

Role of Economic Rights in the Vienna Declaration and Programme of Action: What is missing in the discussion

Mohammad Wahdan*

King’s Academy, Madaba, Jordan

*Corresponding author email: Hamuda.wahdan@outlook.com

Abstract:

This paper examines the Vienna Declaration and Programme of Action (VDPA), adopted in 1993, as a pivotal document in the post-Cold War era that aimed to consolidate and reaffirm universal human rights principles. While the VDPA successfully highlighted the rights of marginalized groups such as women, children, indigenous people, and those with disabilities, it notably falls short in addressing economic rights. The paper argues that the VDPA’s lack of clear guidance on economic rights is a significant omission, especially given the economic upheavals of the 1990s, including high unemployment and the transition to market economies. Through an analysis of primary and secondary sources, the paper reveals that the VDPA’s failure to include detailed provisions for economic rights leaves a critical gap in the protection of individuals’ right to economic participation and well-being. The conclusion calls for a reorganization of human rights frameworks to include economic rights as essential for the realization of human dignity and equality.

Keywords: Vienna Declaration and Programme of Action, Economic rights, Post-Cold War era, Human rights, Marginalized groups

1. Introduction

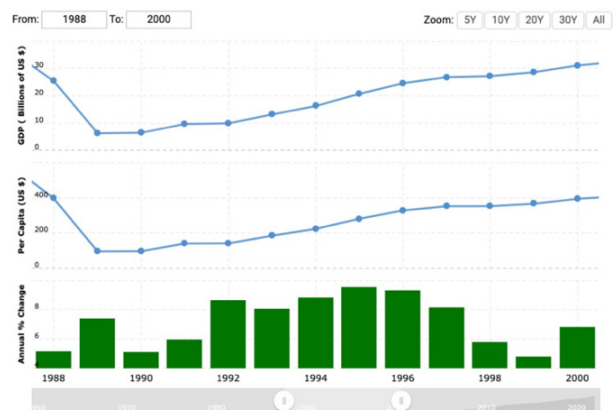
In the time of 1990s, the start of the post-Cold War era, this time period witnessed great changes in the focus on human rights. The end of the Cold War brought a new international order and a greater focus on human rights. The Soviet Union was in its period of dismantling and the Berlin Wall was at its time of falling, these led to the spread of democratic ideals and the promotion of human rights. The Vienna Declaration and Programme of Action, also called VDPA, is one of the mileposts made in this period, the first declaration that was adopted after the Cold War in 1993. This declaration reaffirmed the human rights universal nature that was adopted by previous United Nations resolutions. However, despite VDPA has efficiently summarized major previously adopted declarations and called for further protection of previously marginalized groups (children & native people & disabled people), VDPA fails to recognize the importance of economic rights and only remains on the discussion of general terms without providing clear guidance for further economic rights protections. VDPA has not provided enough guidance on economic rights during the period when it is needed.

states transitioned toward market economies, resulting in economic dislocation, high unemployment rates, and social upheaval. Nations faced the complexities of privatizing state-owned enterprises, managing inflation, and integrating into the global economy. Simultaneously, many developing countries struggled with debt crises, inadequate infrastructure, and a lack of access to global markets, exacerbating poverty and inequality. The rapid pace of globalization introduced new economic opportunities but also heightened competition and volatility, requiring strong economic guidance to overcome global challenges at this time.

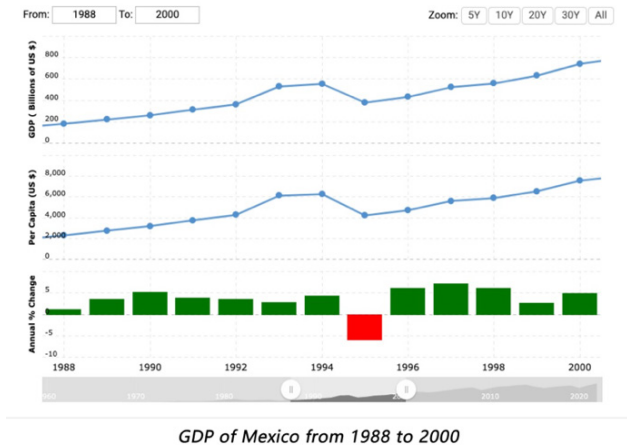
2. Background

2.1 Economic situation

In this period of the post-Cold War era, former communist



GDP of Vietnam From 1988-2000



GDP of Mexico from 1988 to 2000

The countries in a situation of political and economic situations that directly or indirectly suffered the consequences due to the Cold War and other international or national struggles were in a time needing desperate guidance to protect people’s economic rights to raise GDP for development. Figures 1 [1] and 2 [2] show the exact trend of the economic situation of some countries during that period from Macrotends.net. Vietnam has had two economic recessions, mainly a direct consequence of the end of the Cold War and the collapse of the Soviet Union that left them with no backer (89-90); second, was the Asian financial crisis in 1997. Mexico was in the 1994 presidential election, which caused an economic recession. Similar issues also occur in other parts globally during that period.

2.2 VDPA

The Vienna Declaration and Programme of Action is a human rights declaration that was adopted at the World Conference on Human Rights on 25th June 1993, located in Vienna as referenced in its name. The Declaration, as previously mentioned, is the first declaration adopted after the Cold War with attendance figures of 171 state delegations and 800 NGOs, with 7000 participants overall. The Vienna Conference also differs from the other previous major conferences, this conference included most of the world’s independent states. This Declaration aimed to enhance human rights promotion and protection worldwide based on the foundation of previously made resolutions. The foundation of all human rights emphasizes that individuals have inherent dignity and worth and should actively participate in realizing these rights. The VDPA reaffirms based on the commitments to the principles that were established by the United Nations Charter in the Universal Declaration of Human Rights emphasizing the need for effective international cooperation to ensure respect for all human rights without any forms of discrimination. It highlights the importance of addressing human rights issues such as discrimination and violence, especially against

women, children, disabled people, and indigenous people, and calls for improving the United Nations’ human rights mechanisms.

3. Secondary sources

3.1 Issue

Previous scholars have recognized the importance of the Vienna Declaration itself, however, the discussion has generally remained on the general level of content, the special period of the declaration, and the follow-up on how world organizations have followed what was established on the declaration. In addition, the discussions on VDPA have almost been overlooked, there are only a few research and discussions that have focused on what the VDPA has done and contributed.

3.2 THE RISE OF HUMAN RIGHTS ISSUE IN THE POST-COLD WAR WORLD: THE VIENNA CONFERENCE (1993):

Matheus de Carvalho Hernandez in his article highlights the Conference’s role in universalizing human rights discussions by arguing that and easing state sovereignty’s grip on these issues. He stated that the Conference, influenced by the increased focus on human rights after the Cold War, saw contentious debates on their universality, such as the “Asian values” controversy. Hernandez contrasts “statist” and “globalist” perspectives on the connection between human rights and state sovereignty, illustrating the tension through a proposal for an International Court for Human Rights, NGO participation, and the creation of an Office of the High Commissioner for Human Rights (OHCHR). He concluded that the Conference empowered human rights as a crucial element of international legitimacy and morality, despite ongoing state sovereignty tensions. [3]

3.3 VIENNA DECLARATION AND PROGRAMME OF ACTION: 20 YEARS LATER

Cees Flinterman concluded in his article that the Vienna Conference’s significant key achievements include establishing the OHCHR and pushing for universal ratification of human rights instruments. Despite progress, Flinterman notes persistent issues like torture and states’ reluctance to accept individual communication procedures. He stresses the importance of continued commitment to the Declaration’s principles. [4]

3.4 The global diffusion of National Human Rights Actions Plans at Vienna+30: A chasing game between international guidance and state practice

Sébastien Lorion’s article presents an inventory of 152

NHRAPs adopted by 79 countries since 1993, highlighting a recent surge influenced by the Universal Periodic Review (UPR). Lorion discusses challenges in implementing NHRAPs, such as balancing comprehensiveness with feasibility and integrating international recommendations. He calls for a robust review of state practices to ensure NHRAPs' effectiveness and innovation, advocating for a deeper understanding of the Vienna Declaration's legacy. [5]

3.5 WOMEN'S HUMAN RIGHTS AND THE 1993 WORLD CONFERENCE ON HUMAN RIGHTS

Donna J. Sullivan's article views the aspects of the 1993 Vienna Conference's attention to women's rights as part of universal human rights. The Conference called for eliminating violence against women and ensuring that women's rights are equal participation in the global society. Sullivan also advocated for universal ratification of the Convention on the Elimination of All Forms of Discrimination Against Women CEDAW. The Conference led to the Declaration on the Elimination of Violence Against Women, establishing international norms and state obligations for eradicating such violence. Sullivan highlights in his article the Vienna Declaration's role in promoting women's rights on gender coherence and equality. [6]

3.6 Summary of secondary sources

The Vienna Declaration is definitely one of the milestones that transitioned human rights conditions to the next step. The transitional period the declaration was adopted, the start of the post-Cold War era, and the cross between the 20th center to the 21st center are simply one of the many aspects of why it is important. The statement made by Cees Flinterman regarding VDPA as the most comprehensive UN human rights document concludes the importance VDPA has contributed. [4] Beyond the contribution VDPA had made in uniting previous UN declarations and articles, VDPA has also signification for the improvement and protection of human rights in order to better support indigenous people, disabled people, children, and women. However, similar to how the economic side of human rights is often not included, the VDPA also does not include clear guidelines for economic rights, at the individual, group, or national levels. Samuel Moyn clearly mentioned this problem, he states his opinion that the human rights revolutions largely overlooked economic and social rights, and while ideals of how to distribute life's benefits, the revolutions missed the strong commitment to distribute equality. [7] Despite not directly reading the VDPA, Moyn explains the same trend that seemingly happening towards declarations in general. The missed information

regarding economic rights has also been overlooked within the limited discussion of VDPA.

4. Primary source analysis

4.1 Method

The VDPA states that all human rights are universal and connected to each one. The entire global community must treat all human rights in a fair and equal manner. [8] With clear intentions to attempt to recount and connect the past adopted document of human rights to create a comprehensive human rights framework and standards, the VDPA surely has reached its attempt. However, as the attempt to establish future guidance and goals, the VDPA has only reached half. VDPA stated, in the beginning, that the existence of extreme poverty obstructs the full enjoyment of human rights for all humankind. This situation needs to be a high priority for the international community to eventually reach alleviation the poverty globally. [8] Despite the statement setting a straightforward goal, the overall declaration lacks practicable procedures to execute this target of eliminating extreme poverty. The VDPA calls for nations to alleviate external debt burdens for developing countries but almost does not include any form of economic rights for individuals or corporations, despite the situation in time that extremely requires such guidance.

4.2 The right of the disabled person

The VDPA includes a clear indication that all people are born with equal rights, including rights to life and welfare, education and work, living independently, and active participation in all aspects of the community of the globe. [8] This statement explicitly articulates the right and directly defines equal rights to pursue life, education, and work, however, it is only included under the section "The right of the disabled person", but no similar wording in the section regarding the rights for children, rights for women, or rights for Indigenous people. No word is mentioned or included specifically regarding participation in society. Moreover, under the section on the disabled person VDPA clearly included ideas that individuals with disabilities should be given the same opportunities in society and should be given support to overcome barriers such as physical, financial, social, or psychological. [8] This form of idea does not exist in any other section within the declaration. Thus, the specific provisions and guarantees concerning societal participation are unevenly distributed among different sections, which potentially influences the implementation and focus of human rights efforts for these groups.

4.3 Indigenous people

The VDPA section of "Indigenous people" has one state-

ment discussing the economic rights of these people. When referring to rights of participation within the society the VDPA includes that the Conference calls all States to ensure free participation to all Indigenous people in the society, especially in areas that have affected them.[8] This idea and format provide a very vague and non-committal guarantee, thereby lacking the explicit and definitive assurance found in the section regarding persons with disabilities. The language used implies a passive encouragement rather than an active enforcement of rights, potentially leaving room for varied interpretations and implementations by different states. This inconsistency in the articulation of rights might result in unequal prioritization of participation rights across different groups, undermining the overarching intent of the VDPA to ensure universal equality and non-discrimination.

4.4 The equal status and human rights of women

The VDPA section of women's rights focused especially on the social rights level of females but did not include special rights in other perspectives. The VDPA prompts to make sure that women can fully and equally enjoy all human rights by urging the elimination of all forms of harm and bias towards women, such as exploitation, sexual harassment, bias in the judicial system, and women trafficking. Furthermore, it calls for the removal of conflicts arising from women's rights being undermined by certain traditional or cultural practices, prejudices, or religious extremism. The World Conference on Human Rights reaffirmed that women have the right to comprehensive and accessible healthcare, family planning services, and access to education equally to all others. However, the VDPA is noticeably silent on the specific rights of women in the context of economic participation and labor. There is an evident lack, or none, of detailed provisions or guarantees that would protect and promote women's rights in the workplace or address economic inequalities. Without explicit references to economic rights and professional equality, the document fails to fully encompass the breadth of issues impacting women's full participation and empowerment in all spheres of life. This gap underscores the need for future iterations of such declarations to explicitly address economic and employment rights, ensuring that women's rights are robustly protected and promoted across all domains.

4.5 The rights of the child

The VDPA section on children focuses on the main concerns of child social rights, reiterating the principle of "a child-centered approach." It emphasizes the necessity of significant efforts, both nationally and internationally,

to promote respect for children's right to participation, development, survival, and protection. This section calls for national action plans and international efforts to reach the goal. The VDPA prioritizes reducing infant and maternal mortality rates, combating malnutrition, lowering illiteracy rates, and ensuring access to safe drinking water and basic education. It also calls for measures to address emergencies resulting from natural disasters and armed conflicts, as well as the severe issues faced by children living in extreme poverty. However, the VDPA noticeably overlooks teenagers' economic rights and work conditions. There is a lack of specific provisions addressing the economic participation of adolescents, such as work rights, fair wages, and protection against exploitation in the workplace. The absence of explicit references to the economic aspects of teenagers' rights leaves a critical gap in the protection and promotion of their well-being and development into adulthood. This shortfall underscores a significant gap in the current declaration, where the economic rights and employment conditions of teenagers are not adequately addressed. This omission leaves young people vulnerable to exploitation and prevents them from fully participating in and benefiting from economic activities, thereby hindering their development and integration into society.

5. Conclusion

The Vienna Declaration and Programme of Action (VDPA) is a landmark declaration in the history of human rights, representing a significant post-Cold War effort to consolidate and reaffirm universal human rights principles. It successfully united previous UN resolutions and brought attention to the rights of marginalized groups, including women, children, indigenous people, and those with disabilities. Despite these achievements, the VDPA falls short in addressing the crucial area of economic rights. In the 1990s, as nations grappled with the economic upheavals of the post-Cold War era, there was a pressing need for clear guidance on economic rights. Economic dislocation, high unemployment, and the challenges of transitioning to market economies demanded robust frameworks to protect individuals' economic rights and promote sustainable development. However, the VDPA largely omitted detailed provisions for economic rights, leaving a gap in the protection of individuals' right to economic participation and well-being. Economic rights are essential for the realization of human dignity and equality. Without economic stability and the opportunity to participate in economic life, individuals cannot fully enjoy their given rights. Access to human rights such as education, healthcare, and the ability to participate in society are all interconnected

with economic rights. The omission of economic rights in the VDPA means that it fails to provide comprehensive protection for individuals, particularly those in vulnerable economic situations. The VDPA's legacy should inspire reorganization in the indivisibility of human rights and the necessity of including economic rights in the ongoing efforts to protect human dignity globally.

References

- [1] www.macrotrends.net. "Vietnam GDP 1985-2024," July 2, 2024. <https://www.macrotrends.net/global-metrics/countries/VNM/vietnam/gdp-gross-domestic-product>.
- [2] [Macrotrends.net](https://www.macrotrends.net). "Mexico GDP 1960-2024," July 2, 2024. <https://www.macrotrends.net/global-metrics/countries/MEX/mexico/gdp-gross-domestic-product>.
- [3] Hernandez, Matheus De Carvalho. "The Rise of Human Rights Issue in the Post-Cold War World: The Vienna Conference (1993)." *The Age of Human Rights Journal*, no. 2 (June 20, 2014): 86–108. <https://revistaselectronicas.ujaen.es/index.php/>

[TAHRJ/article/view/1405](https://www.tahrj.com/article/view/1405).

[4] Flinterman, Cees. "Vienna Declaration and Programme of Action: 20 Years Later." *Netherlands Quarterly of Human Rights* 31, no. 2 (June 2013): 129–31. <https://doi.org/10.1177/016934411303100201>.

[5] Lorion, Sebastien. "The Global Diffusion of National Human Rights Actions Plans at Vienna 30: A Chasing Game between International Guidance and State Practice." *Social Science Research Network*, January 1, 2023. <https://doi.org/10.2139/ssrn.4495208>.

[6] Sullivan, Donna J. "Women's Human Rights and the 1993 World Conference on Human Rights." *American Journal of International Law* 88, no. 1 (1994): 152–67. <https://doi.org/10.2307/2204032>.

[7] Moyn, Samuel. *Not Enough : Human Rights in an Unequal World*. Cambridge, Massachusetts: The Belknap Press Of Harvard University Press, 2018.

[8] United Nations. *General Assembly. Vienna Declaration and Programme of Action*. Vienna: United Nations, 1993.