

## “Making Equal Rights Real”: Common ground and critical issues

This conference was held on May 1<sup>st</sup> in Montreal, Canada by the Institute of Health and Social Policy, McGill University. The Institute takes an initiative in gathering academics, activists, and development workers whose projects stay in line with or relevant to the UN’s framework of human rights to be reflective of their experience and to push the issue over. We have participated in this annual event as individuals in graduate studies who came to listen, asking questions, and sharing our perspectives around these global and local issues.

As announced by the conference chair regarding the participation of people from 27 countries around the world, it is important to be aware of the importance of this international event. As a participant to this series of event, I would like to provide some brief information on this conference to interested parties from two vantage points, the common ground issues and the critical issues. In so doing, we hope to bring the framework of rights into the fore, while being critical of the issues that have and have not been addressed in this global policy framework.

- Common ground issues:

### 1) The global and local map

The name of this year’s conference reminds us that “Equal Rights” has not been a real issue, regardless of wherever it is used or developed. There was a general consensus that this is a global phenomenon which takes place not only in the so-called Third World Countries but also in the U.S. and Canada. The formulation of the UN’s human rights framework and the projects built upon its initiative at the national and local level has been an important indication of a process of mapping the global and local framework of human rights. Law and policy development plays an initial step (to “Making equal rights real”. Be aware that this is needed but not sufficient in the process.

### 2) Recognition of injustices

Different pressing issues around human rights such as disability, women, labour, and aboriginal people were presented, questioned, and debated at the conference. Issues such as women’s rights, disability rights and labour rights which were brought up to the conference are critical, essential, and urgent, since they help to address the phenomenon of inequalities around issues of class, race, gender and disability in different parts of the world. The reality of struggle for justice makes the notion of rights and equality central to the contemporary agenda of policymaking around the world.

The keynote speakers brought up many important perspectives on the contemporary context of “rights” and why it has become an important focus in the UN’s framework. The development of the Disability Law in Vietnam was mentioned as a case study of this global/local framework by a professor from Harvard School of Law. He raised a concern on the struggle of raising the voice of disabled people, as well as the conceptualization of “disability” and “handicap” in this process of law development.

### 3) Doing justice

- Budgeting: This is an important issue in public policy which has drawn many participants' concerns and questions. How money is scheduled, spent, and for what purposes is an integral part of the policy process which informs us about the values, purposes, assumptions of policymakers. In a North American context, the process of budgeting is publicized and is a practice of making the government accountable to the framework of human rights. This *should* be applied globally to make governments accountable to the UN framework. Some questions were raised regarding how we can hold governments to be committed (and not to falsify or re-contextualize) to the framework of rights. It was suggested that civil society should continue to play an important role in this process of planning, budgeting, negotiating, and developing policy. While this was technically introduced by a presenter with a senior financial and economic expertise, we did not hear any critical question about the means and ends of public policy in this process of global and local mapping.

-Accountability: According to a keynote speaker (a former Canadian Minister of Justice in the liberal government), the process of policy development is heart-rending because it requires policymakers to work with the grassroots level – for example, aboriginal people to be understanding of their own issues. The process of addressing and redressing injustices involve politicians working with (and not for) aboriginal individuals in the community. This is central to the question regarding building policy from the ground up. However, this issue was still presented as a “fashion”, rather than a deep political engagement that politicians are required to be involved to be accountable for the policymaking process.

It was recommended that “we” (the global) should hold governments accountable by developing a critical understanding of the framework of rights, constructing “good” standards on development, and redressing the “copycat” problem in policy development. There were concerns raised by a former UN agent, who is also a Law professor, that the practices of “checking the box” (meaning checking out what has or has not been specified in a local framework) are culturally irrelevant and keep activists away from being involved in the local issues in a more politically engaging way.

-Technology and social movements: This is regarded as the role of the media in changing policy practices (An example of this is the use of cell phones and internet in the Obama campaign. This has been also applied in social movements in Cuba and elsewhere in the Third World countries). While the media is critical in the new era of public engagement, there was a concern regarding the politics of the media in shaping public discourses in a politically manipulating fashion.

-Development projects: There have been a widespread number of studies concerning the framework of rights in developing countries. This is considered as a commitment of the global community in making rights real.

- Critical issues:

#### 1) Perspectives:

-In general, this is a North American conference with the dominant voices/perspectives from academics/activists on the issues of rights and non-discrimination. While this should be acknowledged as an important framework that has built upon the achievement of minority movements (class, race,

gender, and later on, disability), there are social, historical, and political issues around the discourse of rights which seem to be silent from the current debates. This is generally accepted by development practitioners as a dilemma of global policy but there has been no deliberative attempt to redress this dilemma.

2) Concept of equality and social justice: What is our framework of justice? Who are we working with? What are our values and for whom do we represent? Issue of equality was brought up frequently, showing the politics of meaning underlying the flat notion of "equality". Three critical issues are relevant here: first, the gap between the legal framework and the reality should be recognized as a continuing process which by no means guarantees that rights would be implemented. This is a part of struggle in policymaking. Second, there are different frameworks of justice, and to redress the problems of injustice does not mean only to provide somebody with equal access. Redressing the problem of inequality in the past (as in the case of race, gender, and aboriginal people) is essential. Third, the involvement of all interested parties, including the groups being disadvantaged is central. They are not the beneficiary of policy, they are a central party in making the policymaking process deliberative and transparent.

3) While this is a predominant western-based perspective, we have heard some critical challenges from some non-western activists, who brought to the conference some sorts of critical, humorous, and daring interrogation. Be informed that the challenges from Third World Countries are not new. However, by putting the global framework of rights alongside the WB/IMF regime of development, the issues of globalisation has been brought into light. This is a critical issue of development theory.

To conclude, let us borrow from a statement from the keynote speaker, the former Canadian Ministry of Justice, which I mentioned earlier: To do justice, we need to have a deep sense of injustices. That is perhaps also the key message of the conference.

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