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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Enhancement of international cooperation in the field of human rights

Report of the United Nations High Commissioner for Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 10/6. It summarizes replies received in response to a request for information sent to Member States, observer States and other observers, including intergovernmental and non-governmental organizations. Responses were received from the Governments of Algeria, Bahrain, Burkina Faso, Iraq, Jordan, Monaco, Serbia and Ukraine, as well as from the Holy See, the United Nations Children's Fund, the International Labour Organization, the Jordanian National Centre for Human Rights, the National Human Rights Committee of Qatar, and non-governmental organizations Cercle de recherche sur les droits et les devoirs de la personne humaine (CRED) and the International Disability Alliance.

* Late submission.

Introduction

In its resolution 10/6, the Human Rights Council requested the United Nations High Commissioner for Human Rights to consult States and intergovernmental and non-governmental organizations on ways and means, including obstacles and challenges, as well as possible proposals to overcome them, for the enhancement of international cooperation and dialogue in the United Nations human rights machinery, including the Council, as recognized by the General Assembly in the preamble of its resolution 60/251 of 15 March 2006, and to present a report on her findings to the Council at the relevant session in 2010.

On 21 October 2009, the Council Secretariat addressed a note verbale to Member States, observer States and other observers, including intergovernmental and non-governmental organizations, seeking their views and information as requested in resolution 10/6. As at 7 December 2009, the Office of the United Nations High Commissioner for Human Rights had received responses, summarized below, from the Governments of Algeria, Bahrain, Burkina Faso, Iraq, Jordan, Monaco, Serbia and Ukraine, as well as from the Holy See, the United Nations Children's Fund, the International Labour Organization, the Jordanian National Centre for Human Rights, the National Human Rights Committee of Qatar, and non-governmental organizations Cercle de recherche sur les droits et les devoirs de la personne humaine (CRED) and the International Disability Alliance.*

Responses from Member States

Algeria

[Original: French]
[30 November 2009]

The Government of Algeria provided an update of the information already submitted in its response dated 3 February 2009, which is contained in document A/HRC/10/26/Add.1. In terms of ratification of international treaties, Algeria ratified the Convention on the Rights of Persons with Disabilities on 12 May 2009. In terms of cooperation with regional and international instances dealing with human rights, the cooperation of Algeria with the Office of the United Nations High Commissioner for Refugees was shown by the visit of the High Commissioner, Mr. António Guterres, to Algeria in September 2009, who had constructive dialogue with high-level Algerian officials. In terms of active presence in human rights, Algeria participated in the second Alliance of Civilizations Forum, held in Istanbul from 6 to 8 April 2009, and the Durban Review Conference, held in Geneva from 20 to 24 April 2009.

Bahrain

[Original: Arabic]
[16 November 2009]

The Government of Bahrain stated that the promotion of human rights could not be implemented without the international exchange of experiences. Therefore, Bahrain stated that it had cooperated with the Human Rights Council, the Office of the High Commissioner for Human Rights and several other organs of the United Nations.

* The full text of the submissions is available from the Secretariat.

Bahrain hosted the Regional/International Conference on Cooperative Universal Periodic Review Experiences in November 2008, and the conference on “Human Trafficking at the Crossroads” in March 2009. Bahrain also hosted the first Forum on Dialogue among Civilizations in January 2008, with the participation of more than 300 experts and ambassadors from Middle East, Asian and European countries.

Bahrain stated that it had recently promulgated legislation on combating human trafficking.

Bahrain also stated that cooperation with civil society organizations included the latter’s involvement in the work of the Committee monitoring the implementation of the recommendations of the universal periodic review. Furthermore, the Government of Bahrain organized, in collaboration with the United Nations Development Programme, a number of workshops and training courses to define the role of government agencies and civil society on the importance of protecting human rights based on the recommendations of the universal periodic review. These workshops were:

- Workshop on the Paris Principles and best practices for the establishment of national institutions, 22–24 July 2008
- Training programme in international law and constitutional and human rights law, 1 March–7 June 2009
- Workshop on the concept of the definition of torture, 6–7 April 2009
- Workshop on health and human rights, 13–14 May 2009
- Workshop on the management of prisons, 3–4 June 2009
- Workshop on human rights and education, 26–27 October 2009

Finally, Bahrain stated that, on 11 November 2009, the National Foundation for Human Rights had been established by royal decree.

Burkina Faso

[Original: French]
[25 November 2009]

The Government of Burkina Faso reaffirmed its constant availability in relation to institutions, organs and international mechanisms for the promotion and protection of human rights and its readiness to engage with the various instances. In that context, Burkina Faso stated that it had never rejected a request for a country visit and remained willing to examine any future requests. Burkina Faso also reaffirmed its readiness to participate and engage in international forums on human rights. Burkina Faso equally reaffirmed its willingness to implement international human rights instruments to which it is a party at the national level.

Burkina Faso stated that its engagement in international cooperation was also evident from its recognition of the jurisdiction of all treaty bodies to which it is a party, including their competence to examine individual communications, when applicable, and also by submitting periodic reports. Burkina Faso stated that it had cooperated and would continue to cooperate with the United Nations High Commissioner for Human Rights and the Human Rights Council, of which it is a member.

Burkina Faso provided information on its efforts to reinforce cooperation and dialogue with States and other actors for the promotion of human rights within the framework of the United Nations mechanisms in the following three areas:

- In the area of participating in international meetings organized by human rights mechanisms, such as effective participation in the Human Rights Council sessions and other United Nations mechanisms. It stated that these meetings provided appropriate platforms to discuss important human rights issues, exchange good practices and remind States to respect their international obligations in the field of human rights. It also stated that it was necessary to develop strategies to allow effective participation of States, especially the least developing countries, in the meetings of different organs. In particular, this concerns their participation in the sessions of the Working Group on the Universal Periodic Review, during which the interactive dialogue constitutes an opportunity for exchange of information and good practices in the field of the promotion and protection of human rights. Burkina Faso recalled that one of the essential goals of the Universal Periodic Review was capacity-building and technical assistance. It suggested that, at the time of the adoption of the reports, requests for assistance should be systematically registered and the Office of the High Commissioner for Human Rights should initiate as a consequence an appeal for contributions.
- In the area of presenting periodic reports, the Government of Burkina Faso noted that the enhancement of cooperation and international dialogue could be achieved by the enhancement of tools to monitor the application of international human rights instruments, especially by the presentation of periodic reports to the respective treaty monitoring bodies. It stated that the presentation of these reports offered opportunities for dialogue between the monitoring mechanisms and the States concerned, with the view to ensuring the effectiveness of the rights provided by these instruments. It also stated that the presentation of periodic reports helped promote the universality, interdependence, indivisibility and interrelatedness of all human rights. Consequently, the High Commissioner for Human Rights should provide adequate assistance to States in the elaboration and presentation of reports. For the purpose of assisting African States that are confronted with the difficulty of inadequate resources, United Nations and the African mechanisms should harmonize and agree upon the guidelines for the presentation of periodic reports.
- In the area of developing regional frameworks for discussion and coordination, Burkina Faso considered it important to facilitate, encourage and support the institution of regional channels for discussion and understanding among different regional groups on the question of human rights. These channels would allow States in similar situations to exchange views and experiences on important questions concerning human rights, including those on the agenda of United Nations human rights mechanisms. Such frameworks could allow States to develop common strategies to solve common problems in the field of human rights. It stressed the need to strengthen cooperation between the United Nations human rights system and regional human rights institutions, as well as cooperation among regional institutions, while reiterating its readiness to enhance its cooperation with other States, international organizations and non-governmental organizations in the United Nations human rights mechanisms.

Iraq

[Original: Arabic]
[17 November 2009]

The Government of Iraq provided information on its treaty ratification status in the field of human rights: it considered that the country's efforts to implement provisions of international human rights instruments proved its commitment to comply with its treaty obligations. With regard to international cooperation in the field of human rights, the

Government regarded it as the duty of States, and stated that cooperation must aim at solving problems of the world without restrictions or conditions. Iraq was of the opinion that effective international cooperation would lead to reduction of poverty in the world, especially in developing countries, and that the strengthening of economic relations among countries should reduce the gaps in that area. Iraq further stated that achieving the Millennium Development Goals should be the responsibility of the entire international community and that they should be realized by providing opportunities for international partnerships and exchange of experiences in all fields.

Iraq also provided its opinion on international cooperation in the fight against racism. It raised the example of the Durban conferences held in 2001 and 2009 as the first global strategy to combat racism, in which States could work together to eliminate racism and racial discrimination.

In terms of obstacles in international cooperation in the field of human rights, Iraq was of the view that international relations in certain aspects were still subjected to politics dominated by power and force. Therefore, one of the challenges in international cooperation was to eradicate the pressure from States or group of States which are in dominant positions. It stated that in reality there was still a long way to go to achieve a situation of equality where international solidarity could achieve its objectives, and human rights issues should be a priority.

Jordan

[Original: Arabic]
[11 November 2009]

The Government of Jordan provided information on its treaty ratification status: it has been a member of the Human Security Network since 2001; it signed a European partnership agreement on 24 November 1997, which entered into force on 1 May 2002; and it has ratified a number of human rights conventions.

Jordan also referred to its acceptance of around 1.9 million Palestinian refugees and 400,000 Iraqi refugees and the efforts to provide them with a decent standard of living despite its limited capacities in that regard.

In terms of its participation in international and regional forums, Jordan provided relevant information on its permanent membership of the Asia-Pacific Forum of National Human Rights Institutions, and stated that the Jordanian National Centre for Human Rights had hosted the fourteenth meeting in Amman. Also, on 10 August 2009, Jordan hosted a meeting in Amman, on the initiative of a group of Arab experts, to prepare the ground for an international meeting to be held in Thailand in November 2010 in relation to the Standard Minimum Rules for the Treatment of Prisoners.

Jordan also noted some challenges: as the Islamic religion is the State religion and the foundation of local customs, any human rights instrument contrary to the principles of the Islamic law would therefore be socially unacceptable. In that regard, it stated that His Majesty the King of Jordan had explained in a detailed statement the truth of Islam, including Islamic principles which were also similar to human rights, such as women's rights, freedom of religion, legitimate jihad, good citizenship of Muslims living in non-Muslims countries, just and democratic government.

Monaco

[Original: French]
[16 November 2009]

The Government of Monaco provided its views on international cooperation in the field of human rights in the framework of the provisions of the Universal Declaration of Human Rights.

Article 23, paragraph 1, of the Universal Declaration of Human Rights provides that “everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment”. In this regard, Monaco introduced the Monegasque Cooperation, which, within the frame of its operational area “microeconomic support”, defined its activities along three major areas: microenterprise, agricultural development and microfinance. Monaco provided further information in the following areas: in the area of microenterprise, several thousand women in Morocco, Burkina Faso and Mali had received support in their activities in agriculture production; in the area of rural development, 2,000 people in Morocco and Tunisia had received additional income under the “Oasis” rehabilitation programme and, in Niger, 25,000 people had benefited from a rural development programme; in the area of microfinance, in 2008, the Monegasque Cooperation created a support programme for microfinance of small and medium-sized African microfinance institutions, with the goal of providing technical assistance to microfinance institutions of high social impact and facilitating access to financial services for the poor. Monaco also mentioned its support for facilitating the socio-economic integration of 200 people living with HIV/AIDS in Burkina Faso, providing access for 50 juveniles to training sessions and insertion in the professional sector, and providing economic support in Kenya that allowed development of microeconomic activities for creating trade. It noted that “Web Cités”, a programme initiated in cooperation with the United Nations Development Programme, had helped 5,000 women to have access to microcredit in Niger, Madagascar, Mauritania and Morocco.

Article 25, paragraph 1, of the Universal Declaration of Human Rights provides that “everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing and medical care and necessary social services”. In that regard, Monaco stressed that Monegasque Cooperation had made the fight against poverty a priority, which had been expressed above all by the willingness to work with least developed countries, including Burkina Faso, Burundi, Madagascar, Mali, Mauritania, Mozambique, Niger, Senegal and Timor-Leste. Monaco provided detailed information on such cooperation: in the year of 2009, more than 100 projects were planned in 23 countries and more than 70 per cent of its public development aid had been dedicated to least developed countries by bilateral cooperation. Monaco noted that the eight Millennium Development Goals constituted the key to its development cooperation policy, which had four working areas – with health and the social sectors being the most important area. Following that policy, the Monegasque Cooperation had financed and constructed infrastructure providing 870,000 people with basic health facilities, such as ambulances and maternity wards. Among its support programmes, Monaco referred to those of special interest: the access of 150,000 children to programmes combating hunger; in cooperation with the World Health Organization, the vaccination of 100,000 children against poliomyelitis every year; the programme to free the entire Malagasy population from malaria by the creation of a national treatment centre; the creation in Niger, Mali and Madagascar of three treatment centres to fight sickle cell anaemia, the most prevalent genetic disease in the world, with more than 500 million carriers.

Article 26, paragraph 1, of the Universal Declaration of Human Rights provides that “everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory”. Monaco provided relevant

information on how the Monegasque Cooperation had contributed to three forms of education: formal education, non-formal and literacy education, and vocational education. In formal education, the Cooperation's methods were mainly the construction of schools: since 2002, the programme had built and equipped three primary schools (12 classrooms) in Morocco and three primary schools (nine classrooms) in Burkina Faso: as a result, 1,000 children had benefited from good-quality primary education. In the province of Oubritengua in Burkina Faso, the entire population of the area has access to primary education. Also in Burkina Faso, the Monegasque Cooperation was financing the construction and equipment of a college with the initial capacity of 200 students. In the underprivileged part of Western Cape province in South Africa, the Monegasque Cooperation supported the construction and rehabilitation of eight preschool facilities for the benefit of nearly 700 children. In terms of non-formal and literacy education, the Monegasque Cooperation had a combined project in the area to combat poverty, and support income-generating activities and access to microfinance programmes, which helped to improve literacy of its beneficiaries. For instance, since 2006, a literacy programme for women had been financed in cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) to the benefit of 10 poor villages in Niger; in 2008, a project was set up in six Morocco regions to fight against school dropouts before the end of primary school, which could also help to improve literacy of mothers; more than 1,000 disabled children (sensorial, physical or mental) in Lebanon, Morocco, Madagascar and Mali had benefited from specialized education that allowed them to be reintegrated to the school system; in South Africa, a project incorporating sports in education was initiated in 2007 to the benefit of more than 1,000 juveniles from a poor region in Cape Town. In the area of vocational education, in Madagascar and Morocco, four programmes were implemented to help several hundreds of adolescents who lived in the street or were physically or mentally disabled to benefit from vocational training; in Mali, 50 young football players had benefited from a study-sports programme and 40 young adults had been trained and helped to create their businesses; in Lebanon, within the framework of a programme to defend the rights of minor detainees, around 60 detainees had benefited from a vocational education that would allow them to have a professional perspective.

Serbia

[Original: English]

[26 November 2009]

The Government of Serbia provided information on its treaty ratification status: Serbia is a party to seven core international human rights treaties and, in compliance with those treaties, Serbia had submitted reports on implementation to the treaty bodies. In terms of the communications procedure of treaty bodies, Serbia had accepted the respective competence of the Human Rights Committee, the Committee against Torture, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women to examine complaints of individuals who claim to be victims of violation of rights guaranteed by the relevant treaties. Serbia stated that it had undergone the universal periodic review process of the Human Rights Council on 5 December 2008 and that it had extended an open invitation to all thematic special procedure mandate holders.

In terms of its regional cooperation in the field of human rights, Serbia noted that it had ratified 33 conventions of the Council of Europe. It had ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms and its 13 protocols in December 2003 and the Convention had entered into force for Serbia on 4 March 2004. It had ratified the fourteenth protocol to this Convention in April 2005. Serbia had made reservations to the Convention regarding mandatory detention, as envisaged by article 142, paragraph 1, of its Criminal Procedure Code, and regarding the provisions of

transparency of administrative disputes in Serbia and certain provisions of the Law on Misdemeanours. It stated that the reservation on mandatory detention had ceased to be valid. It had also ratified the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in 2004, the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities.

Serbia provided relevant data on its cases before the European Court of Human Rights. It stated that the Court had delivered 32 judgements (1 judgement in 2006, 14 judgements in 2007, 9 judgements in 2008 and 8 judgements in the first half of 2009), 34 decisions and had made interventions in four cases. With regard to Serbia, violation of the right to trial within a reasonable time (article 6, paragraph 1, of the European Convention for the Protection of Human Rights and Fundamental Freedoms) had been the most frequently found violation before the European Court of Human Rights. As a party to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, Serbia had accepted and abided by the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment as guidelines for the development and fulfilment of standards in the treatment of detainees in Serbia, and had included them into the short-term and long-term plans for the competent State authorities. The delegation of the Committee had paid its second official visit to Serbia from 19 to 29 November 2007.

Serbia stated that its cooperation with the International Criminal Tribunal for the former Yugoslavia was based on its Law on Cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

Serbia also provided information on its international cooperation in the area of development. Together with 189 other countries, Serbia had adopted by consensus the Millennium Declaration at the Millennium Summit held in New York in September 2000. It had commenced its work on drafting the Poverty Reduction Strategy in Serbia in late 2002. The starting point, strategic directions, the methodology for preparing the Strategy and its implementation were defined in the Starting Points of the Poverty Reduction Strategy, which had been approved by the World Bank and the International Monetary Fund. The Poverty Reduction Strategy was an integral part of the Government Framework for International Support and Development Cooperation and at the same time contained the plan of activities for the attainment of the Millennium Development Goals of the United Nations. In 2007, the paper "National Millennium Development Goals in the Republic of Serbia" was adopted. For each millennium development goal, eight national goals/tasks to be achieved by 2015 were established. The Declaration of the Decade of Roma Inclusion 2005–2015 on 2 February 2005 was signed in Sofia by Prime Ministers of participating countries and the implementation of the Decade of Roma Inclusion 2005–2015 initiative was launched.

At the national level, Serbia adopted the National Sustainable Development Strategy in 2008. As a direct response to the World Summit on Sustainable Development, the Strategy was launched at the proposal of the Ambassador of Sweden to Serbia. The Strategy commenced in July 2005 with cooperation between the Deputy Prime Minister's Office, the United Nations Development Programme and the Swedish International Development Cooperation Agency.

Lastly, Serbia provided relevant information on its international and regional cooperation in the field of human and minority rights protection. It stated that priorities in the promotion and protection of human rights at the international level included: cooperation with international and regional organizations in the fields of human and minority rights protection, active participation in international cooperation programmes in

the fields of minority rights, gender equality, protection of children, promotion of democracy and rule of law, meeting the obligations under the Millennium Development Goals, supporting the activities of the Office of the High Commissioner for Human Rights, cooperation with United Nations treaty bodies on both the monitoring of the implementation of international treaties and in the field of reform of those bodies, cooperation with the United Nations special procedures by maintaining an open invitation to mandate holders of thematic mandates, and supporting the adoption of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

Ukraine

[Original: Russian]
[27 November 2009]

The Government of Ukraine provided information on its contribution to international cooperation in the field of human rights by actively cooperating with various United Nations human rights mechanisms. It provided information on its treaty ratification status and its efforts to fulfil its obligations under these treaties by implementing them at the national level and periodically presenting its reports to the respective committees. Ukraine is a member of the Human Rights Council and considered its re-election in 2008 for a second term as the recognition by the international community of Ukraine's successful engagement in the field of human rights at the international level. In 2008, Ukraine presented its report to the Working Group on Universal Periodic Review of the Human Rights Council, which was based on a constructive dialogue among States to achieve the highest standards of human rights. On the regional level, Ukraine is a member of the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE) and actively participated in the regional mechanisms under those organizations. It is a party to regional human rights instruments, in particular the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Ukraine stated that it participated in a number of international and regional forums, as well as events organized at the bilateral level and by non-governmental organizations. Ukraine attached particular importance to meeting international standards regarding racism, racial discrimination and xenophobia. In August 2006, it presented its report to the Committee on the Elimination of Racial Discrimination and was working for the next report to be submitted in April 2010. Ukraine prioritized its work on the protection of minorities and, in this regard, it contributed to international cooperation by concluding multilateral and bilateral agreements. Ukraine implemented these agreements by bilateral joint-membership commissions, which were created at the government level by Ukraine and States that have ethnic communities in their countries (Slovakians, Hungarians, Romanians, Russians and, until 2001, deported Germans). These commissions, showing the contribution of Ukraine to implementing its obligations regarding the rights of national minorities, allowed it to provide for the national, cultural and linguistic needs of its compatriots living abroad.

Regarding the fight against racism, Ukraine referred to the creation of an interdepartmental working group on xenophobia and racial intolerance by its Cabinet of Ministers, with the task to develop systematic approaches to prevention and to develop a proposal to improve legislation. This working group had developed and was implementing a plan of measures to combat racism and xenophobia for 2008–2009. This plan included developing bilateral cooperation with international organizations and law enforcement agencies of other countries in order to exchange information and experiences, and a forum was under preparation. Within the framework of the OSCE Office for Democratic Institutions and Human Rights, Ukraine was implementing a programme on training staff of law enforcement agencies, prosecution and courts on cases related to racism, xenophobia

and ethnic discrimination. Finally, Ukraine pledged to guarantee all citizens, national groups and stateless persons on its territory equal political, economic, social and cultural rights.

Response from the Holy See

Holy See

[Original: English]
[23 November 2009]

The Holy See provided its views on obstacles and challenges to the enhancement of international cooperation and dialogue in the United Nations human rights machinery and on possible proposals to overcome them. It quoted comments on the Universal Declaration of Human Rights by Pope Paul VI and by Pope Benedict XVI. It also elaborated on the obstacles and challenges to the realization of the Declaration. With reference to the obstacles and challenges, the Holy See recalled the gap between the “letter” and the “spirit” of human rights, by citing the painful reality of violations, wars, violence of every kind, genocides, mass deportations, the spread on a virtual worldwide dimension of ever new forms of slavery such as trafficking in human beings, child soldiers, the exploitation of workers, illegal drug trafficking, and prostitution; and also the inequality in the distribution of the world’s goods, poverty, hunger, injustice and widespread violations of the right to religious freedom. The Holy See stated that such a dichotomy was an ever-present symptom of the deeper dichotomy that was in man himself.

To overcome these obstacles and challenges, the Holy See listed a number of relevant elements. It stated that human dignity was the cornerstone in understanding and protecting human rights and, as such, human rights were to be defended not only individually, but also as a whole. It also discussed the social nature of human beings and the concept of the common good, which is the sum total of social conditions which allowed people, either as groups or as individuals to reach their fulfilment more fully and easily. The Holy See explained the Catholic concept of subsidiarity which includes a theory of social pluralism, envisioning a civil society that does not totally depend on or derive from the State its authoritative actions and power. The Holy See expressed the view that excessive economic and social disparity between individuals and peoples was a source of scandal and militated against social justice, equity, human dignity, as well as social and international peace. The Holy See stated that solidarity and the notion of humanism which was integral in the human person were important principles to consider. It also suggested that the Human Rights Council must reinforce the mutual complementarity between rights and duties.

The Holy See concluded that filling in the gap between the letter and the spirit of the United Nations human rights machinery was an ongoing process, which required that individuals as well as Governments and non-governmental actors strive always to keep the human person in proper focus. Finally, the Holy See reiterated the commitment of the Church in a twofold direction: in the proclamation of the Christian foundations of human rights, and in the denunciation of the violations of these rights. For greater effectiveness, this commitment was open to ecumenical cooperation, dialogue with other religions, contacts with other organizations, governmental and non-governmental, at the national and international levels.

Responses from United Nations agencies and organizations

United Nations Children's Fund

[Original: English]

[7 December 2009]

The United Nations Children's Fund (UNICEF) stated at the outset that its mission and mandate were guided by the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). UNICEF provided information on its strong working relationship with the Committee on the Rights of the Child, its secretariat, and the non-governmental group on CRC. It stated that, as explicitly provided in article 45 of CRC, UNICEF country offices had routinely provided inputs into the review process of the Committee, as well as technical assistance to States parties in their implementation of the Convention and reporting to the Committee. Further, it stated that UNICEF continued to work together with the United Nations Development Programme, the United Nations Population Fund and the United Nations Development Fund for Women to promote joint United Nations country teams reporting to pre-sessional working group sessions of the Committee on the Elimination of Discrimination against Women at the Committee's request, and to harmonize and improve the United Nations system's reporting to the Committee. UNICEF stated that it had convened several meetings to address issues of common interest in the framework of the CRC and the CEDAW, on such topics as their working methods, the development of concrete social indicators on child rights and women's rights, and to examine ways to coordinate action to promote the two conventions. In this connection, in 2006, UNICEF launched the CRC/CEDAW Linkages Initiative, which seeks to promote implementation of both treaties, stimulate a better understanding of the intersections between women's and children's rights and encourage partnerships and alliances between rights advocates of the two conventions. In the context of this initiative, in partnership with the Wellesley Centers for Women, UNICEF convened an Asian regional conference on the human rights relationship between women and children in December 2007 in Bangkok. As a result of this conference, the first meeting of a joint CRC-CEDAW working group will take place in 2010, with support from UNICEF and the United Nations Population Fund. UNICEF also referred to a joint learning package with the United Nations Population Fund on linkages between CRC/CEDAW, which would be finalized in 2010, and an advocacy booklet to influence action at the national level to be launched at the Commission on the Status of Women in March 2010.

UNICEF also provided information on its input into other treaty bodies, most notably to the Committee on Economic, Social and Cultural Rights, and it also provided information and recommendations to the Working Group on the Universal Periodic Review of the Human Rights Council. UNICEF also stated that it collaborated with a number of special procedure mandates at the global level and in relation to country visits. In June 2009, UNICEF participated in a meeting of three special rapporteurs with child-focused mandates (on the sale of children, child prostitution and child pornography, trafficking in persons, especially women and children, and contemporary forms of slavery, including its causes and consequences), which resulted in an action plan with roles for all partners. Finally, UNICEF concluded by encouraging the special procedures of the Human Rights Council and Special Representatives of the Secretary-General with child-focused mandates to continue this initiative to strengthen a holistic and concerted approach to their work and by offering technical assistance to this process as required.

International Labour Organization

[Original: English]

[26 November 2009]

In its response, the International Labour Organization (ILO) provided information on its cooperation within the United Nations system in the field of human rights. ILO regarded such cooperation as absolutely fundamental and as an expression of an aspect of its own mandate for the promotion of social justice, decent work and labour standards. ILO stated that it had recently been engaged, in particular, in ensuring that social justice and rights at work were duly reflected in the activities of the Rule of Law Unit of the United Nations and referred to information available at its new website www.unrol.org. ILO also stated that it was concerned with human rights ranging from the fundamental rights of association, non-discrimination and freedom from forced labour and child labour, through the design and implementation of employment, human resources and other national policies favourable to human rights, to the details of justice and favourable conditions of work.

ILO noted that its normative system involved, on the one hand, acceptance of labour standards by Member States and their participation in supervisory processes to ensure their implementation and, on the other hand, social dialogue between Governments and employers' and workers' organizations in the development and execution of social and employment policies. It stated that this normative system enabled a rights-based approach to development in which the Organization could deploy practical assistance within the United Nations framework and through national decent work programmes to further the implementation of rights at work.

ILO provided information on its active role in the elaboration of the United Nations system approach to development and the practical enhancement of economic and social rights, such as through its participation in the United Nations System Chief Executives Board for Coordination and the Economic and Social Council, and the adoption and promotion of the Global Jobs Pact in the context of the current economic crisis. ILO stated that it would welcome intensification of cooperation in respect of those matters.

Responses from national human rights institutions

Jordanian National Centre for Human Rights

[Original: English]
[18 November 2009]

The Jordanian National Centre for Human Rights appreciated the efforts made by the Human Rights Council to enhance international cooperation in the field of promoting and protecting human rights. The Centre commended Council resolution 7/3 and the Council's initiative in implementing the resolution.

The Centre highlighted the main challenges in the area and proposed means to overcome them. It proposed that the Human Rights Council and/or other United Nations human rights bodies consider covering the participation costs, including travel and accommodation, of the participants from middle and low income countries. The Centre also considered it crucial to receive notice of invitations to events at least one month prior to the date of event to arrange visas. It stated that in order to avoid duplication, it was necessary to conduct an assessment to identify mutual needs at the subregional, regional and international levels, including existing initiatives, good practices, challenges and opportunities in the area of enhancing human rights dialogue and cooperation. Further it stated that in order to have meaningful dialogue, participants in meetings should possess certain knowledge with regard to the meeting topic, and suggested distributing reading material prior to the meetings, including relevant international agreements or resolutions, useful links and resources. The Centre stated that it was important to encourage and support

subregional and regional meetings based on the results of a comprehensive needs assessment.

Lastly, the Centre provided brief information about the Arab-European Human Rights Dialogue initiative launched in 2006 by the Centre and the Danish Institute for Human Rights.

National Human Rights Committee of Qatar

[Original: Arabic]
[16 November 2009]

The National Human Rights Committee of Qatar stated that the strengthening of international cooperation needed to be considered on three levels: first in relation to civil and political rights; second in relation to economic, social and cultural rights; and third that international cooperation needs to be based on the principles of non-selectivity, impartiality and objectivity. In connection with civil and political rights, the Committee was of the view that cooperation in the area of civil and political rights should be achieved through the establishment of a partnership between the public space and intergovernmental and non-governmental bodies through the exchange of information and experiences and by providing both material support in terms of access, reduced travel expenses and human support, such as grants to the experts and specialists. The Committee also suggested States integrate in the primary and secondary school curricula the study on tolerance and dialogue as guided by the Convention on the Protection and Promotion of the Diversity of Cultural Expressions; and that non-governmental organizations and national institutions should disseminate the provisions of that Convention. It also suggested the establishment of a regional office in the Gulf region which should work on cooperation in human rights among countries of the region based on transparency and mutual trust. It stated that such an institution could create a platform to exchange ideas and find new ways and means to protect and promote human rights.

In connection with economic, social and cultural rights, the Committee suggested that the Office of the High Commissioner for Human Rights provided support to States, according to their capacities, to encourage them to assume their responsibilities to uphold principles of human dignity, equality and justice. At the global level, Qatar had provided financial support for education in Asian countries through the “Reach Out to Asia” programme, which the Committee stated was a good example of international cooperation. The Committee also suggested that States should support institutions whose purposes were to support marginalized segments of the society; and that States should create momentum to adopt the draft convention to prevent sanctions that affect the development of people, which aimed to prevent the obstruction of the development and economic growth of a country due to the imposition of economic sanctions.

In connection with its statement that international cooperation needs to be based on the principles of non-selectivity, impartiality and objectivity, the Committee suggested restructuring the United Nations system. First, by reviewing the Charter of the United Nations pursuant to Article 109, paragraph 2, to give the General Assembly more powers relating to the maintenance of international peace and security, in parallel to the powers granted to the Security Council, and to develop the controls necessary for coordination and effective cooperation to avoid overlap. Second, the Committee suggested reviewing the composition of the membership of the Security Council by expanding its membership. Third, the Committee suggested reviewing the use of veto by the five permanent members of the Security Council, particularly with regard to decisions in the field of human rights issues, as the exercise of subjective and selective policies might lead to hostilities and reprisals, which could lead to terrorism, threatening the interests of the entire international community.

The Committee also provided views on the cooperation among States and cooperation in terms of international mechanisms. With regard to the former, it proposed excluding countries that pursue selective, subjective or non-neutral policies on human rights and economic cooperation, to support and develop partnership in international relations with States committed to dealing with human rights issues neutrally and objectively, to coordinate and cooperate among human rights authorities, and to support and secure capacities of the United Nations by providing the necessary financial capacity of its human rights programmes and activities. With regard to the latter, the Committee proposed to enhance the capacity of treaty and non-treaty mechanisms, and to support and activate the framework for effective cooperation and partnership with non-governmental organizations on all issues relating to human rights, in particular, through exchange of information. In that regard, it also proposed improving and developing effective cooperation among all human rights mechanisms of the United Nations system, to provide all necessary means to protect United Nations agencies and their staff, and to provide more guarantees for international investigators to ensure fair, impartial and objective investigations.

Responses from non-governmental organizations

Cercle de recherche sur les droits et les devoirs de la personne humaine (CRED)

[Original: French]
[20 November 2009]

In its response, CRED and its representatives in 10 countries suggested that the General Assembly should create an ad hoc committee with the mandate to implement international human rights norms, in order to evaluate the implementation mechanisms of existing norms (from the time of signature of treaties to the harmonization of national legislation), and to propose means and ways to address shortcomings. This proposal was reiterated by CRED on 27 October 2009 at the second session of the Ad Hoc Committee on the Elaboration of Complementary Standards during the debate on agenda item 3.

International Disability Alliance

[Original: English]
[20 November 2009]

The International Disability Alliance provided a contribution in the name the International Disability Alliance Forum on the Convention on the Rights of Persons with Disabilities, whose mission is to promote the effective and full implementation of the Convention on the Rights of Persons with Disabilities worldwide, and ensure compliance. It commented that Convention, as the first United Nations human rights treaty that included a specific article on international cooperation (art. 32), which in its opinion established a good balance between the obligation of each State party towards its citizens and the recognition that international cooperation had a vital role to play in accelerating the effective implementation of the rights recognized in the Convention. It considered that the balance struck in article 32 of the Convention was applicable to the general issue of international cooperation in the field of human rights.

The Forum considered that international cooperation could and should play a key role in the promotion of human rights, including the rights of persons with disabilities. It believed that more efforts need to be made to ensure that international cooperation was based on a human rights approach, involving persons with disabilities. By way of example, it made reference to international cooperation undertaken to promote the Millennium Development Goals (MDGs) which lacked any substantial focus on persons with

disabilities, who constitute a substantial percentage of the world's poor people. In its opinion, MDG-related efforts should fully respect the human rights of persons with disabilities, as well as other excluded and discriminated groups. Further, the MDG framework should fully embrace non-discrimination and encourage active involvement of the affected parties and other key principles of the human rights based approach. It stated that such an inclusive MDG process was recognized by the United Nations by the adoption of resolution A/C.3/64/L.5/Rev.1 during the sixty-fourth session of the General Assembly, which called for the implementation of the MDG framework with respect to persons with disabilities and in line with the Convention.

The Forum was of the view that if international cooperation efforts, including development cooperation, emergency and humanitarian actions, were not pursued in accordance with relevant human rights standards and were not systematically monitored from a human rights perspective, they would too often fail to improve and could even further deteriorate the rights of the groups in society most commonly faced with discrimination. It also noted that international cooperation needed to increase the capacity of persons with disabilities and other groups at high risk of exclusion by supporting the establishment of organizations representing these groups and involving them in all international cooperation related actions, as per clear guidance given by article 32 of the Convention.

The Forum suggested a concrete proposal for action to the Human Rights Council, namely, that the latter asks its Advisory Committee to produce a declaration on how to ensure mainstreaming of international cooperation to respect the human rights-based approach, as well as to prepare proposals on how to facilitate exchange of experiences in the area of international cooperation in the field of human rights. It stated that the United Nations Statement of Common Understanding on the human rights-based approach to development cooperation and programming, which was adopted by the United Nations Development Group in 2003, could serve as inspiration for such a declaration. It also suggested that the Human Rights Council should ensure that the 2010 review conference on the MDGs strengthened the human rights-based approach to the MDGs, including attention to the rights of persons with disabilities.
