Address by
Mr Federico Mayor

Director-General
of the United Nations Educational,
Scientific and Cultural Organization
(UNESCO)

at the closure of the meeting of experts organized by the
Tricontinental Institute for Parliamentary Democracy and Human Rights
of the University of La Laguna on the rights of future generations

La Laguna (Tenerife), 26 February 1994
(The Director-General began his address in Spanish)

Mr President,
Madam Rector Maria Luisa Tejedor,
Commander Cousteau,
My dear friend Karel Vasak,

The rights of future generations depend on the actions of present generations: on whether we do our duty, and are capable of looking ahead and taking into account our children and our children's children. The extent to which they can enjoy their rights will be a measure of our own moral and intellectual fibre.

For the first time in the history of humanity, awareness of the global nature and impact of what we do - beginning with the effect of the sheer numbers of people on the environment has forced us to act to avoid any irreparable harm to the environment that might hinder future generations from exercising their rights or deprive them of those rights. It is, then, the criterion of irreversibility, the fact of reaching 'points of no return', that compels us to take decisions in good time before it is too late to correct trends which might otherwise result in countless problems.

We must observe, anticipate, and take preventive action. Prevention is not just an option. It is an unavoidable obligation. It is an ethical imperative. We must act in time. We must look ahead so as to be able to shape our common destiny. And we must never lapse into fatalism: the Constitution of UNESCO has entrusted us with a unique task: to be the conscience of humanity. This begins, in my opinion, with those who follow in our footsteps, those who are not yet here. I should like to express my gratitude to the University, the Cousteau Society and the Tricontinental Institute for this invitation to move forward shoulder to shoulder in a cause with such profound and far-reaching implications.

(The Director-General continued in French)

Ladies and Gentlemen,
Dear friends,

It is in the aftermath of war that the survivors focus their attention on those who will come 'after', in the hope of sparing future generations the horrors they themselves have experienced. Death, so immediate and familiar to them, will have had at least one great merit: it will have enabled them to rediscover the full meaning of life. Not solitary life, selfish and fleeting, but community life, in all its aspects, including that of continuity.

Africans are more familiar with the chain of being whose two ends are lost in the mists of time than are Europeans, perhaps because they are better integrated in community life, which has neither beginning nor end. The world view of Bantu philosophy, for example, projects each
human being into the future, towards the men and women who will follow and who are as close and as real as if they were already alive.

It is hardly surprising, then, that in its very first words, the Charter of the United Nations mentions the fate of succeeding generations. What is surprising, though, is that there has been no subsequent attempt to look further into this idea of future generations, in particular with regard to rights that should immediately be attributed to them. Of course, the Convention for the Protection of the World Cultural and Natural Heritage, adopted by the General Conference of UNESCO in 1972, was inspired by the wish to safeguard the heritage in order to pass it on intact to future generations - those very words figure in its text. Twenty years later, the Earth Summit adopted the 'Rio Declaration', which strengthens and reaffirms the idea of solidarity linking the generations. However, the rights of those who will come after us were at the heart of the concerns of the first seminar held here in November 1992 and of the meeting which is ending today, just as they have long been the core of the work done by Commander Cousteau and his team. I therefore welcome this opportunity to think through together what we, today's generations, owe to those who will be born tomorrow.

Why should we now recognize, and do our utmost to safeguard, the rights of future generations? Probably the most telling example of a possible threat to those rights is pollution or the risk of pollution, implicit in particular in the various alternatives to do with nuclear energy - an issue which is rarely as clear-cut and over-simplified as it is all too often presented to the general public. Whatever the vested interests - political, economic or financial - that favour particular solutions, they must never be allowed to overshadow the interests of future generations. It might even be worth wondering, in cases where investment clearly has ramifications beyond the present, whether an impact study of the various solutions on offer could be carried out with a mandate to look, say, at consequences over a 50-year period, the span of two generations.

In fact there is little doubt that several of the rights of future generations are affected: the right to life and to the conservation of the human genome, the right to development and to individual and collective fulfilment and the right to an ecologically balanced environment. These are indeed human rights, that is, universal and universally recognized values which are a legitimate cause of concern for the international community as a whole, precisely because they are common to the human race. This is a long way from rights which are merely vested interests legally protected.

The fact remains that the rights of future generations are of a new kind compared to, for instance, the human rights enshrined in the 1948 Universal Declaration. First of all, because, by definition, those entitled to them - their subjects, as lawyers would say - do not yet exist: although of course, since Roman times the law has admitted cases acknowledging the rights of persons as yet unborn. We must now just generalize that possibility, without, however, ending up with a precise legal status for the unborn child or embryo, since these are issues whose relevance is now under discussion in many countries.

In reality, these new-style rights are only rights because today's generations have obligations whose counterparts are the rights of future generations. So there is a dialectical relationship between rights and duties which should make us aware of the inherent unity of the human race, in space and also over time.

Which rights of future generations should be recognized?? It has often been said, quite correctly, that all the lights listed in the 30 articles of the Universal Declaration can be
condensed into a single one: the right to live in dignity, which is indeed the sum of civil and political and economic, social and cultural rights. The same synthesis could probably be applied to the rights of future generations, with the added dimension of the continuity of human life: which means guaranteeing the right to live in dignity on an Earth that is habitable. This brings us back to the preoccupation with the environment in which we live: the transformation of that environment will probably, with hindsight, be seen as the major qualitative change to have taken place in the twentieth century.

However, it is preferable, if only for educational and legal reasons, to distinguish the various rights of future generations. You have done so by stressing certain lasting, universal values, such as life, health, culture, environment, equality and, consequently, nondiscrimination. In doing so though you have referred to the lessons to be learned from some contemporary tragedies, and for my part I should like to look at two of them.

First of all? you have said that the exemption of persons belonging to future generations from all individual responsibility for past crimes should be raised to the status of a human right, that is, a universal value. I have before now said, quite bluntly, that history kills and that accordingly we are in duty bound to 'disarm history', since it is axiomatic that future generations cannot continue to shoulder the burden of the crimes, actual or alleged, of their forebears. Do not misunderstand me: this has nothing to do with moral responsibility which each of us, each community and each nation, must assume in complete freedom, but rather concerns legal responsibility, with all its criminal and civil consequences.

The second right which is tremendously important at the moment is enshrined in your Declaration under the heading 'Right to peace and right not be a victim of war'. We know that war does not stop on the day the guns fall silent, but continues long after, to the detriment of those who were not responsible for it. This new right accorded to future generations is really part of the culture of peace which UNESCO seeks and for whose swift establishment it must work.

How can the rights of future generations be implemented and how can we promote their recognition by the international community? I propose as a first step to transmit your Declaration to the governing bodies of UNESCO, because the Organization with its ethical mission cannot remain on the sidelines of the great debate to which you are making such a dynamic contribution. If all goes according to plan, and the intergovernmental community so decides, the text could be submitted to the United Nations Economic and Social Council and then taken to the General Assembly; for while it is primarily through UNESCO's spheres of education, training and information that the rights of future generations can be preserved, any standard-setting text on the issue must first be adopted by the United Nations.

I have learnt of the establishment in France, on the initiative of Mr Cousteau, of a consultative committee to the President of the Republic on the rights of future generations, and wonder whether a similar body might not be set up at international level. In any case, if it is true, to echo Bergson, that the idea of the future is more fertile than the future itself, we must start to work on this idea, extracting all we can from it and ensuring that it flourishes. The rights of future generations are the duties of today's generations. Their daily routine will depend on our daily routine, their very lives depend on our concern for their lives. After all, to take others into consideration, even if they are not yet born, is surely one of the fundamental principles of democracy.
Allow me, in conclusion, to congratulate the recently established Tricontinental Institute for Parliamentary Democracy and Human Rights on having had the courage to tackle this subject.

(The Director-General concluded his address in Spanish)

Madam Rector,

Many thanks to all those who have co-operated in this altruistic undertaking, directed not at our current neighbours, near and far, but at all those who have not yet come aboard Spaceship Earth.

Many thanks, too, to Dr Vasak, for his preliminary draft to which you have all now contributed, and to Commander Cousteau, who cares so much for the non-existent eyes already watching us. And thank you, Madam Rector, for the fact that it is here, in the Fortunate Islands, that we are meeting and putting forward this proposal. The Canary Islands are at the crossroads of cultures and from now on are at the crossroads-of time, in mid-ocean, stretching forth a hand to those who will, in the future, sojourn on Earth.