

Discours prononcé pour la Conférence de Rentrée
de l'Académie de Droit International Humanitaire et de Droits Humains
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Monsieur l'Ambassadeur, Madame la Conseillère d'Etat, Madame la Rectrice, monsieur le Président du Conseil de l'Académie de Droit International Humanitaire et de Droits Humains, Madame la Directrice de l'Académie, vos Excellences, Mesdames, Messieurs, chères étudiantes, chers étudiants, c'est un grand plaisir pour moi de pouvoir dire quelques mots en introduction de cette conférence de rentrée du semestre de printemps de l'Académie.

It is particularly relevant and of high significance to start this new semester with an in-depth discussion of the United Nations human rights council, its role and current dynamics. And I am very much looking forward, dear Jürg, to your presentation and to the discussion that will follow.

It makes particular sense to have this discussion here – in Geneva and at the Academy – and now. And I will structure my short address in this way – the here and the now.

Geneva was a city of humanitarianism, international humanitarian law and international human rights law, way before the United Nations was born. Here lies in fact one of the core components of the spirit of Geneva. In 1763, Jean-Jacques Rousseau affirmed, and this is the first sentence of the social contract that “Man is born free and everywhere he is in chains”. This affirmation that human beings are free in their natural state is the foundation for the claims that would follow in subsequent documents like the American Declaration of Independence, the French Declaration of the Rights of Man and of the Citizen and the Universal Declaration of Human Rights that all human beings have equal and inalienable rights, that to quote precisely article 1 of the universal declaration of human rights:

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

A century later, as we all know, came the 1864 Geneva Convention and the foundation of the International Committee of the Red Cross. The first Convention was signed by 12 countries and marked the official beginning of international humanitarian law. Two more Conventions followed before the constitution of the United Nations. Then came the United Nations and the anchoring of many of its important constitutive organizations here in Geneva – making Geneva not only the biggest of all UN hubs but also the place where the largest technical and substantive UN expert bodies and agencies are co-located and can work with each other.

In 1946, the United Nations Commission on Human Rights was established and one of its first tasks was to draft what would become in 1948 the UN Declaration of Human Rights. The Commission would meet every year for two months in Geneva. Then, in 1993, the Office of the High Commissioner on Human Rights was created and again set up here in Geneva. Hence, when a report commissioned by the Swiss Ministry of Foreign Affairs on the reform of the UN commission of Human Rights came to the conclusion in 2003 that instead of reforming the Commission, the Human Rights Council should be created, the question of where it should meet was not a real question – Geneva was and is the obvious place.

Geneva is also the right place because of its dense and diverse community of expert organizations, NGOs, initiatives and academic actors that are a constitutive part of the international humanitarian and human right fabric. The Geneva Graduate Institute and the University of Geneva are two such important actors. The conviction that led to the creation of the Institut Universitaire de Hautes Etudes Internationales in 1927, was that education and research were key for the deployment of the bold idea that multilateralism and an international legal order represented. This was true then and remains true today – education is key to our capacity to aspire to a better world, a world more just, more equitable, more humane, where an inclusive global social contract displaces the use of force, where all human beings can hope to live a life of dignity and to enjoy the same rights.

The Geneva Academy of International Humanitarian Law and Human Rights was established in 2007 by the two faculties of law of the University of Geneva and of the Geneva Graduate Institute as a joint center affirming our common conviction in the power of education with a global reach for strengthening international humanitarian and human rights laws. Let me say how proud we are at the Institute of the Academy and of what it has become. Let me thank the University of Geneva, its rector and the department of law for this superb collaboration. Let me also underscore how important and relevant is the work of the Academy in our current times...

After the here, let me turn to the now. Never has international law and in particular international humanitarian law and international human rights law been at the same time more necessary and more threatened than today.

On February 4, 2025, the United States President issued an Executive Order titled: “Withdrawing the United States from and Ending Funding to Certain United Nations Organizations and Reviewing United States Support to all International Organizations”. Amongst the first organizations to be targeted immediately, we find the UN Human Rights Council. The Executive Order states that “the United States will not participate in the UN Human Rights Council and will not seek election to that body”, ending at the same time all funding. It might seem quite vertiginous that such a decision – projected without any

explanation or rationalization – would come from the country that pioneered the notion of human rights and that, in the person of Eleanor Roosevelt, led the work on the drafting of the UN Declaration of Human Rights.

What impact does this profound re-orientation have on the already fragile achievements that have been built in the short history of humanitarianism and human rights?

Two days after this Executive Order, on February 6, President Cyril Ramaphosa from South Africa pronounced the State of his Nation Address and this is what he said then:

As South Africans, we stand for peace and justice, for equality and solidarity. We stand for non-racialism and democracy, for tolerance and compassion. We stand for equal rights for women, for persons with disability and for members of the lgbtqi+ community. We stand for our shared humanity, not for the survival of the fittest...

That leads me to my conclusion. And I will quote here my colleague, professor Jussi Hanhimaki in his contribution to the last edition of the Institute's 2025 Geneva Policy Outlook. Jussi affirms there that "Trump 2.0 makes it necessary to embrace multilateralism 2.0: a multilateralism that does not depend on any one country's mood swings". This is what I would like to end with – the values and the work that have built up to frame our current humanitarian and human right law heritage have always been and today remain bigger than a single country. Let us just remember who was around the table for the drafting of the UN Declaration of Human Rights under the presidency of Eleanor Roosevelt – representatives of China, Chile, Australia, the UK, Lebanon, France, the USSR, and Canada. Hernan Santa Rruz, representative of Chile reflected on his experience in the context of the drafting committee in the following way:

I perceived clearly that I was participating in a truly significant historic event in which a consensus had been reached as to the supreme value of the human person, a value that did not originate in the decision of a worldly power, but rather in the fact of existing—which gave rise to the inalienable right to live free from want and oppression and to fully develop one's personality. In the great hall...there was an atmosphere of genuine solidarity and brotherhood among men and women from all latitudes, the like of which I have not seen again in any international setting.

The values and the work that have brought about our current humanitarian and human rights architecture belong to humanity, they define the brighter, humane, side of our humanity. They will be defended, upheld and sustained... if not by the American government certainly by many others. And here, in Geneva, in Switzerland, because we have been an historical soil for those ideas, values and work, we do have a unique responsibility in that sense. Hence, how more fitting could it be that Switzerland was re-elected to

the Human Rights Council for the 2025-2027 term and that Ambassador Lauber would be appointed as president of the Council!

Dear Ambassador Lauber, dear Jürg, I thank you for being here tonight with us and, in advance, I thank you for the important work you will be doing in the coming months!