The aim of this paper is to examine the contribution that human rights can make in terms of securing lasting peace in post-conflict societies. In particular, it aims to assess how human rights can deter civil unrest through the creation of a wide range of socio-economic opportunities, as well as a sense of belonging to the nation itself. This is achieved through an assessment of the elements needed to build a nation, and the ways in which specific human rights can contribute to a process of nation-building.
THE ROLE OF HUMAN RIGHTS
IN PEACE-BUILDING

Lead Authors: Salma Yusuf and Jennifer Woodham
CONTENTS

EXECUTIVE SUMMARY 01

1. HUMAN RIGHTS IN PEACE-BUILDING: THE ISSUES 02
   1.1. REBUILDING A NATION: THE CONTEXT 02

2. THE NOTION OF 'CIVIL SOCIETY' 04
   2.1. THE PERCEIVED 'WESTERN BIAS' 04
   2.2. THE POLITICAL NATURE OF 'CIVIL SOCIETY' 05

3. SUPPORTING CIVIL SOCIETY FOR PEACE-BUILDING 06

4. ACCOUNTABILITY: A TWO-WAY STREET 07

5. POLITICAL CHALLENGES IN REBUILDING POST-CONFLICT SOCIETIES 08
   5.1 CULTURAL-SENSITIVITY 08
   5.2 STABILITY VERSUS LONG-TERM CHANGE 08

6. THE BENEFITS OF HUMAN RIGHTS TO POST-CONFLICT SITUATIONS 09
   6.1. THE BENEFITS OF PROTECTING AND PROMOTING CIVIL AND
   POLITICAL RIGHTS – CREATING A SENSE OF BELONGING 09
      6.1.1. THE RIGHT TO LIBERTY AND SECURITY OF PERSON 10
      6.1.2. THE RIGHT TO A FAIR TRIAL AND EQUALITY BEFORE THE LAW 10
      6.1.3. ELECTORAL RIGHTS AND THE PUBLIC PARTICIPATION OF MINORITIES 11
      6.1.4. FINAL THOUGHTS 13
   6.2. THE BENEFITS OF PROTECTING AND PROMOTING ECONOMIC,
      SOCIAL AND CULTURAL RIGHTS - CREATING OPPORTUNITIES 14
      6.2.1. THE RIGHT TO HEALTH 14
      6.2.2. THE RIGHT TO EDUCATION 16
      6.2.3. THE RIGHT TO WORK 17
      6.2.4. FINAL THOUGHTS 17

CONCLUDING REMARKS 18

ABOUT THE AUTHORS 19

ABOUT THE INSTITUTE OF HUMAN RIGHTS OF SRI LANKA 20
EXECUTIVE SUMMARY

The aim of this paper is to examine the contribution that human rights can make in terms of securing lasting peace in post-conflict societies. In particular, it aims to assess how human rights can deter civil unrest through the creation of a wide range of socio-economic opportunities, as well as a sense of belonging to the nation itself. This is achieved through an assessment of the elements needed to build a nation, and the ways in which specific human rights can contribute to a process of nation-building. The conclusion reached is that it is important for all sectors of society – and, in particular, minority groups – to be able to feel a connection to the newly rebuilt nation. In the absence of such a sense of belonging, it is inevitable that civil unrest will return. Whilst the introduction of human rights can cause controversy, the paper demonstrates that such does not always have to be the case: human rights can be introduced in a culturally-specific manner, thereby averting the common concern that human rights are simply a means of the West imposing its views on the rest of the world.
CHAPTER 1

HUMAN RIGHTS IN PEACE-BUILDING: THE ISSUES

The use of human rights to rebuild a nation can be controversial. However, when the benefits that such rights can bring to society are considered, it becomes apparent that their introduction into post-conflict nations can help to secure lasting peace. If human rights are able to help citizens and other peoples within the nation to feel safe and secure in their environment, then civil unrest is much less likely to occur. For this reason, human rights are now considered to be an important part of the nation-building process. As an example, the introduction of human rights formed an important part of the rebuilding of East Timor.

Taking on board the importance now placed on introducing human rights to post-conflict nations, this paper aims to assess exactly how human rights can be used to create security in post-conflict societies. In particular, it considers how human rights can be used both to create a sense of belonging to the nation, and to create socio-economic opportunities for the people living within the nation. It is intended to inform the work of practitioners in the fields of human rights, development and peace-building to consider more broadly the issues of human rights and their role in rebuilding nations and secure lasting peace.

1.1 REBUILDING A NATION – THE CONTEXT

Prior to the introduction of human rights into a post-conflict nation, it is crucial to understand precisely what is necessary to (re)build a nation in the first place. This is a difficult issue to address, not least because of the widely held view that ‘Nations cannot be built, especially not by foreigners descending on a country for a short period of time.’1 The argument made is that nations evolve over the years, and cannot be artificially created. If this is accepted, then it is clear that a set of human rights cannot be simply introduced into post-conflict societies without consideration being made about how such rights will fit in with the culture and traditions of the societies in question. Instead, it is necessary to

---

1 Brahimi, L, ‘State Building in Crisis and Post-Conflict Societies’, June 2007, p.5
involve all sections of the local community in the ‘nation-building’ process and the determination of how human rights will be implemented by the state.

Béatrice Pouligny’s approach to rebuilding nations is useful to consider. Pouligny explores the difficulties surrounding the rebuilding of a nation\(^2\) – including the tendency of foreign agencies to ignore the local populace in the process. Taking a moment to look at the arguments advanced will indicate what more practitioners can do to help secure lasting peace in post-conflict societies. Additionally, such an exercise will prove useful in determining best practices associated with the introduction of a human rights framework into post-conflict societies.

CHAPTER 2

THE NOTION OF 'CIVIL SOCIETY'

2.1 THE PERCEIVED 'WESTERN BIAS'

One of the first – and most important – criticisms that Pouligny makes is that, ‘When working in non-Western contexts, most outsiders tend to look for structures representative of a civil society, that is, something that corresponds, in reality, to the form that ‘civil society’ has taken in modern Western societies.’ This, she argues, often leads to the exclusion of traditional methods of organising the state – largely because these methods are ‘too different’ from the Western ideal. It is important that this concern is addressed: it seems clear that if local cultures and traditions are ignored as a ‘new’ nation is (re)built, then local people are less likely to feel connected with this nation – and it follows that violence and unrest will be more likely to recur. Practitioners working in this field both national and international should therefore take steps to ensure that the local population have a significant role to play in the nation building process. This includes allowing the local people a say in how any new human rights mechanisms are implemented, and what they should include. Pouligny is able to list a number of situations in which local people have successfully played a part in the rebuilding of their nations – ranging from informal peace agreements in Papua New Guinea and the Sierra Leone, to weapon-free zones in South Africa and the Solomon Islands. This highlights that traditional methods of nation-building can work and should at least be considered.

---

3 Ibid, p.498
4 This is an issue also picked up on by Brahimi (supra, note 1, p.3), who argues that: ‘It should be obvious to all concerned – but alas, it is not – that the sole agenda around which everyone should unite in a post-conflict situation can only be the one that serves the interest of the people we pretend to be there to help and them alone.’
5 Supra, note 2, p.498
2.2 THE POLITICAL NATURE OF 'CIVIL SOCIETY'

Pouligny argues that the idea of a ‘civil society’ is not dealt with realistically. She explains that many members of civil society can – and do – in fact act politically, and in some instances ‘are just as discredited as the state’.⁶ This is not something that is always taken account-of but it is something that needs to be addressed. It is not sufficient to consider input as legitimate only on the basis that that person was not directly connected to the previous government. Practitioners also need to consider peoples’ indirect connections, for instance, through religious or community groups, in order to determine whether they are free from political influence. This is relevant in terms of obtaining local input with regard to the introduction of human rights into post-conflict societies: a person may, for example, support the introduction of certain rights above others, on the basis that these rights are likely to benefit a certain group. Whilst it is understandable and expected that members of civil society will want to promote their own interests, it is important that, when these interests are not easily visible, they are not forgotten completely. Determining where such interests exist will not be an easy task; however it is critical to securing and maintaining a lasting peace.

⁶ Ibid, p.500
The next issue that needs to be addressed is the support given to civil society in a peace-building context. The main criticisms have been as follows:

‘First we have difficulty taking into account local knowledge and resources as major input strategies. Second, we generally fail in scheduling outside interventions so that they will enforce local processes. Third, the fact that relationships with local civil societies are very asymmetric and characterized by patronage has concrete consequences for those rebuilding, and thus support for these processes by local people remains an uncertainty.’

This highlights a number of issues that need to be addressed by practitioners working in the field. For example, efforts should be made to ensure that local resources are taken account of when rebuilding post-conflict nations. This is because such resources are ‘most naturally accessed by survivors, who immediately try to make sense of their world and find ways to reconstruct it in a variety of subtle and small ways’. It is for this reason that every effort should be made to ensure that human rights are introduced into post-conflict societies in a culturally-sensitive manner. If this is done, it is much more likely that the local populace will be accepting of the new human rights mechanisms, enabling them to be implemented fully and successfully in society. In addition to Pouligny, writers such as Brahimi have also identified this issue, arguing that: ‘foreigners need to understand that, vital as their own contributions may be, this is not their country, their stay is temporary ... they do not have the right to impose their views over the national will and the legitimate aspirations of the indigenous people.’ This highlights again the importance of enabling local people to participate in the process of nation-building.

---

7 Ibid, pp.501-502
8 Ibid, p.502
9 Supra, note 1, p.3
CHAPTER 4
ACCOUNTABILITY : A TWO-WAY STREET

Additionally, Pouligny argues that it is important that any outsiders involved in peace-building are willing to be held to account for their actions, in the same way that they expect local people to be held to account for theirs.\textsuperscript{10} This issue is rarely considered at present – but it is an issue that needs addressing if human rights are to be successfully introduced into post-conflict societies. It is clear that, if intervening states expect post-conflict states to hold themselves to account when they fail to protect human rights, they should also expect to be held to account when their own actions neglect the human rights of the local people. This has rarely happened in the past, making the credibility of intervening states an important issue. It is argued by commentators such as David Law, that such states can often be seen to have ulterior motives and that:

‘Enjoying credibility among the local population is also about past performance. Any future intervention led by the United States or France in the Caribbean is likely to be associated with their unimpressive efforts in Haiti. Similarly, the UN’s failings in leadership and efficiency in settings such as Timor-Leste may taint similar operations in that region in future.’\textsuperscript{11}

Therefore, it follows that intervening states need to be much more transparent about their motives for intervening – and much more willing to take responsibility for their own actions – if they want the local populace to accept their own actions as legitimate and worthwhile. If the local population is suspicious of intervening states, then they will be less willing to engage with new structures, and this may lead to further unrest and new conflicts.

\textsuperscript{10} Supra, note 2, p.504
CHAPTER 5

POLITICAL CHALLENGES IN REBUILDING POST-CONFLICT SOCIETIES

5.1 CULTURAL-SENSITIVITY

It has been argued that whilst ‘we may help rebuild economic and socio-political infrastructures and institutions … they are no more than “empty boxes”, because we have given little consideration to the conceptual roots of social and political life’.\textsuperscript{12} It follows that to successfully ‘rebuild’ a nation and create lasting peace, more needs to be done to ensure that there is an understanding of the cultures and traditions of the nation – and more effort needs to be taken to include such perspectives in the new society. This will give the new infrastructures, including human rights infrastructures, the best chance of remaining in place.

5.2 STABILITY VERSUS LONG-TERM CHANGE

It has been proposed that rather than looking for stability whilst rebuilding a nation, what should actually be considered is long-term change.\textsuperscript{13} Such change, it is argued, should aim to address the issues that led to the conflict, and ultimately to overcome them. It has been contended that: ‘the ‘international community’ currently aims at stabilizing the situation in the short to mid-term … and not necessarily at promoting an actual resolution of a conflict, something usually more demanding and painful.’\textsuperscript{14} Practitioners should therefore aim to work towards more long-term solutions, even if these are more difficult to achieve. The introduction of human rights could be one such long-term solution.

\begin{itemize}
  \item \textsuperscript{12} Supra, note 2, p.505
  \item \textsuperscript{13} Ibid, p.506
  \item \textsuperscript{14} Ibid
\end{itemize}
CHAPTER 6

THE BENEFITS OF HUMAN RIGHTS TO POST-CONFLICT NATIONS

It has been shown that in order to rebuild a post-conflict nation, it becomes imperative to ensure that the local populace is able to connect with the newly rebuilt nation. It follows that, if human rights are to be introduced into post-conflict nations, their introduction must also occur in the same manner, namely, through an approach that is sensitive to local culture and traditions. Such rights must benefit the newly rebuilt state – as well as its nationals – in order to be fully integrated into society. The benefits of introducing human rights to post-conflict nations are considered below. Further, best practices associated with such introduction are addressed for their contribution to rebuilding a nation and securing lasting peace.

6.1 THE BENEFITS OF PROTECTING AND PROMOTING CIVIL AND POLITICAL RIGHTS – CREATING A SENSE OF BELONGING

Although civil and political rights are traditionally considered to be ‘first generation rights’, it is now generally accepted that all human rights are indivisible and interdependent.\(^\text{15}\) However, as the civil and political rights on the one hand, and economic, social and cultural rights on the other, offer different benefits to the state and its people, it is legitimate to consider them separately. One of the key advantages that civil and political rights offer is that they enable citizens to feel involved with the state – and that their state, in some way, belongs to them. This is important in terms of nation-building and securing lasting peace, because if citizens have no connection to the state, then they also have no motivation to avoid conflict. Assessing the advantages that specific civil and political rights offer will therefore demonstrate how they can help to rebuild nations and secure lasting peace.

\(^{15}\) For an example of this see Howard, R, ‘The Full Belly Thesis: Should Economic Rights Take Priority Over Civil and Political Rights? Evidence From Sub-Saharan Africa’, Human Rights Quarterly, Vol.5, No.4. It is argued that although civil and political rights should not take priority over economic and cultural rights, they are necessary to secure these rights. This highlights the indivisibility of the two sets of rights, even though they are used to provide distinct protections within society.
6.1.1 THE RIGHT TO LIBERTY AND SECURITY OF PERSON

This right, combined with the right to life and freedom from torture, is important for ensuring that people do not have to fear for their safety whilst going about their daily lives. It is a right included in the Universal Declaration of Human Rights,\textsuperscript{16} as well as in the International Covenant on Civil and Political Rights,\textsuperscript{17} hence it is widely recognised and applied.

In terms of what this right can bring to a newly rebuilt nation, it can help to maintain peace and security because, if citizens are able to feel safe and secure in their environment, conflict is less likely to arise. It is particularly important that this right is successfully introduced into post-conflict societies where persecution has previously been an issue. This is because there is likely to be suspicion among citizens and other peoples that the rebuilding of the nation will result in the reinstatement of persecution: these suspicions need to be disproved. Additionally, ensuring that the security of person is protected can improve international relations: if the international community can see that rights such as these are being effectively protected, they are likely to be much more willing to engage with the newly rebuilt state. In a globalised world, the ability to engage with other states is essential both politically and economically.

6.1.2 THE RIGHT TO A FAIR TRIAL AND EQUALITY BEFORE THE LAW

It is important to ensure that all people are treated fairly in legal proceedings within newly rebuilt societies, largely because faith needs to be restored in the ability of the legal system to provide justice. As with the right to liberty and security of person, the implementation of the right to a fair trial and equality before the law is particularly important in post-conflict societies where persecution has been an issue. This is because it is necessary for those \textit{who have been persecuted} to see that

\textsuperscript{16} Universal Declaration of Human Rights, Article 3
\textsuperscript{17} International Covenant on Civil and Political Rights, Article 9
the state is now able to *protect them*: if they are unable to see this, then they are unlikely to be able to feel that they truly *belong* within the state.

The protection of these rights is also important to the state more generally – a functioning and respected legal system is crucial in securing law and order, being essential if future civil unrest is to be avoided. It follows from this that protecting the right to a fair trial and equality before the law can be a vital ingredient for securing lasting peace.

### 6.1.3 ELECTORAL RIGHTS AND THE PUBLIC PARTICIPATION OF MINORITIES

It is impossible to discuss the role of civil and political rights in creating a sense of belonging to a nation without discussing electoral rights. The right to vote and to stand for election represents a direct method of participating in the rebuilding of the nation, and is a right that is essential if lasting peace is to be secured in post-conflict societies. Being able to vote is particularly important for creating a sense of belonging between citizens and state. According to the United Nations Office of the Special Advisor on Gender Issues and Advancement of Women:

> ‘Democratic elections have become a central element of peace-building in post-conflict societies. This emphasis on elections acknowledges that popularly supported, legitimate institutions can be a key to lasting solutions to conflicts. Only when institutions are democratic and representative of all groups in society—women as well as men, minorities as well as majorities, the dispossessed as well as the affluent—are stable peace and national prosperity likely to be achieved.’

It follows that the creation of a fully representative electoral system is essential to securing lasting peace. Such a system must protect not only the *majority* of the post-conflict nation’s citizens, but also all the minority and other disadvantaged groups within that society. If this cannot be achieved, then it is unlikely that peace

---

will be maintained. This is an issue that has been written on extensively by Yash Ghai, who argues that ‘For a political system to be truly democratic, it has to allow minorities a voice of their own, to articulate their distinct concerns and seek redress and lay the basis of deliberative democracy.’\textsuperscript{19} He argues that introducing ‘special measures’ for minorities does not place them in a position of privilege in society, but rather puts them on an equal footing with the majority.\textsuperscript{20} This allows minority groups to be able to influence public policy and therefore helps to prevent them feeling detached from their nation. Indeed, as Ghai concludes:

‘Participation in public affairs by minorities is essential to their sense of identity. It is crucial to their feeling part of the state and the wider community. It is essential to the protection of their interests. It helps to inform decision-makers of the concerns of minorities, and leads to better decision-making and implementation.’\textsuperscript{21}

It is therefore clear that when minority rights are secured, there is a much greater likelihood that peace will be maintained. Practitioners should therefore aim to ensure that minority voices can be heard when rebuilding post-conflict societies.

In drawing up electoral systems for post-conflict societies, it should be remembered that a ‘one size fits all’ solution does not exist. Although it can be argued that, in general, a first-past-the-post system may be ‘the least favourable for the election of minority representation’,\textsuperscript{22} as previously discussed, it is important to allow local people to have a say in how their nation is rebuilt. It follows that rather than simply introducing a system of proportional representation with no real consideration as to whether this is suitable, the views of the local community should be sought out: it may be that some societies feel their rights could be best protected by an alternative vote or first-past-the-post system.

\textsuperscript{19} Ghai, Y, ‘Public Participation and Minorities’, Minority Rights Group International, p.5
\textsuperscript{20} Ibid
\textsuperscript{21} Ibid, p.27
\textsuperscript{22} Ibid, p.14
What must be remembered is that the system ought to be suited to local needs, and that it is able to represent the interests of the entire community. According to Ghai, the chosen system is likely to depend more on the ‘circumstances and constraints’ of a specific situation than on the merits of the various systems available. As an example, he states that:

‘a substantial and economically well-off minority might not require special rules for legislative representation, but a small minority might. Moreover, in the former case, special rules might be resented or mistrusted by the majority, but not necessarily in the latter case.’

Every case will be different. The requirements and needs of minority groups in post conflict societies can therefore not be generalised, and practitioners should not attempt to do so.

6.1.4 FINAL THOUGHTS

All civil and political rights should be protected in as full a manner as possible. Protecting the rights of all people in this way makes it less likely that conflict will redevelop, allowing post-conflict nations to move forward, rather than continually looking backwards and expecting new or further unrest. It also helps to give the state an improved status within the international community, leading to improved trade and other benefits.

23 Ibid, p.27
6.2. THE BENEFITS OF PROTECTING AND PROMOTING ECONOMIC, SOCIAL AND CULTURAL RIGHTS – CREATING OPPORTUNITIES

Economic, social and cultural rights herald in opportunity to post-conflict nations. The aim of these rights is to ensure that all people are able to meet their basic human needs. Although traditionally viewed as being more expensive than their civil and political counterparts, this is not necessarily the case. It is pointed out by writers such as Asbjørn Eide that the argument that socio-economic rights require a greater use of state resources than civil and political rights ‘is tenable only in situations where the focus on economic and social rights is on the tertiary level (the obligation to fulfil), while civil and political rights are observed on the primary level (the obligation to respect).’\(^{24}\) This, he explains, is a misguided comparison:

‘Some civil rights require state obligations at all levels – also the obligation to provide direct assistance, when there is a need for it. Economic and social rights, on the other hand, can in many cases be safeguarded through non-interference by the state with the freedom and use of resources possessed by the individuals.’\(^{25}\)

It follows that the introduction of socio-economic rights in post-conflict societies should not be ruled out on the basis of monetary concerns. Instead, it has been seen that the fulfilment of economic, social and cultural rights in fact has the potential to improve the nation’s economy as a whole. The benefits offered by a number of specific economic, social and cultural rights are considered below.

6.2.1 THE RIGHT TO HEALTH

The physical and mental wellbeing of the nation can be particularly important for maintaining peace and security in post-conflict societies. A human rights framework that provides comprehensive protection for the human right to health is fundamental for achieving this. Although providing such protection is a difficult

\(^{24}\) Eide, A, 'Economic and Social Rights as Human Rights', p.32

\(^{25}\) Ibid
political issue even in the world’s wealthiest of nations,\textsuperscript{26} the provision of real access to healthcare in post-conflict nations will help to prevent the return of civil unrest. Such access should include emergency and routine medical treatment, as well as immunization programmes. This will help to maintain lasting peace because, if a society - or a less affluent proportion of that society - is suffering from ill-health and disease, that society is much more likely to be rife with discontent. Additionally, creating a healthy nation is likely to benefit the state’s economy – a sick nation is unable to work, and is therefore unable to generate wealth.

Concerns about the cost of providing human rights protection for the right to health in post-conflict societies should not be overstated. The right to health is a progressive human right, meaning that citizens should expect their state to provide them with protection for ‘the highest attainable standard of physical and mental health’.\textsuperscript{27} This standard depends on the wealth of the nation, so the standard that one could expect to enjoy in Germany, for example, is not the same as the standard one could expect to enjoy in Guatemala. Despite this, it is still argued that providing protection for the right to health is essential for alleviating poverty and encouraging development.

According to the World Health Organisation:

\begin{quote}
‘A rights perspective transforms the development discourse. Health for the poor is no longer about charity or benevolence, or a question of purchasing power. Instead, it is entitlement of everyone by virtue of being born human.’\textsuperscript{28}
\end{quote}

This is illustrative of how the protection of the right to health creates opportunities – an essential component for securing lasting peace. Additionally, the World Health Organization explains that ‘equality and non-discrimination are key principles

\textsuperscript{26} See, for example, Sridhar, D, ‘Inequality in the United States Healthcare System’, Human Development Report Office, 2005

\textsuperscript{27} International Covenant on Economic, Social and Cultural Rights, Article 12

whether dealing with populations in developed or developing countries’, hence, what is important is that access to healthcare is provided to all people equally. Whilst people within a post-conflict nation are unlikely to have unrealistic expectations regarding the level of healthcare that the nation can afford to provide, at the same time they should be able to expect that such healthcare will be available to them without discrimination. If this is not achieved, civil unrest is likely to return. Practitioners should therefore work to encourage the development of healthcare infrastructures that can be easily accessed by even the most marginalised groups in society.

6.2.2 THE RIGHT TO EDUCATION

The right to education is vital to improving the wealth of the nation as a whole. Education provides those within a state with opportunities to develop new skills. This, in turn, provides them with the opportunity to generate a higher income. As citizens are able to earn more, it is clear that the nation’s economy will improve as a whole and the the likelihood of satisfaction and prevention of frustration can considerably contribute to building a connection with the newly rebuilt state. This is happening at the moment, where India is moving ahead of the Western world in relation to science and technology. In terms of what this means for post-conflict societies, it is clear that a world-class system of universities cannot be developed overnight. However, if investment is made in the education system, then the state’s economic outlook can improve in the long-term. Moreover, such investment will prevent unrest in the short to medium-term because if citizens can see progress being made and they are given the opportunity to improve their own standard and quality of life, they are far less likely to agitate and return to conflict.

---

29 Ibid
6.2.3 THE RIGHT TO WORK

As with the other economic, social and cultural rights considered, it is evident that protection of the right to work carries with it the potential to improve the prosperity of the nation. This is because it is important to have an active workforce in order to grow the nation’s economy: if people are given the ability to work, then they are able to go out and earn more money, some of which can then be created as revenue. Post-conflict nations should therefore aim to provide protection for this right, in order to provide their citizens with the best chance of improving their economic situations. Such protection will in turn reduce unrest and improve the economy.

6.2.4. FINAL THOUGHTS

The protection of socio-economic rights clearly has the potential to greatly improve a nation’s wealth – and it is evident that conflict is more likely to occur in a nation of poverty as opposed to a nation of prosperity. Whilst there may be some concerns about the cost of implementing economic, social and cultural rights, some of the strongest socio-economic rights protection exists in Africa (i.e. not in the developed, Western world). There is therefore scope to introduce protection for economic, social and cultural rights, even in post-conflict societies having limited monetary resources. Such protection must always be provided without discrimination.
CONCLUDING REMARKS

Several difficult issues exist within post-conflict societies, and these need to be addressed in order to rebuild nations and secure lasting peace. It is clear that human rights can have an important role to play in this process. Civil and political rights are useful for creating a sense of belonging to the newly rebuilt nation; whereas economic, social and cultural rights are valuable for creating opportunities both for individuals within post conflict societies, and for the societies as a whole. When the two groups of human rights are protected in tandem, it is possible to create a stable and secure nation, in which civil unrest is unlikely to emerge or return.

Possibly the most important contribution human rights can make to securing lasting peace is the protection they bring to minorities. This is done both though enabling minorities to use their civil and political rights to influence public policy, and also through ensuring that even the most marginalised groups are able to access provisions needed to meet their basic needs, such as basic healthcare for example. As discussed, the ways in which minority rights are best protected will vary depending on the specific situations of the post-conflict nations in question; however it is clear that without minority rights protection, civil unrest is likely to return. Practitioners are therefore well advised to work closely with minority groups in order to determine how their needs can be best met. It should be borne in mind, however, that an overly minority-focused approach could arouse the suspicions of the majority. Ultimately, balance and discretion need to be used to suit the exigencies and circumstances of the particular situation at hand, ensuring that the social fabric woven in the newly rebuilt nation leaves no place for discrimination, discontent or misgiving.
ABOUT THE AUTHORS

SALMA YUSUF
Visiting Lecturer, Masters in Human Rights, University of Colombo and University of Sydney; Visiting Lecturer, Bachelor of Laws, University of Northumbria – Regional Campus for Sri Lanka & Maldives; LL.M, Queen Mary, University of London; Queen Mary Scholar 2008-2009; LL.B (Hons), University of London. 
She provides legal and policy advisory services on both national and international programmes in the fields of human rights law, transitional justice, comparative social justice, and peace-building. She has authored publications for the Sri Lanka Journal of International Law; the Seattle Journal for Social Justice; the Complutense University of Madrid; and the School of Oriental and African Studies, University of London. 
Email: salmayusuf@gmail.com

JENNIFER WOODHAM
Human Rights Lawyer and Researcher, United Kingdom. LL.M, Queen Mary, University of London; LL.B, University of Essex. She currently provides legal and policy advisory services at the Prisoners' Advice Service in the United Kingdom. 
She has conducted academic research into diverse aspects of human rights ranging from the access to healthcare in developing countries; the protection of socio-economic rights in the United Kingdom; the use of anonymous witnesses; and the right to a fair trial. Her interests lie in the field human rights issues, both domestic and international. She is particularly interested in research that looks at the protection of economic and social rights, and the impact that such rights can have on society.
ABOUT THE INSTITUTE OF HUMAN RIGHTS OF SRI LANKA

The Institute Of Human Rights Of Sri Lanka (IHR) is an independent, non-profit, non-governmental organization incorporated on the 7th of March 1994, under the provisions of the Companies Act No: 17 of 1982 and registered with the Department of Social Services. From its inception in 1994, it has been serving and educating the public at a national level, in an effort to achieve its goal of establishing an environment in which human rights are secured and protected.

IHR seeks to achieve its objective of promoting human rights by providing access to justice, education and training, and humanitarian assistance through the following key areas of work:

- **Legal advice and representation**
  Providing legal advice and assistance has been at the core of IHR’s work in the past, and would figure prominently in its future activities. It involves administering professional legal services and representation, pertaining to fundamental rights, to those seeking such assistance, with special emphasis on those wrongfully detained.

- **Human Rights education and training**
  Education and training provided on human rights is a vital component of IHR’s activities, which permeates through its overall programme. Training programmes, workshops and study courses, designed to educate the public, empower victims of human rights violations and build the capacity of resource persons, is the sum of activities undertaken under this programme area.

- **Empowerment of detainees and conflict affected persons**
  In addition to providing physical and financial aid to detainees and conflict-affected persons, IHR's programme extends to psychosocial support and vocational training, aimed at empowering marginalized groups. Furthermore, the organization undertakes lobbying and advocacy for the elimination of discriminatory practices by institutions that directly impede the security of the rights of detainees and conflict-affected persons.