

COMMUNICATION TO UNESCO

FROM

SOCIÓLOGOS SIN FRONTERAS ¹

Cosigned by:

Project South: Institute for the Elimination of Poverty and Genocide

Sociólogos sin Fronteras/Sociologists without Borders respectfully files a communication with the Office of International Standards and Legal Affairs of the United Nations Educational, Scientific, and Cultural Organization (UNESCO), describing the ways that the United States of America violates **THE DECLARATION ON THE RESPONSIBILITIES OF THE PRESENT GENERATIONS TOWARDS FUTURE GENERATIONS** ² (hereafter referred to as *The Declaration*).

1. In its Preamble, *The Declaration* affirms the Charter of the UN.

The Charter of the United Nations states in the first paragraph: “we the people of the world are determined” ...

“to save succeeding generations from the scourge of war,”

In this regard, the US sabotaged 2001 global accords on small arms trade;³

failed to ratify the Comprehensive Test Ban Treaty;⁴

and its militarization of the domestic economy and of American society by the Patriot Act and Homeland Security damages American democracy and citizens' security;⁵
and

waged preceptive war against Iraq in 2003.

“to reaffirm faith in fundamental human rights,”

Its support of radical neoliberal practices and policies that allow multinationals and those who dominate world financial capital and its institutions to trample on peoples' social, economic, and cultural rights throughout the world.⁶

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² Adopted by the General Conference of UNESCO on 12 November 1997.

³ Small Arms Working Group, Evolution of US Policy on Small Arms, 2001.

⁴ Nuclear Threat Initiative (NTI), 'Working for a Safer World.'

⁵ William Hartung, Director of the Arms Trade Resource Center at the World Policy Institute.

⁶ See IRIN interview with John Ziegler, UN rapporteur on food rights, 3 March 2004.

“to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained,”

In defiance of the Charter, the United States unilaterally launched an attack on Iraq under false pretenses and at great cost to civilian lives and the infrastructure of Iraq.

It uses deadly force against civilians in Afghanistan in violation of the rule of international law.⁷

and “to promote social progress and better standards of life.”

As an indication of declining standards of human rights in the United States, the welfare of migrant workers has deteriorated badly in recent years. The Center for Human Rights notes that the US perpetuates modern-day slavery and tolerates sub-poverty wages.⁸

Twenty-nine percent of American families with young children do not earn enough to live at an acceptable level of comfort and security.⁹

2. In its Preamble, *The Declaration* affirms the principles enshrined in the Universal Declaration of Human Rights (UDHR).

The UDHR Preamble states that member states must promote:

a) “...universal respect for and observance of human rights and fundamental freedoms”

The United States has supported oppressive leaders when it has been economically or militarily advantageous to do so.

More than 5,000 foreigners have disappeared in the US since Sept. 11, 2001. The US violated the human rights of the 600 Guantánamo prisoners.¹⁰

The US does not recognize the International Criminal Court.

b) and states that it is essential “to promote the development of friendly relations between nations“

Inter-state relations are impeded around the world owing to the unilateral policies of the US on a broad range of issues, including war and arms trade, GM crops and

⁷ Human Rights Watch, “Abuses by US Forces,” 8/3/04:
<http://hrw.org/english/docs/2004/03/08/afghan8073.htm>

⁸ For the first time in its history, the Center for Human Rights gave the Robert F. Kennedy Human Rights Award to a US based organization. The Center acknowledged the deteriorating conditions of domestic immigrant workers while recognizing the distinctive contribution made by members of the Coalition of Immokalee Workers (CIW), to struggle against oppressive practices.

⁹ The Economic Policy Institute.

¹⁰ International Red Cross.

seeds, and its support of policies that diminish countries abilities to advance the human rights of their own citizens.

c) The US violates other provisions of the UNHR:

Article 22. The US government shows a contempt for its citizens' rights to social security" through disregard of its homeless population.¹¹

Article 23.1. The US fails to protect of its citizens against unemployment.¹²

Article 23.3. The US does not promolgate or uphold provisions to guarantee that everyone has the right to a just and favorable remuneration.¹³

Article 23.4. The US denies to many workers the right to form a union.¹⁴

Article 25. The US denies its citizens the right to a standard of living that is adequate for health and health care.¹⁵

3. In its Preamble, the *Declaration* affirms the International Covenant on Economic, Social and Cultural Rights (CESR).

The United States has not ratified the CESR and violates many of its provisions (including those pertaining to decent wages, equal pay for men and women, standards for immigrant workers, immigrant child labor, and the right to organize).

4. In its Preamble of *The Declaration* affirms the International Covenant on Civil and Political Rights (CCPR).

¹¹ Homelessness and food insecurity affect millions of Americans. Overall, 14.4 million families have critical housing needs while the number of low-cost housing units has recently declined (National Coalition for the Homeless, 2002). Nationally, children make up approximately 39% of the homeless population (Urban Institute 2000). After Aid to Families with Dependent Children was abolished, the TANF program generates homelessness (National Coalition for the Homeless, 2002).

¹² Unemployment in manufacturing and textiles accounts for most of the job loss in the US, but the source of that job loss was the adoption of new technologies by firms, not the export of jobs. Since March 2001, the nation has lost 2.35 million jobs, with increases in poverty rates in 2002.

Using Current Population Survey data from 2000-2002, the Urban Institute reports that the uninsured population to grew by 3.8 million, with 43.6 million having limited access to health care. The incomes of those earning over \$200,000 has doubled in the last decade, while the earnings of the others are stagnant.

¹³ See University of Texas Inequality Project.

¹⁴ Human Rights Watch. Millions of US workers are barred from participating in unions.

¹⁵ Using Current Population Survey data from 2000-2002, the Urban Institute reports that the uninsured population to grew by 3.8 million, with 43.6 million having limited access to health care.

The US has not ratified the two optional protocols and is in violation of Articles 6 (arbitrary deprivation of life) and 9 (arbitrary arrest) within its own territory¹⁶ and at the Naval Base in Guantánamo Bay in Cuba.¹⁷

5. The Preamble of *The Declaration* affirms the Convention on the Rights of the Child.

The United States has not ratified this convention and is in violation of many of its provisions.

- a) Article 6 affirms that every child has the inherent right to life.

The US permits the use of the death penalty for children.¹⁸

- b) Article 24 states that the child has a right “to the enjoyment of the highest attainable standard of health” and that countries shall strive to ensure that no child is deprived of his or her right of access to health care services.

More than nine million children under age 19 in the United States have no health insurance.¹⁹

- c) Article 27 states that the child have a right to an adequate standard of living.

One in five young children lives in poverty.²⁰

All indicators of children’s well-being and health show great race and ethnic disparities.²¹

- d) Article 37 states that a child deprived of liberty shall be separated from adults.

The US holds children as prisoners in adult jails.²²

6. In paragraph 8 of the Preamble, *The Declaration* refers to specific instruments, including the following:

- a) Framework Convention on Climate Change.

The US has not ratified the Kyoto Protocol to the Convention on Climate Change

- b) The Convention on Biological Diversity (and the Biosafety Protocol)

¹⁶ Human Rights Watch

¹⁷ 40 different nationalities remain held without charge or trial, without access to any court, legal counsel, or family visits. Amnesty International

¹⁸ As protested by the The Inter-American Commission on Human Rights. <http://www.cidh.org/comunicados/english/2002/press7.02.htm>

¹⁹ Children’s Defense Fund

²⁰ National Center for Children in Poverty, School of Public Health, Columbia University

²¹ Ibid.

²² Human Rights Watch

The US has not ratified this Convention or the Protocol.

c) Rio Declaration on Environment and Development

The US has not ratified the Aarhus Convention, which is the elaboration of principle 10 of the Rio Declaration, and links environmental rights with human rights. It affirms that humanity owes an obligation to future generations and promotes sustainable development.

d) Vienna Declaration and Programme of Action

The 1993 conference affirms global commitment to human rights, and to advocates international machinery for the security of the world's population, which is nullified by such US practices as militarization of the Middle East, its arsenal of weapons of mass destruction, and its support of multinationals that trample the rights of humans.

7. Article 1 of *The Declaration* refers to the Needs and Interests of Future Generations

The current debt of the US is \$374 billion, the largest in the country's history. This is calamitous for the future generations who will need to pay it.

A major source of civilian deaths is from landmines, and will continue to be so unless they are banned and lands are cleared. The US government announced that it will keep antipersonnel mines, in violation of the 1997 treaty prohibiting antipersonnel mines.²³

Failing to advance environmental protections through, for example, control and reduction of automobile and industrial emissions emissions, poses mounting threats to future generations.²⁴

For what the US spends on missile defense in one year would support over a million children in Head Start, or provide healthcare for over 3.5 million children, or create over 100,000 units of affordable housing or hire over 160,000 elementary school teachers.²⁵

8. Article 2 of *The Declaration* refers to Freedom of Choice

For freedom of choice, people require that their socioeconomic needs are addressed and that groups have the right to preserve their cultural and religious diversity. These needs are not being addressed domestically.²⁶

The Patriot Act violates fundamental personal freedoms of Americans.²⁷

²³ International Campaign to Ban Landmines (ICBL).

²⁴ In its 2002 report on global warming, the Pentagon predicts that by 2020 there will be 'catastrophic' shortages of water in many parts of the world, and rising oceans, and severe droughts affecting much of the US.

²⁵ Peace Action. National Priorities Project.

²⁶ Southern Poverty Law Center. People for the American Way reports that faith-based funding promoted by the government threatens individuals' cultural and religious choices.

²⁷ American Civil Liberties Union

Women's freedom of choice is restricted in the case of reproductive rights.

9. Article 3 of *The Declaration* refers to the Maintenance and Perpetuation of Humankind

The deadly scourge of HIV/AIDS is taking an enormous toll on humankind. The US Administration asked Congress for less than it had pledged to fight HIV/AIDS, and does not cooperate with the multilateral Global Fund to Fight HIV/AIDS, TB, and Malaria.

The US opposes a draft agreement to enforce the treaty banning germ weapons.

10. Article 4 of *The Declaration* refers to the Preservation of life on Earth

The US government ignores scientific reports, scientists' warnings about low-level contamination of the seed supply originating from biotech crops; excludes scientists from panels on nuclear weapons. It replaces scientists by industry-representatives on advisory committees, and ignores scientists' research on global warming. Such contempt of science and pro-corporate policies imperils the preservation of human life.²⁸

11. Article 5 of *The Declaration* refers to the Protection of the Environment

a) The US is not a Party to other UNESCO instruments dealing with the environment:

The Migratory Species Act.

Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters

Protocol on Pollutant Release and Transfer Registers

Stockholm Convention on Persistent Organic Pollutants

Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters

b) Current Administration initiatives include:

The "Healthy Forests" initiative, which allows loggers to cut down large, fire-resistant trees in remote areas.

The "Clear Skies" initiative which, if approved by Congress would allow power plants to defer improvements designed to reduce air pollution.

12 Article 6 of *The Declaration* refers to Humane Genome and Biodiversity

²⁸ Union of Concerned Scientists

The US has not ratified the Convention on Biodiversity, being the only industrialized nation not to have done so.

The US supports the commodification of genes by not restricting private gene banks and allowing commercial companies to patent germ plasm.²⁹

Although the North American Commission for Environmental Cooperation warns of “biodiversity crisis,” on the North American continent, the US fails to develop a policy to address it. Half of North America's most biodiverse eco-regions are severely degraded according to their report.

13. Article 7 of *The Declaration* refers to Cultural Diversity and Cultural Heritage

The US is not a State party to the UNESCO Convention on the Protection of the Underwater Cultural Heritage.

The US is not a state party to the UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict

The US denies the Native Hawaiians and other indigenous groups the right to self-govern when it fails to distribute homelands leases to indigenous persons, thereby denying them the right of preserving their cultural heritage and identity.

Nearly a quarter of the human population, or 1.5 billion people, now speak English as their common language, a trend that the US has not discouraged. Language is central to cultural identity and group membership.

The US Administration is seeking funds for a project to drive gas pipelines from the rainforests in the Peruvian Amazon to the coast. The plan threatens destruction of much of the rainforest, thereby threatening its indigenous peoples and endangering rare species.

Nuclear dumps in the US imperil the health of Native Americans.

14. Article 8 of *The Declaration* refers to the Common Heritage of Humankind

With US troops standing by, looters stole or destroyed priceless artifacts up to 7,000 years old that were in Baghdad's Iraq National Museum. .

The US has privatized ancient forests, oceans, and wetlands, while neglecting their preservation and restoration. The budgets of national parks have been dramatically reduced.

Oil and gas drilling are threatening the environment.

15. Article 9 of *The Declaration* refers to Peace

The US does not support the International Criminal Court.

²⁹ See UN Food and Agricultural Organization (FAQ)

The US is militarizing its southern border with increases in armed patrols and surveillance.

Opposing international protests, the US is advancing plans for the weaponization of outer space

The US is expanding the number of its military bases overseas with new military presence in El Salvador, Ecuador, and in Curacao. The US is expanding military training and operations in Guatemala and Honduras.

16. Article 10 of *The Declaration* refers to Development and Education

The US is not a party to the UNESCO Convention on Technical and Vocational Education.

Borrowing to pay for college increased dramatically, nearly doubling in a ten year period, put students of low-income families at risk of not attending college.³⁰

The privatization of elementary and secondary education, combined with mandatory testing increases race and ethnic educational gaps.³¹

17. Article 11 of *The Declaration* refers to Non-discrimination

The US walked out of the 2001 the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

The US has not ratified the Convention on the Elimination of All Forms of Discrimination against Women, or its Optional Protocol.

IN SUM

The United States is in comprehensive and egregious violation of the principles and the provisions of the Declaration on the Responsibilities of the Present Generations Towards the Future Generations. To carry out these responsibilities, present generations must find ways of forging networks of international cooperation, as Secretary-General Koffi Annan stresses, rather than tolerate or encourage the preemptive use of force and unilateralism.³² Neoliberal economic policies and practices promoted by the United States through its own domestic policies and legislation, and in international financial institutions erode social arrangements, peoples' cultures and identities, monetize social exchange, and through privatization, create glaring inequalities.

³⁰ National Center for Public Policy

³¹ National Education Association; Civil Rights Project, Harvard University

³² Kofi Annan, "Adoption of Policy of Pre-Emption Could Result in Proliferation of Unilateral, Lawless Use of Force" 23/9/03.

These same policies and practices adversely affect the present generations' capabilities of exercising their responsibilities towards future generations.

These same economic policies and practices put private interests over the collective, public goods: the environment, biodiversity, and the world's cultural heritage.

Human rights and freedoms are key to human dignity. The United States has placed economic interests of a few over the wellbeing of its population, which has come at great cost to members of vulnerable groups (children, race and ethnic minorities, indigenous groups, the elderly) as well as to members of the general population. Without a decent wage, health care, affordable education, and social security, people struggle to achieve their humanity.