actually didn't write the famous line in the Declaration that I quoted. Originally, he wrote, "We hold these truths to be sacred and undeniable." The sentence was changed by Benjamin Franklin. Why did Franklin change "sacred and undeniable" to "self-evident." Well, I think it is because it mattered. Because it goes to the very essence of what makes something a "human right."

Now, one theory that resonates with me is that Jefferson's original version actually made these principles something that could be disputed. When you say a right is "sacred" you mean it is ordained by God. But we may all believe in different Gods with different rules, or not believe in God at all. In fact, that's one of the basic human rights we're talking about here. And claiming that a right is "undeniable" is setting yourself up for failure. A right is only undeniable until the moment someone else denies it.

Franklin used a different term. He used the word: "self-evident." It's a term that means something altogether different. It means that the right comes not from God or from ancestors who would not hear alternative views, but from a common and inescapable human experience.

What is that experience? One way to understand it is to do the following exercise. Imagine you are about to be born. And just a moment before your birth, you can make



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the world any way that you want – it can be a world in which any person smart enough to be admitted into the University of New South Wales automatically receives a car, an ipod, a high-paying job and a big mansion on the harbor. And the rest of the world can just wish they were you. There is just one catch. Once you choose that world, then you need to do one more thing. You need to reach into a barrel with 5 billion tickets and pick out your ticket. And that ticket will define you: where you are born, the color of your skin, your genetics, your family circumstances, are you smart, are you athletic, are you disabled, are you born in sub-Saharan Africa, or a mansion in Double Bay.

Understanding that each one of us could have gotten a different ticket immediately changes what sort of world we might want. We would all want a world in which even if you are not born in Australia, with the intelligence to attend UNSW, and a family with the resources to pay, you could still make the most of whatever abilities you had to create a life for yourself. You would want a world that allows you to adapt and that can adapt to you. You would want a world in which you were free to think, free to espouse your views, and free from being enslaved or inhibited from developing yourself to your full ability. Every person feels this way. Every person. If they had the choice to choose the world for humanity and knew that they could inhabit any human life, every person would choose that sort of world. And this is why this truth is self-evident.

Some of us were fortunate enough to be born in worlds that resemble that world more than others. In the Asia Pacific, nations like the United States, Australia, Japan, South Korea, New Zealand, and others, have a free press, have the right to free thought and speech, and travel. In the twenty-first century, other nations such as Indonesia and Timor-Leste have done the difficult work to win some of those rights and are still working to secure gains in other human rights. The people of our nations work to help them and to secure those benefits for people of other nations. We do this for many reasons. Some are moral; because we can and they can't. Others are more utilitarian, because if we don't protect their rights, then our rights are imperiled as well. We know that countries that respect their citizens' human rights are more stable, less aggressive, more prosperous and are better at providing security and improving the welfare of those citizens.

This is why when Secretary Clinton recently had a group of Australian and American dignitaries together at the State Department, human rights was not an after-thought in her discussion of foreign policy; it was essential to it. She said that demonstrating to our neighbors in the Asia Pacific region that democracy works and leads to prosperity over the long-term is “the most pressing work our alliance can do in the world.” It is vital for our nations in the Asia Pacific to cooperate in supporting the kinds of reforms that are essential to securing inalienable rights for all people in the Asia Pacific. And that is why the work of this Center is so critical.



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The work of this center is more critical than even some other human rights NGOs because – although human rights have to be protected everywhere – there is a special need here in the Asia-Pacific. Geopolitical forces have been shifting from the West to the East, and will continue to shift to this part of the world. The Asia Pacific – with half the world’s population and approximately the same share of its GDP -- will be the main stage for the transformations of the 21st century. And so if we do not have human rights protected here, we jeopardize them for the future.

And so there are four things we must do to improve human rights in the region: (1) create institutions that establish, monitor, and protect human rights; (2) focus on the core rights that are essential to securing all other rights; (3) apply these standards to ourselves just as we do to others; and (4) expose and sanction abuses.

Now let me talk about some of the human rights issues we face here in the Asia-Pacific region and what we are doing.

As I said, our first step in this region is to create the types of institutions that foster international agreements on human rights priorities and encourage nations to work together to achieve them throughout the Asia-Pacific. Some of these organizations have formed in just the past few years: Indonesia’s Bali Democracy Forum in 2008 and the ASEAN Intergovernmental Commission on Human Rights in 2009. As institutions like this make clear, there are some common understandings of what it takes to protect human rights of citizens in this region. We hope to see AICHR continue to acquire the types of tools that make institutions strong, like a working complaints mechanism and independent expert Commissioners to investigate abuses.

Our second step is to ensure that the institutions focus on those core human rights that are necessary to the protection of all human rights. Specifically, what we’ve learned over time is that all free nations have at least three essential elements in common: representative government, a well-functioning market, and a vibrant civil society. Without these three elements in place a society cannot prevent power from concentrating among one set of leaders, and having them quash dissent, and the essential rights of free human beings. These are the protections upon which all other human rights depend. Representative government: Free countries have governments that represent and do not fear their own people. A well-functioning market: Free countries have markets that allow people to pursue their potential, that reward people based on merit and have strong measures that guard against corruption, promote transparent and fair governance, and uphold contracts and property rights. And finally a vibrant civil society: Free countries value societies in which there is debate and exchange, where thinkers think, and people can organize, petition, worship, complain, and publish as they wish through peaceful means to improve themselves and their government.



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Because these rights are so basic to the human experience, they are not merely instrumental – that is they aren't a means to just one end. They are a means to all ends, as well as ends in and of themselves. Sometimes people suggest that human rights are either a tool of diplomacy, or morality, or economics. But properly understood, they advance all of these things: national security, morality, prosperity, diplomacy, all of it. The only constant in America's rise from a small, weak nation to the nation it is today has been those values. We don't espouse these values because we are now strong and powerful, we are strong and powerful because we have these values. These are values that endure because they respect the essential dignity of human beings.

Third, we must uphold them ourselves in this region, and acknowledge not just our successes but also our short-comings. As the nations of the world become more interdependent, the fact that human rights depend upon events on all sides of our borders becomes more obvious. This is why the U.S. and Australia work together on human rights within our borders as well as throughout the Asia Pacific region. The rule of law must be respected by all nations – ours especially -- if it is going to guarantee the rights of our two peoples. We know this in part because of our own shortcomings, and mistakes in the past where we fell short of this goal. No country in the Asia-Pacific region has a perfect human rights record, the United States included. We are mindful that we are not perfect, but even this recognition is a sign of health. We have political divisions that check and expose one another's excesses. We have robust media who challenge and educate. We have voters who condemn our leaders when they fall short, and force them to do better.

You may have seen our latest human rights report out of Washington that discusses the human rights situation in 190 countries around the world, pointing out shortcomings in countries as diverse as China, Bahrain, and Nigeria. But we have also produced a Universal Periodic Review before the United Nations Human Rights Council, which also looks inward and assesses how the United States can continue to improve in achieving its own human rights goals.

Fourth, finally we must not be afraid to shine a spotlight on the practices of other nations that fall short of our universal obligations. This is true of small and large, weak and strong nations alike. As we said at the U.S.-China Human Rights Dialogue a couple of weeks ago in Beijing and also in our annual Human Rights Report, we and many other observers of China are dismayed by the disappearances, detentions, and arrests that have taken place in recent months, as well as increased controls on Chinese citizens seeking to express their views peacefully or practice their religion. The United States believes that human rights cannot be relegated to any one channel. We continue to press China to respect universal human rights—respect for the rule of law, support of a robust civil society and public participation, the protection of free speech and a free press, respect for



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minority cultures and religious freedom, and the free flow of information—all are critical to being a responsible global partner, and to effectively addressing global challenges ranging from terrorism, economic crises, climate change, natural disasters, and health pandemics.

But we must place the greatest attention, and the highest priority, on the nations that are of most concern – the ones that not only commit abuses, but also lack the mechanisms to allow them to self-correct. These are the nations that systematically restrict freedom and deny justice.

Let me talk about three examples where the U.S. and Australia are working together. In the South Pacific we have Fiji, once a functioning democracy, but now under the rule of a dictator who staged a military coup, abrogated the constitution and is ruling without the consent of the Fijian people. Since the 2006 coup, the military regime in Fiji has not taken any credible steps to restore democratic institutions. It continues to suppress rights of free speech, press and assembly. This entrenched authoritarian rule – a rule by leaders who are indifferent to criticism -- deprives the people of Fiji of their rights, and it is a dangerous model for the region and the global community. Both the United States and Australia, along with other international partners and regional organizations, have imposed sanctions on Fiji and we continue to encourage greater respect for human rights and a return to democratic government in Fiji. We have pledged repeatedly to help Fiji take real steps toward restoring civilian government and democratic rule. And that means more than just holding elections. It means an open and transparent process for selecting its leaders that includes the participation of all stakeholders, and that their work is independent, inclusive, time-bound, and has no pre-determined outcome.

Now, let's consider Burma. Last November, Burma held deeply flawed elections and subsequently formed a government comprised almost entirely of members from the prior regime. This was a missed an opportunity to ensure an inclusive, credible process to help put the country on a genuine path to democracy. Although the regime released Aung San Suu Kyi from seven years of unjustified house arrest last November, it continues to detain over 2,100 political prisoners – many of whom could contribute greatly to ensuring a more prosperous, peaceful future for the country such as activists imprisoned for organizing relief for victims of Cyclone Nargis. The United States, Australia and other partners in the international community continue to impose robust and targeted economic, financial and travel sanctions on senior Burmese leaders and their business cronies as a means to press for meaningful progress on human rights. This is both a way to convince them that repression is not in their best interest, and it is a powerful signal that we will not do business as usual with governments that fail to protect the rights of their citizens.



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We have also offered some carrots along with these sticks. Beginning in September 2009, the United States supplemented its sanctions with an effort to engage directly with senior reaches of the Burmese regime. Unfortunately, to date, we've received no substantive response to our engagement efforts; human rights abuses are ongoing, the political environment remains highly repressive, and tensions continue to simmer in Burma's ethnic minority areas.

But that does not mean we are not seeing the effects of the international condemnation of Burma's treatment of its people. Just recently on April 1, as you know, a newly installed government assumed power in Burma. The United States will work Australia and others to urge Burma's new President to: (1) break with the repressive policies of the past – to respect basic human rights, immediately and unconditionally release political prisoners; and (2) begin a credible, inclusive dialogue among all stakeholders in Burma toward national reconciliation and a better future for the Burmese people.

Third, no discussion of human rights in this region would be complete without mentioning North Korea. The U.S. Department of State's 2010 Human Rights Report declared that the state of human rights in North Korea remains deplorable; state security forces reportedly commit severe human rights abuses and political prisoners are subject to brutality and torture; elections are not free nor fair; the judiciary is not independent; and citizens are denied freedom of speech, press, assembly, and association. The United States and our partners here in Australia remain deeply concerned about the human rights situation in the DPRK. We have made clear that improving human rights conditions is central to any prospect of improved relations with North Korea. As President Obama has made clear, there is a path open to the DPRK to achieve security and the international respect that they seek. North Korea can choose to travel along that path by meeting its commitments and international obligations – respecting the rule of law and the rights of its people. But until it does, the United States and Australia and many other nations will continue to apply sanctions and condemnation. The United States has implemented a range of sanctions on North Korea. We have not only implemented the U.N. Security Council Resolutions but we have also adopted sanction that respond to the DPRK's human rights abuses and involvement in illicit activities. We hope North Korea will respond. We are ready to return to dialogue and seek a resolution on the Korean Peninsula once North Korea takes steps to improve inter-Korean relations. We all understand that a more stable and open North Korea is an essential piece of a more secure Asia-Pacific, and that human rights is an important piece of that. The United States and Australia will continue to coordinate closely on this critical issue.

Finally, we weave principles of human rights into work that is not always understood to be about human rights. For example, we are actively working in the region on preventing gender-based violence, trafficking in persons, and corruption.



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There is a profound connection between human rights and women's rights. As Secretary Clinton said 15 years ago in Beijing, women's rights are human rights, and human rights are

women's rights. In fact, the State Department and AusAID and the World Bank are co-hosting a meeting here in Australia this November to discuss how to prevent gender-based violence and promote women's empowerment in the Pacific region.

In Papua New Guinea and other Pacific countries, many women experience domestic violence in their lifetimes. More than half are subjected to sexual assault. And, when victims have the courage to report these crimes to authorities, they may find themselves assaulted by police as well, and betrayed by an ineffective legal system. The prevalence of domestic violence is a symptom of wider discrimination where women are ignored in the workplace and female education and literacy rates are far below those of men. The devaluation of women has serious economic implications that directly bleed over into a host of social and political ills. When women have inferior access to health care, when they are less educated, when they have limited access to credit, and they have virtually no voice in a country's economic and political activities, it crushes their ability to fulfill their potential. It damages and traumatizes their families and their ability to live to their potential. And it inevitably leads to poverty, violence, and even greater insecurity. How well a country like Papua New Guinea succeeds in educating and empowering its women will be a key indicator of whether it can reach the full promise of its development. This is why, under Secretary Clinton's leadership, women's issues are – like all human rights issues -- a priority in American foreign policy. The treatment of women needs to be recognized as a security issue because when you attack the basic social unit of the family, it is a security threat that impacts development and human rights.

This is ultimately my point. You will be told at times that human rights are a luxury. That when times are good, wealthy and secure nations can indulge greater protections for citizens and worry about the rights of people in other nations; but that when threats arise we must focus on our national interests even if this means sacrificing the rights of people outside our borders or in certain cases our own people. This idea that we must either pursue human rights or our "national interests" is a false choice. Our national interests inevitably depend on the human rights of others. We will only remain safe and prosperous, we will only make the world more stable and hospitable to our prosperity and security if we secure these values at all times; especially when it is hard.

For all of you here, that is as much your challenge as it is mine. As NGOs you have greater freedom to expose abuses and petition governments to change. And it works. Even the worst tyrants, construct narratives that tell them they are good people.



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They rationalize and justify and delude, and without a free press or opposition to challenge them, they convince themselves they are good people. That is why international exposure and condemnation work. Because it forces them to revise their actions to convince others that they are wrong, that indeed these tyrants are not abusive. As Justice Louis Brandeis once said, “sunshine is the greatest disinfectant.”

So thank you for your efforts. They are critical to the U.S. Australia partnership as we move forward to secure the blessings of liberty for all, and ensure that one day all people, in all nations will enjoy the right to life, to liberty, and to the pursuit of happiness. Thank you.