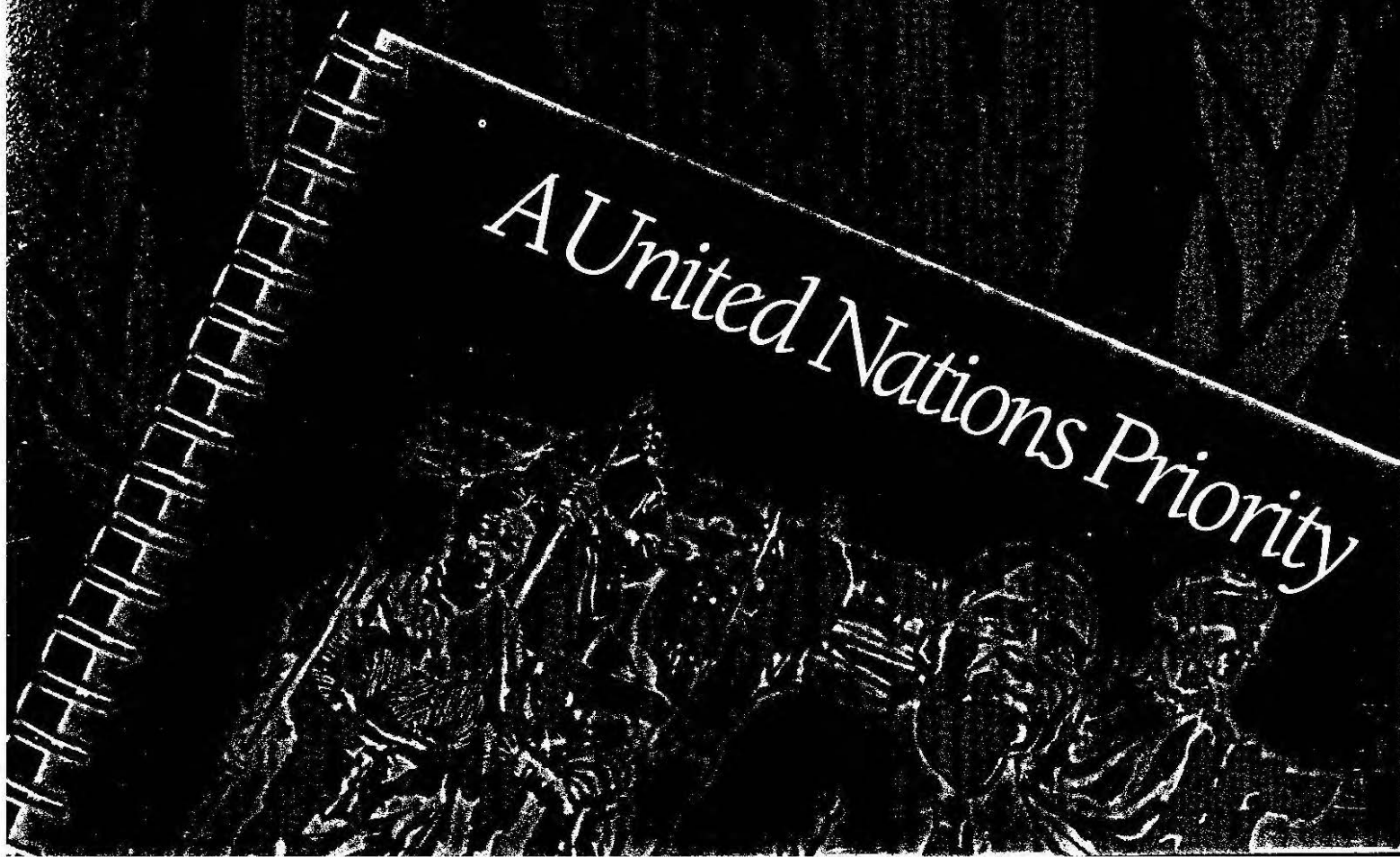


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Preface

Human rights are foreign to no culture and native to all nations; they are universal. One cannot pick and choose among human rights; whether civil, cultural, economic, political or social, human rights are indivisible and interdependent. And as this century's bloody history has taught us, the absence of human rights is more than a denial of human dignity; it is also at the root of the poverty and political violence that plague our world.

This broad vision of human rights is the touchstone for all that the United Nations seeks to achieve in its global mission of peace and sustainable development. Since its inception, the United Nations has been a primary catalyst for the worldwide promotion and protection of human rights and fundamental freedoms. One of the Organization's earliest achievements was the drafting of the Universal Declaration of Human Rights, a far-reaching document that since its adoption in 1948 has served as the foundation for all subsequent human rights work and become ever more deeply integrated into the fabric of national and international life, both ethically and juridically. As we commemorate its fiftieth anniversary, it is clear that the Declaration has lost none of its relevance as a blueprint for human dignity and well-being.

It is also fair to say that much has been accomplished in half a century of human rights work. A vast range of violations and vulnerable groups have been brought under the protective purview of human rights laws and standard-setting. Apartheid is a thing of the past. The decolonization process is nearly complete. Global awareness of the need for democratic decision-making, good governance and respect for the rule of law has never been greater. And the decision in June of this year to create a permanent International Criminal Court was a giant step against genocide, war crimes and crimes against humanity, the most noxious and savage human rights offences known to humankind.

At the same time, I am painfully aware of the formidable challenges that remain. Genocide has been committed twice in this decade alone. People around the world continue to be subjected to discrimination because of race, religion, gender or political belief. Millions of men, women and children lack food, shelter, access to medical care, education and work. Too many Governments have yet to ratify or even sign too many of the major human rights conventions.

Building a world of respect for human dignity and social justice is a job — a responsibility — for everyone. The United Nations, for its part, will continue to assist Member States in strengthening their national capacities to protect and promote human rights. We will continue to work closely with civil society groups. We will continue to reform and revitalize the Organization, including its human rights mechanisms, so as to better anticipate and meet the challenges of a world in transition.

A culture of human rights can be ours. But words will not suffice; we need deeds that will bring to life for every individual in every community the aspirations articulated by the Universal Declaration of Human Rights. This challenge requires a sustained individual and collective effort — in short, a global partnership for human rights.



Kofi A. Annan



Introduction

WE ARE LIVING IN AN ERA OF DRAMATIC CHANGE and transition, in a world that is being transformed by complex financial systems and revolutionary information technologies into a vast global marketplace. Globalization is creating new patterns of interaction among people and States, promising unprecedented opportunities for material progress in larger freedom, but also threatening to compound many existing challenges before the international community while deepening the economic marginalization of those most vulnerable. In this complex scenario, human rights, which were embedded formally at the United Nations as a great international priority 50 years ago — through the December 1948 Universal Declaration of Human Rights — have gained prominence as a universally recognized set of norms and standards that increasingly inform all aspects of our relations as individuals and as collective members of groups, within communities and among nations. There is now near-universal recognition that respect for human rights — the rights of political choice and association, of opinion and expression, and of culture; the freedom from fear and from all forms of discrimination and prejudice; freedom from want and the right to employment and well-being and, collectively, to development — is essential to the sustainable achievement of the three agreed global priorities of peace, development and democracy.

Given their centrality, the United Nations has made the strengthening of human rights a cross-cutting focus in all its work. But assuring human rights for all people remains a daunting challenge, especially given the impunity with which they continue to be violated in all parts of the world. Billions continue to live in extreme poverty, and the huge disparity between rich and poor countries continues to grow. Violent conflicts, increasingly ethnic in nature, have proliferated, uprooting entire communities, forcing millions of people from their homes. Political extremism and terrorism continue to target countless innocent civilians. Unemployment, discrimination and social exclusion bedevil all societies. And although globalization has brought the world closer together, it has also benefited elements of uncivil society, reflected in the increase in corruption, organized crime and transnational trafficking in illicit drugs, arms, toxic materials, even in human beings, particularly of women for sexual exploitation.

The revitalization of the United Nations that has become another priority in recent years will be judged in large part by its success in meeting these challenges — old and new — and in extending not merely the theory but the practice of human rights. The first-ever judgements and sentencing for the crime of genocide — 50 years after the Convention on Genocide was concluded — by the International Criminal Tribunal for Rwanda in September 1998, and the agreement in Rome two months previously, on the establishment of an International Criminal Court, are concrete examples of a deepened resolve by the international community to ensure respect for all human rights, and of the centrality of the United Nations and its effectiveness in the realization of this goal.

Today's United Nations human rights programme has evolved in over 50 years of difficult but steady progress in the face of numerous challenges and frequent disappointments (see *chronology in Annex 1*). Since its creation in 1945, the United Nations has overseen the codification of human rights in a major effort to move them from the realm of ethical guidelines to that of binding law. Especially, the Universal Declaration of Human Rights, adopted in 1948, continues to guide the United Nations through the simplicity of its language and the clarity of its purpose. The Universal Declaration, an eloquent inspiration for the worldwide struggle for human dignity and freedom, has become the cornerstone of an increasingly cohesive body of international human rights standards and laws. The enhanced focus on human rights is, in turn, having a direct impact on all

aspects of the work of the United Nations, in many cases, such as the role and rights of women, driving action in crucial areas.

This *Briefing Paper* describes the manifold aspects of United Nations work in the area of human rights today, and the challenges that lie ahead in realizing the objectives of the body of human rights law now in place. The Organization bases its work on the principle that human rights are universal and indivisible. In practical terms, this means that all rights and freedoms — economic rights, as well as political and civil freedoms — are interrelated and interdependent, and need to be promoted and protected in equal manner. If one set of rights is promoted at the expense of another, then all rights are undermined. For this reason, the United Nations has sought a balanced and comprehensive approach to the effective promotion of all human rights, including the right to development. Overcoming the artificial split between two “kinds” of rights is the key to an overall promotion of human rights.

Another common thread in United Nations human rights action is to challenge discrimination in all its forms. It has a long history of fighting racism and racial discrimination and, in recent years, it has increasingly focused on the widespread discrimination against ethnic, religious or linguistic minorities, as well as on the basis of gender. It has stepped up efforts to protect vulnerable groups, such as indigenous people, migrant workers and especially children, who are the most vulnerable to physical and sexual exploitation, particularly in times of armed conflict. The United Nations also continues to work for the advancement and empowerment of women in society, and combats all forms of discrimination and violence against women and girls, whether in private or in public life.

The United Nations is increasingly integrating a human rights component into its peacekeeping operations and into its humanitarian activities, as well as advocating a rights-based approach to peace-building in the aftermath of conflicts. For the United Nations, conflict prevention also means fighting impunity, ensuring that the perpetrators of the most atrocious violations of human rights — genocide, war crimes and crimes against humanity — are held accountable for their offences. This is the main rationale for the international criminal tribunals for Rwanda and the former Yugoslavia and for the recent decision to establish a permanent International Criminal Court, which will have its seat at The Hague in the Netherlands.

With the standard-setting work in international human rights law nearly complete, the United Nations is now concentrating efforts and marshalling resources to implement the legislation. The Organization seeks to ensure the compliance of Member States and to effectively promote a global culture of human rights through a number of practical strategies:

- Various working groups and experts advance human rights research, establishing standards, codifying the content of human rights, identifying obstacles to their implementation and developing ways to realize these rights;
- An evolving human rights monitoring system of commissions and committees responds to growing demands to prevent or remedy human rights violations, pressing for the universal ratification of international human rights treaties and assisting Governments in conforming to the provisions of these treaties; and
- A growing number of technical cooperation and training programmes in the administration of justice, implemented through human rights field operations and offices, assist States and civil society worldwide in building national networks supporting and strengthening human rights and the rule of law at regional and local levels.

The United Nations continues to reorient its human rights programme to respond more effectively to today's challenges, whether they arise as massive human rights violations or systematic political oppression or persist in more complex and pervasive forms of discrimination — affecting

the right to development or the right to a healthy environment, for example. However, it is internationally recognized that the prime responsibility for the promotion and protection of human rights remains with Member States. For this reason, in order to strengthen human rights at the national level, the United Nations has greatly expanded its human rights work in the field. Through the Office of the United Nations High Commissioner for Human Rights, the focal point of all system-wide integration of human rights activities, the United Nations assists Governments and other national and international partners in their promotion and protection of human rights. Strengthening international human rights law and increasing accountability of individuals and Member States in the area of human rights are crucial steps towards an effective implementation of human rights standards. All these complementary approaches advance and enhance United Nations efforts to create a global culture of human rights.

CHAPTER 1 **Universal Declaration of Human Rights**

FIFTY YEARS AGO, THE UNITED NATIONS General Assembly adopted the Universal Declaration of Human Rights as a bulwark against oppression and discrimination. In the wake of a devastating world war, which had witnessed some of the most barbarous crimes in human history, the Universal Declaration marked the first time that the rights and freedoms of individuals were set forth in such detail. It also represented the first international recognition that human rights and fundamental freedoms are applicable to every person, everywhere. In this sense, the Universal Declaration was a landmark achievement in world history. Today, it continues to affect people's lives and inspire human rights activism and legislation all over the world.

The Universal Declaration is remarkable in two fundamental aspects. In 1948, the then 58 Member States of the United Nations represented a range of ideologies, political systems and religious and cultural backgrounds, as well as different stages of economic development. The authors of the Declaration, themselves from different regions of the world, sought to ensure that the draft text would reflect these different cultural traditions and incorporate common values inherent in the world's principal legal systems and religious and philosophical traditions. Most important, the Universal Declaration was to be a common statement of mutual aspirations — a shared vision of a more equitable and just world.

The success of their endeavour is demonstrated by the virtually universal acceptance of the Declaration. Today, the Universal Declaration, translated into nearly 250 national and local languages, is the best known and most cited human rights document in the world. The foundation of international human rights law, the Universal Declaration serves as a model for numerous international treaties and declarations and is incorporated in the constitutions and laws of many countries.

For the first time in history, the international community embraced a document considered to have universal value — “a common standard of achievement for all peoples and all nations”. Its Preamble acknowledges the importance of a human rights legal framework to maintaining inter-



national peace and security, stating that recognition of the inherent dignity and equal and inalienable rights of all individuals is the foundation of freedom, justice and peace in the world. Elaborating the United Nations Charter's declared purpose of promoting social progress and well-being in larger freedom, the Declaration gives equal importance to economic, social and cultural rights and to civil rights and political liberties, and affords them the same degree of protection. The Declaration has inspired more than 60 international human rights instruments, which together constitute a comprehensive system of legally binding treaties for the promotion and protection of human rights.



Universal
Declaration
of Human
Rights

ARTICLE 1 *Right to freedom and equality in dignity and rights*

The Universal Declaration covers the range of human rights in 30 clear and concise articles. The first two articles lay the universal foundation of human rights: human beings are equal because of their shared essence of human dignity; human rights are universal, not because of any State or international organization, but because they belong to all of humanity. The two articles assure that human rights are the birthright of everyone, not privileges of a select few, nor privileges to be granted or denied. Article 1 declares that "all human beings are born equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." Article 2 recognizes the universal dignity of a life free from discrimination. "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

The first cluster of articles, 3 to 21, sets forth civil and political rights to which everyone is entitled. The right to life, liberty and personal security, recognized in Article 3, sets the base for all following political rights and civil liberties, including freedom from slavery, torture and arbitrary arrest, as well as the rights to a fair trial, free speech and free movement and privacy (*for a list of all articles, see Annex 2*).

The second cluster of articles, 22 to 27, sets forth the economic, social and cultural rights to which all human beings are entitled. The cornerstone of these rights is Article 22, acknowledging that, as a member of society, everyone has the right to social security and is therefore entitled to the realization of the economic, social and cultural rights "indispensable" for his or her dignity and free and full personal development. Five articles elaborate the rights necessary for the enjoyment of the fundamental right to social security, including economic rights related to work, fair remuneration and leisure, social rights concerning an adequate standard of living for health, well-being and education, and the right to participate in the cultural life of the community.

The third and final cluster of articles, 28 to 30, provides a larger protective framework in which all human rights are to be universally enjoyed. Article 28 recognizes the right to a social and international order that enables the realization of human rights and fundamental freedoms. Article 29 acknowledges that, along with rights, human beings also have obligations to the community which also enable them to develop their individual potential freely and fully. Article 30, finally, protects the interpretation of the articles of the Declaration from any outside interference contrary to the purposes and principles of the United Nations. It explicitly states that no State, group or person can claim, on the basis of the Declaration, to have the right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth in the Universal Declaration.

International Bill of Human Rights

Once the Universal Declaration of Human Rights was adopted, the Commission on Human Rights, the premier human rights intergovernmental body within the United Nations, set out to translate its principles into international treaties that protected specific rights. Given the unprecedented nature of the task, the General Assembly decided to draft two Covenants codifying the two sets of rights outlined in the Universal Declaration: Civil and Political Rights and Economic, Social and Cultural Rights. The Member States debated the individual provisions for two decades, seeking to give explicit endorsement to certain aspects of the universality of human rights only implicitly referred to in the Universal Declaration, such as the right of all peoples to self-determination, as well as reference to certain vulnerable groups, such as indigenous people and minorities (see Chapter 5).

Consensus was reached in 1966, and the United Nations General Assembly adopted the **International Covenant on Economic, Social and Cultural Rights** and the **International Covenant on Civil and Political Rights** that year. The preambles and articles 1, 2, 3 and 5 are virtually identical in both International Covenants. Both preambles recognize that human rights derive from the inherent dignity of human beings. Article 1 of each Covenant affirms that all peoples have the right of self-determination and that by virtue of that right they are free to determine their political status and to pursue their economic, social and cultural development. Article 2, in both cases, reaffirms the principle of non-discrimination, echoing the Universal Declaration, while Article 3 stresses that States should ensure the equal right of men and women to the enjoyment of all human rights. Article 5 of both Covenants echoes the final provision of the Universal Declaration, providing safeguards against the destruction or undue limitation of any human right or fundamental freedom. Two **Optional Protocols** elaborate certain provisions of the Covenant on

Drafting the Universal Declaration

THE PREPARATORY WORK for the Universal Declaration of Human Rights is a remarkable and early example of the Organization's capacity to bring about international cooperation and consensus. The text was drafted in two years — between January 1947, when the Commission on Human Rights first met to prepare an International Bill of Human Rights, and December 1948, when the General Assembly adopted the Universal Declaration. An eight-member drafting committee prepared the preliminary text of the Universal Declaration. The committee, chaired by Mrs. Eleanor Roosevelt, widow of the former United States President, agreed on the central importance of affirming universal respect for human rights and fundamental freedoms, including the principles of non-discrimination and civil and political rights, as well as social, cultural and economic rights. The Commission then revised the draft declaration, in the light of replies from Member States, before submitting it to the General Assembly.

The General Assembly, in turn, scrutinized the document, with the 58 Member States voting a total of 1,400 times on practically every word and every clause of the text. There were many debates. Some Islamic States objected to the articles on equal marriage rights and on the right to change religious belief, for example, while several Western countries criticized the inclusion of economic, social and cultural rights. On 10 December 1948, the United Nations General Assembly unanimously adopted the **Universal Declaration of Human Rights**, with 8 abstentions. Since then, 10 December is celebrated every year worldwide as **Human Rights Day**. The adoption of the Declaration was immediately hailed as a triumph, uniting very diverse and even conflicting political regimes, religious systems and cultural traditions. During 1998, the fiftieth anniversary of the Universal Declaration is being commemorated all over the world as **Human Rights Year**.

Civil and Political Rights, one providing for complaints by individuals, the other advocating the abolition of the death penalty.

When they entered into force in 1976, the two International Covenants made many of the provisions of the Universal Declaration effectively binding for States that ratified them. These two International Covenants, together with the Universal Declaration and the Optional Protocols, comprise the International Bill of Human Rights.



Universal
Declaration
of Human
Rights

ARTICLE 2 *Freedom from discrimination*

Over 60 human rights treaties elaborate fundamental rights and freedoms contained in the International Bill of Human Rights, addressing concerns such as slavery, genocide, humanitarian law, the administration of justice, social development, religious tolerance, cultural cooperation, discrimination, violence against women, and the status of refugees and minorities (*for a listing of major international instruments, see Annex 3*). The following four Conventions, relating to racial discrimination, torture, women and children, are considered core human rights treaties, together with the two International Covenants:

- ***The International Convention on the Elimination of All Forms of Racial Discrimination*** (adopted in 1965/entry into force 1969) was a ground-breaking treaty defining and condemning racial discrimination. Calling for national measures towards the advancement of specific racial or ethnic groups, the Convention also makes the dissemination of ideas based on racial superiority or inspiring racial hatred punishable by law.
- ***The Convention on the Elimination of All Forms of Discrimination against Women*** (1979/1981) specifies measures for the advancement and empowerment of women in private and public life, particularly in the areas of education, employment, health, marriage and the family.
- ***The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*** (1984/1987) bans torture and rape as weapons of war. In 1998, in a major effort to help torture victims and to step up international attempts to end torture, the United Nations declared 26 June as the annual *International Day in Support of Victims of Torture*.
- ***The Convention on the Rights of the Child*** (1989/1990) is the most universally ratified human rights Convention. Only two Member States, the United States and Somalia, are not yet parties to the Convention, which protects children, among other things, from economic and sexual exploitation.

Some 14 States have incorporated provisions of the Convention on the Rights of the Child into their constitutions, while 35 have passed new laws conforming to the Convention or amended laws related to child abuse, child labour and adoption. Other Member States have extended the length of compulsory education, guaranteed child refugees and minority children special protection or reformed juvenile justice systems, as stipulated by the Convention.

World Conference on Human Rights

The United Nations designated 1968 as the International Year for Human Rights to mark the twentieth anniversary of the Universal Declaration on Human Rights, and convened an *International Conference on Human Rights in Tehran, Iran*, to enhance national and international human rights efforts and initiatives. After evaluating the impact of the Universal Declaration on national legislation and judicial decisions, the Conference approved the Proclamation of Tehran, which formulated a programme for the future, addressing the problems of colonialism, racial discrimination, illiteracy and the protection of the family. The Tehran Proclamation emphasized particularly the principle of non-discrimination, condemning the policy of apartheid as a "crime against humanity", and urged the international community to ratify the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights adopted by the United Nations two years earlier.

The **World Conference on Human Rights in Vienna** reassessed the progress of United Nations human rights work over the years. The Vienna Conference was marked by an unprecedented degree of support by the international human rights community. Some 7,000 participants, including delegations from 171 States and representatives of more than 840 non-governmental organizations, gathered for two weeks to set out a revitalized programme for global human rights action. There was broad consensus that, with fundamental rights codified and the essential machinery in place, it was time to implement the established human rights standards and norms with greater vigilance.

In adopting the **Vienna Declaration and Programme of Action** by consensus, the World Conference reaffirmed the centrality of the Universal Declaration for human rights protection, and recognized, for the first time unanimously, the right to development as an inalienable right and an integral part of international human rights law. The Conference also emphasized that, as human rights are universal and indivisible as well as interrelated and interdependent, they should be promoted in equal manner. The delegates rejected arguments that some human rights were optional or subordinate to cultural traditions and practices. The Vienna Conference thus gave high priority to preserving the integrity of the Universal Declaration. Giving new impetus to the worldwide implementation of human rights norms, the Conference emphasized that most violations could be addressed by forcefully implementing existing norms through the mechanisms already available.

ARTICLE 3 *Right to life, liberty and security of person*



Stating that the protection and promotion of human rights are the "first responsibility" of Governments, the Vienna Declaration recognized democracy as a human right, thus strengthening the promotion of democracy and the rule of law. Also, giving high priority to the universal ratification of international human rights treaties, the World Conference urged States especially to ratify promptly the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. Similarly, the Conference took innovative steps to protect the rights of vulnerable groups and to bring women's rights into the mainstream of United Nations human rights work, supporting the establishment of a Special Rapporteur on violence against women and calling for an international decade of the world's indigenous peoples.

The World Conference had a catalytic role in revitalizing the human rights programme of the United Nations. The Vienna Declaration and Programme of Action provides the international community with a new framework of planning, dialogue and cooperation that enables an integrated approach to promoting human rights. The recognition of the interdependence between democracy,

development and human rights, for example, laid the groundwork for increased cooperation among international development agencies and national organizations in promoting human rights. The Vienna Declaration states, for the first time explicitly, that all organs, programmes and specialized agencies of the United Nations system should have a central role in strengthening human rights. Its key institutional recommendation, however, was the establishment of the post of United Nations High Commissioner for Human Rights to coordinate all human rights activities system-wide (see Chapter 2). The World Conference also called for a comprehensive five-year review of the progress made in the implementation of the Vienna Declaration and Programme of Action in 1998. This review coincides with the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights.



CHAPTER 2 **Human Rights in Action**

THE UNITED NATIONS HAS been adapting its human rights machinery in order to better respond to the changing demands of the international community. During the cold war, the United Nations created the normative and institutional structures for international human rights protection, steadily broadening its competence in this area. At the same time, it supported the vast process of decolonization, which led to the birth of over 80 new independent nations. Landmark United Nations actions, such as the Declaration on the Granting of Independence to Colonial Countries and Peoples (1960), provided the blueprint for universally establishing the collective right to self-determination. The United Nations also concentrated its efforts on the human rights abuses resulting from the policy of apartheid in South Africa, overseeing international action which eventually helped to end this gross abrogation of fundamental rights. Despite these successes, however, the effectiveness of the United Nations was severely restricted by the cold war, both in terms of the range of human rights to be defended and in terms of ensuring their respect in practice. The world political situation did not allow for much concerted human rights activism in the field. Doctrines of national security and sovereignty were often invoked to conceal, excuse or justify human rights abuses.

Today, there is widespread recognition that the 50-year investment in development and human rights promotion requires new impetus to secure broader realization of economic and social rights. Extreme poverty and exclusion from economic, political and cultural life continue to be the fate of millions in both developing and developed countries. Currently, there are 48 countries where more than one fifth of the population live in "absolute poverty", with little prospect of dramatic change in the short term. Breaking the cycle of poverty thus continues to be a formidable task for the international community. For this reason, the United Nations has increasingly emphasized the right to development, which can provide the basis for a strategy for a more comprehensive human rights programme (see Chapter 3).

Strengthening the human rights machinery

In the wake of the Vienna Conference, the United Nations has intensified efforts to refocus its human rights programme, shifting its main concern from standards setting to implementation. This effort was led by the main intergovernmental body in this area, the United Nations Commission on Human Rights, supported by the secretariat of the United Nations Centre for Human Rights. In 1993, the General Assembly significantly strengthened the Organization's human rights machinery by creating the post of United Nations High Commissioner for Human Rights.

Mandated to coordinate all United Nations human rights programmes and improve their impact and overall efficiency, the High Commissioner is the chief official responsible for human rights. Operating under the direction and authority of the Secretary-General as his representative in the field of human rights, the High Commissioner also reports to the General Assembly, the Economic and Social Council and the Commission on Human Rights. The **Office of the United Nations High Commissioner for Human Rights (OHCHR)** serves as the secretariat of the Commission on Human Rights, the treaty bodies and other United Nations human rights organs, and is the focal point for all United Nations human rights activities.

The first High Commissioner was Mr. José Ayala Lasso, who served from 1994 to 1997. Having assumed office only one day before the outbreak of genocidal killing in Rwanda, Mr. Ayala Lasso called for the convening of an emergency session of the Commission on Human Rights to address

the human rights situation in that country. The Rwandan tragedy made clear the need to strengthen the range of human rights instruments at the disposal of the United Nations (see page 52).

In 1997, as part of wide-ranging reforms to enhance the effectiveness of the United Nations, Secretary-General Kofi Annan placed human rights at the heart of all the work of the Organization. The Secretary-General organized the work of the United Nations into four substantive fields — peace and security, economic and social affairs, development cooperation, and humanitarian affairs — with human rights as the issue fifth priority area across each of these four programme fields. The United Nations is thus enhancing its human rights programme by integrating a human rights focus into the entire range of the Organization's activities. In addition, the High Commissioner's Office and the Centre for Human Rights were consolidated into a single Office of the United Nations High Commissioner for Human Rights. This merger gave the new High Commissioner a solid institutional basis from which to lead, as the focal point of all system-wide integration of human rights activities, the Organization's mission in the domain of human rights (see chart on facing page).



Universal
Declaration
of Human
Rights

ARTICLE 4 *Freedom from slavery and servitude*

Office of the United Nations High Commissioner for Human Rights

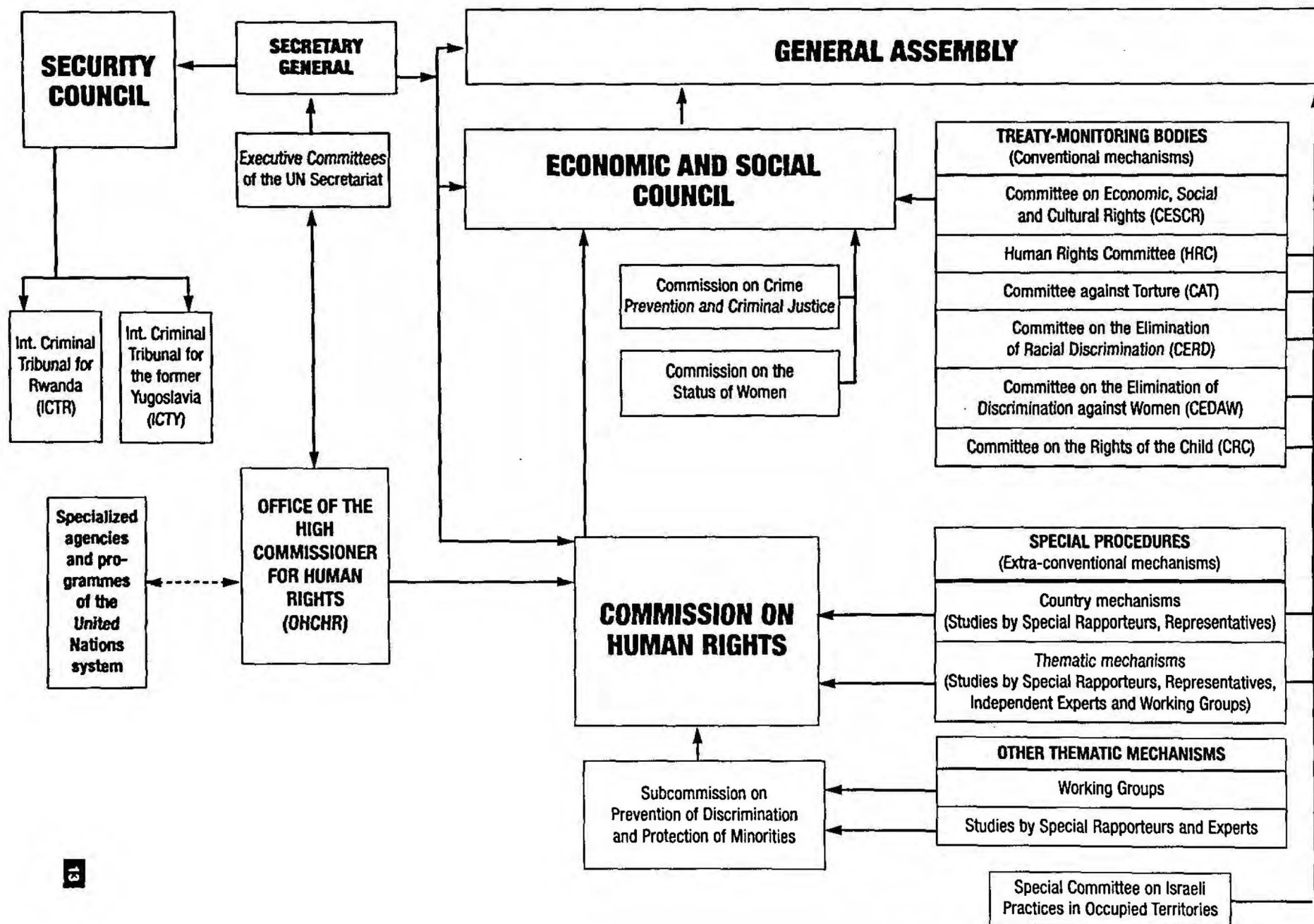
Ms. Mary Robinson, the former President of Ireland, assumed her post as the second High Commissioner for Human Rights in September 1997. The High Commissioner's mandate has four essential components:

- *Building global partnerships for human rights;*
- *Preventing human rights violations and responding to emergencies;*
- *Promoting human rights, together with democracy and development, as the guiding principles for lasting peace; and*
- *Coordinating the system-wide strengthening of the United Nations human rights programme.*

The Office of the High Commissioner, based in Geneva with country offices around the world, has a staff of some 200; its three main components deal with activities and programmes, research and right to development, and support services (see chart on facing page and Annex 4). The Office has a limited annual budget of about \$20 million, about 1.7 per cent of the United Nations regular budget. However, the growing number of human rights activities in the field has led to a sharp increase in costs. Overall funding requirements for 1998 were \$54 million. The High Commissioner's broadened mandate supports the work of the Commission on Human Rights and the treaty bodies (see page 14), focusing, among other things, on advancing the rights of women and children, combating racial discrimination in all its forms and protecting vulnerable groups and minorities, such as indigenous people, migrants and disabled people.

In order to carry out these expanded mandates, the office increasingly relies on voluntary contributions to finance its activities. The Human Rights Field Operation in Rwanda, for example, was funded entirely by voluntary contributions from Governments (see box on page 28). Several voluntary funds support the High Commissioner's initiatives on indigenous people, the rights of the child, economic rights, victims of torture and contemporary forms of slavery, as well as combating racism and racial discrimination.

The United Nations Human Rights Machinery



Especially through the expansion of its technical cooperation programme, OHCHR has been able to provide human rights support to virtually all programmes and agencies within the United Nations system. In the area of peacekeeping, for example, the programme has provided various forms of assistance to major United Nations missions in Angola, Cambodia, Mozambique, Haiti and the countries of the former Yugoslavia. It has also advised the United Nations electoral missions in Eritrea and South Africa. Such advisory services often entail the provision of human rights expertise, legislative analysis and training for personnel. The increased focus on joint operations has made it possible to fund a presence in the field through the regular budgets of the wider United Nations system.

Today, virtually every United Nations body and specialized agency, including the World Bank and the International Monetary Fund, is making efforts to incorporate the promotion or protection of human rights into its programmes and activities, including a gender perspective and an emphasis on the right to development (*for an overview of the United Nations system, see Annex 7*). OHCHR is taking other steps to strengthen the United Nations human rights machinery by supporting the human rights bodies and monitoring mechanisms in their efforts to streamline their work (*see Annex 5*).

Commission on Human Rights

United Nations policy on human rights is governed, through the General Assembly, by a number of intergovernmental bodies, which also provide guidance to OHCHR. The main intergovernmental policy-making body concerned with human rights issues is the Commission on Human Rights. Established in 1946 by the Economic and Social Council, the Commission provides overall policy guidance, studies human rights problems, develops and codifies new international norms, and monitors the observance of human rights around the world. Made up of 53 Member States elected for three-year terms, the Commission provides a forum for States and intergovernmental and non-governmental organizations (NGOs) to voice their concerns about human rights issues.



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ARTICLE 5 *Freedom from torture or degrading treatment*

The Commission originally concentrated its efforts on defining and codifying international human rights standards. In the past two decades, however, the Commission has set up a system of special procedures to investigate alleged violations of human rights, and routinely dispatches fact-finding missions to countries in all parts of the world. Today, the Commission's annual six-week session in Geneva provides a unique global forum for raising, discussing and clarifying allegations of a wide range of violations. States as well as NGOs present information on situations of concern to them; the Governments involved often submit replies. In the light of the examination of such situations, fact-finding groups of experts may be designated, on-the-spot visits may be organized, discussions with Governments pursued, assistance provided and violations condemned.

In recent years, the Commission has increasingly turned its attention to the promotion of economic, social and cultural rights, including the right to development. It has established a number of subsidiary bodies to assist its work in this area, such as the working groups on the effects of foreign-debt burdens and the impact of extreme poverty on the enjoyment of human rights.

High on the Commission's agenda are the promotion of women's rights and the protection of the rights of the child. Special attention is given to children in situations of armed conflict, to violence against women, including against women migrant workers, and to trafficking in women and



girls. The Commission has further sought to protect the rights of vulnerable groups, particularly ethnic, religious and linguistic minorities and indigenous people. For this reason, it is seeking to create a permanent forum for indigenous people within the United Nations system.

Since 1948, the Commission has been assisted by the 26-member **Subcommission on Prevention of Discrimination and Protection of Minorities**, composed of independent experts from all regions of the world. The Subcommission, in turn, has established several working groups, which serve as forums for interaction between Governments and civil society concerning the rights of indigenous people, minorities and groups vulnerable to contemporary forms of slavery (see *Annex 5*). Among other issues, the Subcommission focuses on contemporary forms of slavery, including forced labour, illegal and pseudo-legal adoptions aiming at the exploitation of children, and sexual slavery during wartime. It also considers human rights issues concerning domestic and migrant workers and examines preventive measures for the elimination of violence against women, in particular in situations of armed conflict.

Monitoring human rights violations

An integral part of the body of human rights law provides for a monitoring role for the United Nations. At the heart of the United Nations monitoring system are two types of human rights mechanisms — conventional and extra-conventional — which respond to individual human rights abuses and to the systematic abrogation of rights by Member States.

Six core human rights treaties provide for so-called conventional monitoring mechanisms consisting of six treaty bodies or committees, which monitor States parties' adherence to the international standards established in the treaties. However, States parties must ratify these treaties before their principles and standards apply to them.

The **Human Rights Committee** monitors implementation of the International Covenant on Civil and Political Rights.

The **Committee on Economic, Social and Cultural Rights** monitors implementation of the International Covenant on Economic, Social and Cultural Rights.

The **Committee on the Elimination of Racial Discrimination** monitors implementation of the International Convention on the Elimination of All Forms of Racial Discrimination.

The **Committee on the Elimination of Discrimination against Women** monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

The **Committee against Torture** monitors implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The **Committee on the Rights of the Child** monitors implementation of the Convention on the Rights of the Child.

In periodic reports to the committees, States parties outline the legislative, judicial and administrative measures taken to ensure that government policies and practices conform to treaty principles. The Human Rights committee, for example, has considered over 800 reports with respect to 56 countries and published 270 decisions. While the committees' views are not legally binding, they possess significant weight. States have frequently followed their decisions and made constitutional changes or adjusted their policies as a result of their recommendations.

Three human rights treaties allow for communications from individuals. The Human Rights Committee, the Committee against Torture and the Committee on the Elimination of Racial Discrimination are authorized to accept individual complaints from citizens of States that have ratified the respective provisions concerning individual communications. Two specialized agencies, the **United Nations Educational, Scientific and Cultural Organization (UNESCO)** and the **International Labour Organization (ILO)**, also examine alleged discrimination in their respective fields of competence.

In 1967, the Economic and Social Council adopted resolution 1235 (XLII), authorizing the Commission on Human Rights and its Subcommission on Prevention of Discrimination and Protection of Minorities to examine information relevant to gross violations of human rights and fundamental freedoms. In 1970, the Council adopted resolution 1503 (XLVIII), establishing a mechanism to respond to complaints by individuals, now commonly known as the "1503 procedure". The allegations are summarized in confidential documents sent to the Commission on Human Rights for review. If a consistent pattern of verified and serious human rights abuse is evident, the Commission can investigate the situation through its system of "special procedures".

The Office of the High Commissioner for Human Rights maintains a 24-hour fax "hot line" (0041-22-917-0092) for reporting alleged human rights violations. Each year, it receives nearly 200,000 communications reporting violations.

ARTICLE 6 *Right to recognition as a person before the law*

Special procedures

The United Nations human rights programme relies increasingly on an independent system of fact-finding outside the treaty framework, which permits a more flexible approach to individual violations. This system of so-called extra-conventional mechanisms refers to the special procedures of the Commission on Human Rights. The Commission can appoint independent experts of international stature to examine, monitor and publicly report either on the situation of human rights in specific countries or, in the case of a thematic mandate, on serious human rights violations related to certain phenomena in various parts of the world, such as religious intolerance or the use of mercenaries. These experts, acting in their personal capacity, are designated as special rapporteurs, representatives, independent experts or, when several experts share a mandate, working groups (*see Annex 5*).

The special rapporteurs are free to use all reliable sources available to them to prepare their reports, and much of their research is done in the field, where they conduct interviews with authorities, NGOs and victims, gathering on-site evidence whenever possible. In 1997, there were fact-finding missions to 14 countries; and inquiries regarding more than 5,000 cases were transmitted to Governments. The special rapporteurs report annually to the Commission on Human

Rights, with recommendations for action. Their findings are also used by the treaty bodies in their work, especially in evaluating States' reports.

As of mid-1998, there were over 20 country mandates on the human rights situation in specific regions. Country rapporteurs generally monitor the complex human rights situation in regions where massive violations have occurred, often in the aftermath of large-scale violence or conflict, as in Cambodia, Rwanda and the former Yugoslavia. They make recommendations on how human rights can be strengthened at the national level. The Commission on Human Rights appointed a Special Rapporteur on the human rights situation in Rwanda in May 1994, while the genocide was still ongoing, to examine all human rights aspects of the situation, including root causes and responsibilities for the atrocities. In 1997, the Commission followed up on that three-year mandate by appointing a Special Representative to facilitate the creation and effective functioning of an independent national human rights commission in Rwanda.

The General Assembly also requested the Secretary-General to investigate the systematic rape and abuse of women and children during the armed conflict in the former Yugoslavia, particularly in the Republic of Bosnia and Herzegovina.

The experts entrusted with thematic mandates cover a range of specific human rights issues of worldwide significance. The right to life, for instance, is recognized as the most fundamental right, and its violation by States is an issue of international concern. The **Working Group on Enforced and Involuntary Disappearances**, established in 1980, was the first to take up individual complaints and visit States. In 1995, one of the experts of the Working Group began to examine the problem of missing persons in the former Yugoslavia. In his final report of 1997, the expert reported that in Bosnia and Herzegovina, some 20,000 persons were still missing, the great majority of whom — Bosnian men of Muslim origin — were victims of systematic "ethnic cleansing" operations carried out by Bosnian Serb forces between 1992 and 1995.

In 1997, the **Special Rapporteur on violence against women** visited Rwanda to study the issue of violence against women in wartime and in post-conflict situations and met with numerous women survivors. The Special Rapporteur also visited the International Criminal Tribunal for Rwanda in Tanzania, where she observed the trial of Jean-Paul Akayesu — the first such trial which included charges of sexual violence in the indictment (see page 52).

Since 1982, the **Special Rapporteur on extrajudicial, summary or arbitrary executions** has been entrusted with the investigation of violations of the right to life committed by State authorities or armed groups. Working closely with Governments, United Nations bodies and NGOs, the Special Rapporteur appeals to Governments to prevent executions, particularly when the right to a fair trial seems to have been violated. The Rapporteur responds to information on death threats

Emergency measures

SPECIAL RAPPORTEURS SOMETIMES submit urgent appeals to Governments if they learn of serious human rights violations about to be committed against individuals or vulnerable groups, such as refugees or indigenous communities. In 1997, close to 400 urgent interventions were made to prevent possible violations, particularly in cases of threatened or actual disappearances, possible torture and imminent executions. In 1995, the Special Rapporteur on torture sent 68 letters to 61 Governments regarding 669 cases, as well as 130 urgent appeals on behalf of nearly 500 people. Some 42 countries responded in 459 of those cases. Between 1992 and 1996, the Special Rapporteur on extrajudicial, summary or arbitrary executions made 818 urgent appeals on behalf of more than 6,500 persons to 91 different countries and received replies in roughly half of the instances. In his 1997 report, the Special Rapporteur noted that violations of the rights to life were still on the rise. That year, the Special Rapporteur acted on more than 960 cases of alleged violations of the right to life, submitting 122 urgent appeals on behalf of 3,720 persons.

against individuals and deaths in custody, calling for public inquiries or submitting urgent appeals (see box on page 17).

Civil society — partners in human rights action

The United Nations believes that creating a pervasive culture of human rights requires a dynamic network of partnerships worldwide. The High Commissioner for Human Rights implements her broad mandate in partnership with a variety of actors, including the programmes and agencies within the United Nations system, Governments, regional organizations, academic communities, committed individuals and the NGO community. New types of partnerships are being developed with civil society. In the field of child rights, NGOs have participated in discussions relating to the preparation of government reports. With the help of the United Nations Children's Fund (UNICEF), they have submitted their own information to the Committee on the Rights of the Child, attended the Committee's sessions and monitored, at the national level, the implementation of its recommendations.

NGOs and other representatives of civil society, such as academic institutions and citizens' groups, have been crucial to the United Nations human rights work since its inception — from the inclusion of human rights clauses in the Charter to the establishment of the Office of the High Commissioner for Human Rights. NGOs have also been key to developing human rights priorities in the major world conferences of this decade — particularly the agreements achieved on human rights in Vienna (1993), on population and development in Cairo (1994), on social development in Copenhagen (1995), on women's rights in Beijing (1995) and on food security in Rome (1996).

NGOs provide leadership in other areas, too. In the preparation of the Rome Conference, which approved the establishment of an International Criminal Court in July 1998, a well-informed and vocal NGO coalition was instrumental in pushing for a strong mandate for the Court. The coalition often led the debate on contentious issues such as the need for an independent prosecutor and the inclusion of the crime of aggression as one of the core crimes under the Court's jurisdiction. The strong NGO partnership with Governments and the United Nations ensured that the International Criminal Court, the last international institution expected to be created in this century, possesses the capacity to exercise its dual purpose of prosecuting individuals responsible for atrocities and deterring future barbarities.

The strength of non-governmental human rights organizations lies in their ability to mobilize public opinion, disseminate information and pressure Governments to conform to international human rights standards. There is great diversity among these NGOs. Some defend all human rights in general, while others protect the specific rights of particular vulnerable groups, such as women and children, or deal with urgent human rights issues, such as torture, enforced disappearances or the treatment of prisoners.



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ARTICLE 7 *Right to equal consideration before the law*

NGOs are vital actors in human rights advocacy: representing and protecting victims, providing expertise, collecting and disseminating information and encouraging human rights education. Among human rights NGOs, women's groups are among the most active in the world today, playing a vital role in the advancement and empowerment of women by increasing awareness of women's issues, as well as educating women in their human rights. Many other NGOs have an

Defending human rights defenders

AROUND THE WORLD, there is a small but vital community of human rights defenders, comprising representatives of NGOs and other individuals or associations, all involved in the "front-line" struggle for human rights. Some are non-governmental organization volunteers, lawyers or journalists; others are peasant leaders, students or relatives of victims. Often they are part of local organizations, which do not benefit from the protection of a large international association and are vulnerable to attacks. Their work is especially important in countries recovering from armed conflict, suffering the consequences of dictatorship or undergoing major social and political transformations.

Watching that Governments live up to their promises and obligations to protect and promote the rights of their citizens, human rights defenders are often at considerable risk of becoming themselves victims of serious violations, facing

death threats, arrest and detention or suffering abduction and torture. Many have lost their lives while defending human rights.

In 1985, to protect human rights activists and NGOs, the Commission on Human Rights established a working group to draft a declaration aimed at guaranteeing individuals the right to publicly denounce violations, to form and participate in human rights NGOs and to communicate with international human rights organizations. In 1998, after more than 13 years of discussion, the Commission adopted the draft Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the Declaration on Human Rights Defenders. The Declaration is not a legally binding treaty, but clarifies and reinforces rights that are already recognized in existing international instruments.

indirect role in defending human rights. They focus primarily on other issues but have incorporated human rights into their activities and, by offering legal assistance to vulnerable groups, advance the cause of human rights.

Some human rights organizations, such as Human Rights Watch and the International Federation for Human Rights, have a large international reach, and conduct independent surveys, publish newsletters and disseminate detailed reports. Today, there are hundreds of NGOs whose human rights work has taken on a transnational character. Amnesty International, for example, the largest human rights NGO, with 1.2 million members in 160 countries, recently launched a world-wide petition drive to secure the commitment of over 6 million people to the Universal Declaration of Human Rights. The pledges will be handed over to the United Nations General Assembly on Human Rights Day, 10 December, on the occasion of the fiftieth anniversary of the Universal Declaration.

CHAPTER 3 **A Comprehensive Approach to Human Rights**

THE INTERNATIONAL HUMAN RIGHTS standards and norms adopted through the United Nations represent the hard-won consensus of the international community, not the hegemony of any particular region or set of traditions. The international human rights instruments establish minimum standards for the range of economic, social, cultural, civil and political rights. But they do not impose a single cultural standard; rather, they promote a common legal standard of respect for human dignity. Within this international framework, States have sovereign power to adapt human rights to their national settings, as long as they do not contradict the norms established through international human rights treaties.

A fundamental tenet of international human rights law is that all human rights are of equal importance. In practical terms, this means that they must be viewed collectively and that a comprehensive and balanced approach in promoting these rights must be found. No set of rights — say, cultural rights — can be given pre-eminence over other human rights without distorting the principles of indivisibility and interdependence. Every human being, for example, has the right to participate in the cultural life of his or her community. The right to practise one's cultural belief, however, is limited at the point at which it infringes on another human right. This means that cultural rights cannot be invoked or interpreted in such a way as to justify any act leading to the denial or violation of other human rights and fundamental freedoms.

Despite its commitment to protect all human rights, the United Nations in reality has promoted civil and political rights much more than economic, social and cultural rights in the past decades. This imbalance is reflected in the Universal Declaration itself. Eighteen articles deal in great detail with civil and political rights, while only six articles deal with economic, social and cultural rights. Since 1993, guided by the Vienna Declaration and Programme of Action, the United Nations has been addressing this imbalance by giving economic, social and cultural rights the same priority as civil and political rights within a human rights framework based on a unifying set of standards. The Organization also emphasizes the right to development as a human right, for it offers an integrated approach to all human rights, an approach which promises to overcome this artificial split between two sets of rights, thus allowing for a cohesive strategy to strengthen human rights.

Civil and political rights

The United Nations protects the civil and political rights of individuals and groups through a number of international treaties, but particularly through the International Covenant on Civil and Political Rights. The Covenant deals with such rights as freedom of movement, equality before the law; the right to a fair trial and presumption of innocence; freedom of thought, conscience and religion; freedom of opinion and expression; freedom of association, participation in public affairs and elections; and protection of minority rights.

The Human Rights Committee plays a central role in monitoring its implementation, clarifying contentious issues concerning individual rights. Indeed, civil and political rights, including those concerning free speech, assembly and religion, have become so entrenched in international human rights law that States can no longer claim to violate them unknowingly. However, the need for protection has not diminished. Even though states of emergency can no longer be inconsistent with obligations under international law, Governments frequently use national security concerns as a pretext for infringing on civil and political rights, especially in their treatment of dissident groups and critical members of the press.

Serious violations of the fundamental right to life, liberty and personal security have not abated. Hundreds of persons disappear every year or are the victims of torture or extrajudicial killings. The United Nations investigates gross human rights violations through the working groups on arbitrary detention and enforced or involuntary disappearances, as well as the special rapporteurs on extrajudicial, summary or arbitrary executions and on torture.

The Special Rapporteur on torture, for example, plays a key role in the international fight against cruel and inhuman punishment by responding to complaints from individuals and groups. In 1981, the United Nations set up a Voluntary Fund for Victims of Torture. Since its inception, the Fund has financed over 300 projects, giving priority to those providing direct medical or psychological assistance to torture victims. The United Nations also urges all States to provide for compensation and rehabilitation of torture victims in their domestic law.

Economic, social and cultural rights

With the success of decolonization and the increase in the number of newly independent States, the membership of the United Nations underwent a significant change. By the 1970s, developing countries represented a majority in the General Assembly, and their concerns and priorities became increasingly reflected in the work of the General Assembly — particularly the issue of economic and social development. Reflecting this overall change of emphasis, the main thrust of United Nations work in the area of human rights today has been to strengthen the promotion of economic, social and cultural rights, particularly the right to development.

The United Nations has provided leadership in articulating the inherent relationship between human rights and economic and social development, providing a framework in which they reinforce each other. Beginning in the 1970s, the Commission on Human Rights turned its attention to the obstacles hindering the full realization of economic, social and cultural rights, particularly in developing countries. The landmark achievement of the Commission was the drafting of the Declaration on the Right to Development, adopted by the General Assembly in 1986. It was the first time that the international community explicitly recognized the right to development as an inalienable and fundamental human right.

ARTICLE 8 *Right to remedy through a competent tribunal*



The Committee on Economic, Social and Cultural Rights has increasingly concentrated its efforts in establishing benchmarks for economic and social rights so that these rights can be more effectively implemented and monitored. At the national level, the strengthening of economic, social and cultural rights is being achieved through the provision of basic social services to all sectors of society; in agrarian economies, this is achieved by giving clear legal rights of ownership of land. But also crucial is the effective functioning of a free and fair legal system, protecting civil and political rights, such as freedom of expression, eliminating discrimination and, in particular, advancing the human rights of women. Benchmarks are crucial to improving accountability and to ensuring that standards and norms regarding economic, social and cultural rights are progressively raised to the same level as civil and political rights.

In recent years, a great deal of effort has been devoted to further elaborating the rights to adequate food, health care, housing and primary education. The right to food, for example, was affirmed by 186 countries at the 1996 World Food Summit. The right to adequate housing was the focus of the 1996 Habitat Conference in Istanbul. The United Nations estimates that 100 million

Right to development: eradicating poverty

POVERTY IS A CONDITION that reflects the disregard for a wide range of human rights. Accordingly, the eradication of poverty remains one of the most important goals for United Nations activities in development and is a central theme of the right to development. A quarter of the population in the developing world lives in extreme poverty, while in many parts of the developed world the percentage of those living in poverty is increasing. Poverty affects a society in many ways. Since 70 per cent of the 1.6 billion people living in extreme poverty worldwide are women, United Nations efforts to eradicate poverty increasingly give special consideration to its female dimension. Women work two thirds of the world's working hours, but earn only one tenth of the world's income and own less than one tenth of the world's property. In addition, two thirds of the world's illiterate are women. A woman's right to development still encounters many barriers, rooted in domestic laws, cultural traditions, social practices and gender-based stereotypes that are extremely difficult to eradicate.

A rights-based approach to development

provides the ethical foundation for concerted action against poverty and empowers the poor in their struggle for social justice. The United Nations helps Governments set targets and measure progress in poverty reduction. Crucial to the success of these initiatives is the close involvement of NGOs representing the poor, and, at the local level, the people themselves, in planning, implementing and evaluating development projects. Key to eradicating poverty is the sustained cooperation between developed and developing countries. One of the most promising recent initiatives, embraced by several United Nations agencies and funds, is the 20/20 Compact, which calls for developed and developing countries to allocate, on average, 20 per cent of official development assistance (ODA) and 20 per cent of national budgets to basic social programmes. In 1995, the World Summit for Social Development in Copenhagen and the World Conference on Women in Beijing endorsed the 20/20 Compact, recognizing that one of the most effective and efficient methods for poverty alleviation is the universal provision of basic social services.

people are homeless and 1 billion people inadequately housed worldwide. Due to the recommendations of the Committee on Economic, Social and Cultural Rights, several Governments have agreed to stop forced evictions and are now focusing on ways to guarantee housing. The Dominican Republic, after being criticized for inadequate housing, invited the Committee to carry out a survey mission and meet with non-governmental organizations. The Government of the Philippines recently reported to the Committee that it would increase its spending on new housing and had developed programmes to relocate and shelter homeless persons who had been evicted. Advancing the universal recognition of the right to education, the Committee recently persuaded Zimbabwe to abandon the charging of fees for primary education, a policy incompatible with the promotion of education as a human right.

The right to development

The right to development is the result of a conceptual evolution within the United Nations, shaped first by the experience of decolonization and later by the recognition that developing countries need sustained assistance in order to create the conditions necessary for the universal enjoyment of human rights. The emphasis on the right to development reflects the conviction that a narrowly defined notion of economic development is not enough to create these conditions. Development that occurs without respect for human rights and the rule of law remains incomplete. Development

leads to the strengthening of human rights to the same degree that the promotion and protection of human rights provide the basis for sustainable development. In 1997, Secretary-General Kofi Annan stressed the crucial importance of the right to development for the international community.

"Truly sustainable development is possible only when the political, economic and social rights of all people are fully respected. They help to create the social equilibrium which is vital if a society is to evolve in peace. The right to development is the measure of respect of all other human rights. That should be our aim: a situation in which all individuals are enabled to maximize their potential, and to contribute to the evolution of society as a whole."

The universal right of peoples to self-determination in all its dimensions lies at the heart of the right to development. The 1986 Declaration on the Right to Development sees development as a complex, comprehensive and dynamic process, involving cultural, economic, political and social aspects, by which the well-being of all individuals and society as a whole is steadily improved. The individual is recognized as the central subject of development, with rights as well as responsibilities regarding his or her participation in development. States have "primary responsibility" for creating the conditions enabling the realization of the right to development, as both an individual and a collective right.

Participation is given special emphasis in the right to development, entailing the active, free and meaningful participation of individuals in the process and in the fair distribution of the resulting social benefits. The Declaration also provides for an international dimension in its implementation: developed countries should assist developing countries in creating the necessary conditions for development by reducing the negative aspects of international terms of trade, of foreign-debt repayments and of structural adjustment programmes.

The right to development has the potential to provide the integration of human rights that the international community has been striving to achieve for over five decades. This right not only encompasses all civil, cultural, economic, political and social rights, but it also promotes the recognition of interdependent and indivisible ties between various human rights, permitting the individual's full participation and involvement in economically durable, politically free and socially just development. These are long-term goals that have yet to be realized and will require the commitment and efforts of all development actors — from local and regional NGOs and national Governments to international organizations and global financial institutions.

In today's age of globalization, where national economies become more and more interdependent, the United Nations recognizes the need for closer partnerships with the private sector. There is a growing awareness that many decisions originating in the private sector have a direct or indirect impact on the global respect for human rights. Constructive cooperation between the United Nations and the business community is crucial in meeting the pressing challenge of implementing the right to development, promoting good governance and improving health and education.

ARTICLE 9 *Freedom from arbitrary arrest or exile*



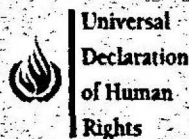
A milestone in this direction was the establishment of the United Nations Foundation in 1998, as a result of United States businessman Ted Turner's commitment to support the Organization with \$1 billion over a 10-year period. Also, Rotary Clubs worldwide have donated more than \$400 million to the World Health Organization (WHO). Major airlines have been working together with UNICEF by collecting over \$18 million from passengers' donations of spare change in foreign currency. An Italian fashion group has launched a global campaign promoting the fiftieth anniversary of the Universal Declaration of Human Rights. International banks are contributing to the United Nations

Development Programme's programme of offering micro-credits to poor people to start their own business and create sustainable livelihoods.

Realizing the right to development

The 1993 World Conference on Human Rights dealt extensively with the right to development, linking it inextricably with democracy and peace. It recommended that the High Commissioner for Human Rights be given a specific mandate to promote the right to development, as well as to coordinate support from relevant bodies of the United Nations system for that purpose. Currently, the High Commissioner is reorienting the human rights programme to improve the implementation of economic, social and cultural rights by giving special attention to the right to development.

The agencies and programmes of the United Nations system are also incorporating the right to development into their activities, on the basis of a comprehensive rights-based approach to development. A rights-based approach not only defines beneficiaries according to their needs, but also recognizes that the individuals receiving assistance are autonomous subjects with legitimate claims to the right to development. This rights-based framework introduces an important element of accountability, which promises to improve effectiveness and transparency of action.



ARTICLE 10 *Right to a fair trial or public hearing*

In response to the Secretary-General's reform efforts to integrate human rights into all aspects of the Organization's work, the United Nations Development Programme (UNDP) issued in 1998 a policy document, "Integrating human rights with sustainable human development", which outlines the UNDP's rights-based approach to development. The document takes the realization of the right to development as its starting point. It deals with the human rights implications for sustainable human development and the effectiveness of UNDP support for human rights, and indicates ways of implementing the strategy, including working closely with the Office of the High Commissioner for Human Rights. UNDP's human rights commitment provides a promising model for system-wide cooperation in human rights.

The promotion and protection of labour rights have been a central mandate of the International Labour Organization (ILO) since its establishment in 1919. ILO, through its unique tripartite structure of government, business and labour representatives, formulates international policies and programmes to promote basic human rights, improve working conditions and expand employment. ILO develops and monitors labour standards in the workplace, through conventions and guidelines that have been incorporated in the national legislation of virtually all countries.

Other members of the United Nations system have also taken measures to advance human rights. The United Nations Children's Fund (UNICEF) uses the Convention on the Rights of the Child as a basis for dialogue with Governments. UNICEF strongly supports the work of the Committee on the Rights of the Child and other child rights initiatives. Promoting and protecting the right to food have led to cooperation between the Office of the High Commissioner and the Food and Agriculture Organization of the United Nations (FAO). Similarly, the High Commissioner is developing close contacts with the United Nations Conference on Trade and Development (UNCTAD) and the United Nations Population Fund (UNFPA) to share expertise in areas relating to economic development and human rights.

CHAPTER 4 **Strengthening Human Rights at the National Level**

IN RECENT YEARS, THE UNITED NATIONS has concentrated its efforts on strengthening the promotion and protection of human rights at the national and local levels. There is a strong rationale for this. Human rights are best secured when they have taken root in the local culture. International human rights standards can only be effective when they have been incorporated into national legislation and are promoted through national institutions. Still, many obstacles continue to impede the universal enjoyment of human rights at the national level. A number of Member States do not have adequate infrastructure to promote and protect their citizens' rights effectively. This is especially the case when they have recently emerged from bloody civil conflicts, as in Burundi, Cambodia, Rwanda, Sierra Leone and the former Yugoslavia.

There is another important reason for encouraging capacities at the national level. In the absence of sufficient resources, the United Nations human rights programme cannot routinely carry out comprehensive human rights field operations at the national level. The United Nations has therefore intensified its advisory services to Governments and greatly expanded its technical cooperation programmes within the larger framework of promoting democracy, development and human rights, strengthening the capacity of States to promote and protect human rights within their jurisdictions.

Technical cooperation for human rights

The number of United Nations technical cooperation programmes in the field of human rights has risen from two projects in 1984 to nearly 200 annually now. The programmes, supervised by the Office of the High Commissioner for Human Rights (OHCHR), focus on countries in transition to democracy and on developing countries which request technical expertise in establishing national human rights structures. Human rights monitoring often takes place in conjunction with advisory services, complementing the technical assistance projects by identifying problems and providing feedback on their effectiveness.

The Human Rights Technical Cooperation Programme is financed from the regular budget of the United Nations and through the Voluntary Fund for Technical Cooperation in the Field of Human Rights. Established in 1987, the Fund has received more than \$19 million in voluntary contributions and pledges. The budgetary resources of the Technical Cooperation Programme for 1998 and 1999 total nearly \$3.4 million. The allocations by region are Africa 31 per cent, Latin America and the Caribbean 20 per cent, Asia and the Pacific 18 per cent and Europe 9 per cent. Besides country-specific projects requested by States, OHCHR also undertakes technical cooperation projects with a global or thematic emphasis. Twenty per cent of the funds for technical cooperation are devoted to global projects, such as human rights education and training initiatives for the military and for peacekeeping operations. During 1997, a total of 43 technical cooperation projects were carried out, of which 25 were at the national level, 9 at the regional level and 9 at the international level. By the beginning of 1998, there were ongoing projects in 58 countries.

OHCHR provides guidance in drafting legislative reforms that affect, directly or indirectly, the realization of human rights. Legislation includes penal codes and prison regulations, codes of criminal procedure, laws affecting freedom of expression, association and assembly, immigration and nationality laws, minority protection, the judiciary and legal practice, and security legislation. The cooperation programme provides comprehensive technical assistance in the incorporation of

international human rights standards and norms into national laws and policies, and helps in the establishment of national institutions capable of protecting human rights and promoting democracy and the rule of law.

OHCHR also helps Governments identify human rights issues and define policies, particularly through the formulation and implementation of comprehensive national plans of action. These plans, which can be relatively simple or prepared in great detail, identify national priorities in the promotion and protection of human rights and set targets and benchmarks, and often involve a wide range of human rights actors from both governmental institutions and civil society.



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ARTICLE 11 *Right to be considered innocent until proven guilty*

Electoral assistance

Various parts of the United Nations system provide assistance in the preparation and holding of elections. The **Electoral Assistance Division of the United Nations Department of Political Affairs** is the main Secretariat body assisting States in holding free and fair elections (see Chapter 6): it has provided various forms of electoral assistance to over 80 countries, ranging from advisory services to election verification. The **United Nations Development Programme (UNDP)** provides technical support to electoral processes, helps countries to build electoral bodies and coordinates electoral assistance at election time. Since 1990, the technical cooperation programmes now under the coordination of OHCHR have provided electoral assistance by training electoral officials, preparing guidelines for electoral laws and procedures, publishing a handbook on human rights and elections and carrying out public information activities relating to human rights and elections. Countries that have received technical electoral assistance from OHCHR include Albania (1991), Angola (1992), Cambodia (1992), Eritrea (1992), Lesotho (1991-1993), Malawi (1992-1993), Romania (1990-1992) and South Africa (1993).

Human rights and the administration of justice

Technical cooperation is vital in building and strengthening national infrastructures that have a direct impact on the rule of law and the overall respect for human rights. Such infrastructure work proceeds slowly, particularly where war or military rule has undermined the administration of justice. Crucial to rebuilding institutions of governance is an effective system of justice, as due process is almost always a casualty of military dictatorships and armed conflicts. In situations where the police and armed forces inspire fear and suspicion, citizens cease to rely on them for protection. For this reason, OHCHR provides training in the administration of justice and law enforcement, so that lawmakers and law enforcement officers develop and enhance their role as human rights defenders.

Training courses for judges, lawyers, prosecutors, police officers and prison personnel aim at developing effective techniques for the ethical performance of penal and judicial functions and law enforcement in a democratic society. Areas covered in these human rights courses include the independence of judges and lawyers, elements of a fair trial, juvenile justice, special protection of the rights of women and human rights under states of emergency. Law enforcement courses cover principles of ethical police conduct in democracies, the use of force in law enforcement, the human rights of suspects during criminal investigations, arrest and pre-trial detention, effective methods of

ethical interrogation and the legal status and rights of the accused. Prison officials are instructed in the minimum standards for prisons and detention camps, in prison health issues, including AIDS/HIV, and in the treatment of special categories of delinquents, such as juveniles and women. Military personnel are trained in the principles of human rights and humanitarian law guiding their legitimate functions in society.

National human rights institutions

The establishment and strengthening of national human rights institutions is perhaps the single most important component in the United Nations Technical Cooperation Programme. National human rights institutions are the primary mechanisms for translating international concepts and norms into a local culture of human rights. Two valuable bodies for human rights protection are the **ombudsman**, who serves as a focal point for complaints by individuals, and **truth and reconciliation commissions**, which are able to monitor the work of Governments from within and assist them in carrying out their treaty obligations under the human rights conventions. Their main functions are:

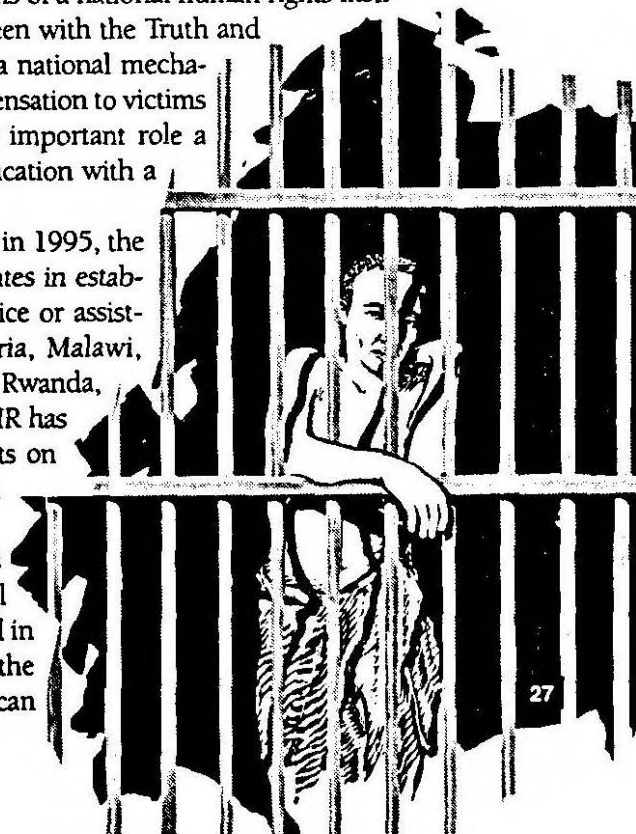
- *Providing human rights expertise to Governments and parliaments;*
- *Investigating individual human rights violations;*
- *Conducting public inquiries into systematic or structural violations;*
- *Fostering human rights education.*

Because these institutions are rooted in their local cultures, they can protect vulnerable groups and uphold international human rights standards without seeming alien to the national consensus. They can provide effective protection in a more informed manner and with greater attention to local cultural sensitivities than international or even regional organizations possibly could.

While most national human rights institutions can propose necessary legislative reforms or suggest changes in government policy, some ombudsmen also have the authority to conduct public inquiries on their own initiative to bring systematic and structural violations against vulnerable groups to public attention. One of the more important functions of a national human rights institution is, in fact, a side effect of its investigatory powers. As seen with the Truth and Reconciliation Commission in South Africa, the existence of a national mechanism with the power to investigate abuses and to provide compensation to victims may, in itself, figure as a deterrent to future abuse. Another important role a national institution can perform is fostering human rights education with a strategic focus on preventive strategies (see page 29).

Since the new emphasis on national institutions, beginning in 1995, the United Nations has been assisting an increasing number of States in establishing such institutions. During 1997, 18 States received advice or assistance: Armenia, Bangladesh, Cambodia, Fiji, Georgia, Liberia, Malawi, Madagascar, Mauritius, Mongolia, Nepal, Papua New Guinea, Rwanda, South Africa, Sri Lanka, Thailand, Uganda and Zambia. OHCHR has begun to work closely with UNDP to implement joint projects on national institutions, such as the recently established human rights institution for southern Africa.

The United Nations also assists in developing human rights structures at the regional level. It supported the first Regional Conference of African National Human Rights Institutions, held in 1996. Other regional forums that have received assistance are the African Commission on Human and Peoples' Rights, the African



Human rights in Rwanda

FOR FOUR YEARS (1994-1998), the Human Rights Field Operation in Rwanda (HRFOR) provided technical assistance and monitored the critical human rights situation in that country. Financed entirely through voluntary contributions, HRFOR was the first human rights field operation to be run under the authority of the High Commissioner for Human Rights. At its peak, the operation had over 137 international staff members deployed in the country, with 58 observers still in Rwanda when it was shut down at the end of July 1998.

In assisting Rwanda in its continuing efforts to rebuild its shattered judiciary, the Human Rights Field Operation concentrated on building an effective judicial system, training judges, prosecutors and other court personnel at all levels of the new justice system. Another strong component of the technical assistance programme was training and human rights educa-

tion for prison officials and civilian police, including judicial police inspectors, gendarmes and communal police constables.

As of January 1998, an estimated 126,000 detainees were being held in Rwandan prisons or local detention centres, whose combined estimated capacity, according to official sources, was 30,000. With one third of the detainees still waiting to be charged with genocide, the dangerously overcrowded prisons pose a large threat to health, sanitation and security. Armed Hutu extremists have repeatedly targeted detention centres in order to persuade detainees to join them. In May 1998, the Rwandan Government requested that the Field Operation be suspended until a new agreement revised the mandate, greatly reducing the monitoring functions of HRFOR. The United Nations rejected the limitation and decided to withdraw its observers by the end of July.

Centre for Democracy and Human Rights Studies in the Gambia and the Arab Institute for Human Rights in Tunis. There are now regional associations or periodic meetings of national institutions in Africa, the Asian-Pacific region, Latin America and Europe. In 1997, the national institutions in the Asian-Pacific region met in New Delhi and the Fourth International Workshop of National Institutions was held in Mexico.

Human rights in the field

As human rights fieldwork is a relatively new area, it is still being shaped by the different needs of the individual countries and the experiences specific to each project. Some field operations derive from Security Council resolutions, as in the former Yugoslavia; others are authorized by the Commission on Human Rights or are the result of agreements between the High Commissioner and the country concerned. Some field offices are set up in cooperation with other multilateral institutions, such as the Organization for Security and Cooperation in Europe, or directly established by the Office of the High Commissioner for Human Rights. In all cases, the field offices are supervised by the High Commissioner's Office and cooperate closely with other United Nations agencies and programmes. Today, human rights field activities are being carried out in 22 countries staffed by over 200 individuals, a significant increase in the programme, which began with one presence in 1992.

Human rights field offices often combine technical assistance with a monitoring function, such as gathering information, analysing the general human rights situation or reporting violations. In certain instances, these monitoring and protection activities in the field help create the conditions for ensuring the safe return of refugees or displaced persons in the aftermath of conflicts. Some field offices, such as those in Gaza, Malawi, Mongolia and South Africa, assist in development programmes building national capacity in the areas of legislation, the administration of justice and education. The field

office for Gaza and the West Bank forms an integral part of a concerted international effort aimed at advancing the peace process and furthering the social and economic development of Palestine. The fieldwork in Gaza is based on a multidimensional strategy that focuses on establishing a legal framework consistent with human rights standards, developing a plan of action for an official human rights policy and strengthening structures to protect and promote human rights.

Human rights field operation priorities are clearly oriented towards technical cooperation, but monitoring continues to be necessary in order to assist Governments in introducing corrective measures when necessary. Monitoring is also useful in identifying human rights initiatives that can be implemented by non-governmental institutions. The **Human Rights Field Operation in the Former Yugoslavia (HRFOFY)**, for example, assists in the establishment of multi-ethnic police forces, monitors personal security and freedom of movement of returnees, supervises exhumations and coordinates the search for missing persons. The former **Human Rights Field Operation in Rwanda (HRFOR)** integrated the spectrum of civil, political, economic, social and cultural rights into all reconstruction activities, which required close coordination between United Nations agencies and donor Governments sponsoring economic and social development programmes (see box on facing page). The United Nations is exploring the possibility of creating an intergovernmental body to coordinate all activities in support of Rwandan genocide survivors, especially in the areas of compensation laws and their role as claimants in genocide trials.

Promoting human rights education

The United Nations sees education as a fundamental human right and as a prime means for the promotion of human rights. Human rights education aims at teaching skills, offering knowledge and shaping attitudes, that advance a universal culture of human rights. While human rights education is a global issue, it is effective primarily at the national and local levels. It is through human rights education that the standards established in international human rights law take root in the everyday life of individuals and the local culture of nations. The 1993 Vienna Conference confirmed that human rights education, training and public information were essential for fostering mutual understanding, tolerance and peace among communities.

ARTICLE 12 *Freedom from interference with privacy, including home, family and correspondence*



United Nations human rights education campaigns operate at three levels. At the local level, education in human rights provides individuals with practical knowledge about human rights and mechanisms for their protection and the development of their individual potential. At the national and international levels, human rights education promotes values, beliefs and attitudes that inspire action in upholding human rights. Human rights education thus encourages all — from the individual to the international community — to take action to defend human rights and prevent abuses.

The United Nations proclaimed the period 1995-2004 the **Decade for Human Rights Education** in order to raise awareness of human rights worldwide and to foster a universal culture for human rights. The Decade has been a catalyst for initiatives in some 30 countries to revise school curricula or promote human rights education. To assist States in developing national agendas for human rights education, the United Nations developed a Plan of Action for the Decade and urged governmental and non-governmental authorities to implement the recommendations contained in the plan. The **Plan of Action for the Decade for Human Rights Education** aims at building effective human rights education programmes and strengthening the role of the mass

media. It also encourages the identification of needs and the formulation of educational strategies, the development of educational materials, and the worldwide dissemination of the Universal Declaration.

The United Nations has urged Member States to draw up national plans, with the involvement of a wide range of civil society actors, in order to strengthen human rights education programmes at the national and local levels. To help States set up national committees for human rights education, the Office of the High Commissioner for Human Rights prepared guidelines for national plans of action for human rights education. In this context, national human rights institutions are considered good focal points for all kinds of local education strategies. They can support school and community teaching, as well as training in the administration of justice, in particular for members of the armed forces and for law enforcement and prison officials. They can also be instrumental in human rights information campaigns and in the creation of documentation centres. United Nations fellowships and training programmes are available to members and staff of national human rights institutions, providing advice on the domestic implementation of international human rights instruments, in the effective investigation of human rights violations and in conflict resolution.

CHAPTER 5 Combating Discrimination

THE HORRORS OF THE MASS EXTERMINATION of people during the Second World War because of their ethnic origins made it clear to the founders of the United Nations how important it is to protect the human rights of vulnerable groups and to eliminate discrimination. Fifty years later, incidents of genocide and ethnic strife still occur in all parts of the world. Recent violence in Cambodia, Rwanda and the former Yugoslavia, to name only the most notorious conflicts, reminds us that, more than ever, the rights of vulnerable groups need to be protected. Nations face an alarming upsurge of xenophobia and attacks on migrant workers and minorities of all kinds. These are grave dangers not only for the direct victims, but also for societies as a whole, as racism and discrimination engender serious conflict and undermine the overall freedom and prosperity of a community.

Discrimination continues to focus on arbitrarily emphasized differences between individuals and groups. Unfavourable treatment due to ethnic origin, skin colour, gender, language, religion, nationality, class status, political opinion or sexual orientation is a marker of discrimination identified in the Universal Declaration. This marker is applicable today as it was 50 years ago. Widespread discrimination still persists against women. However, recent global trends have also led to new forms of discrimination, particularly directed against immigrant workers.

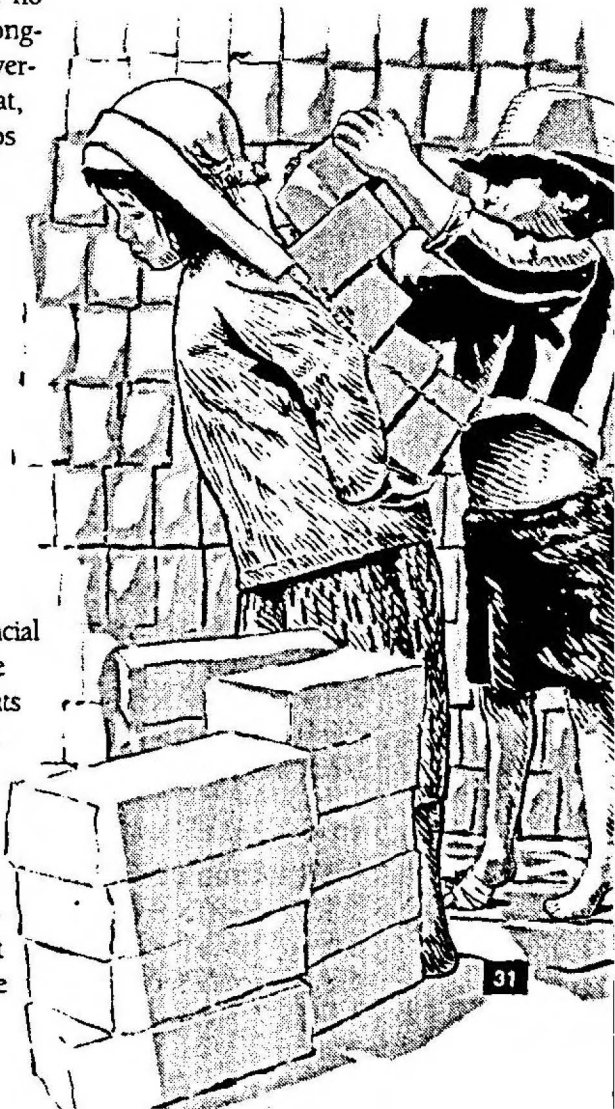
Despite affirmative and punitive legislative measures, there are no quick solutions. Discrimination can be eliminated only through long-term strategies in eradicating poverty, fostering education, empowering women and strengthening accountability — making certain that, worldwide, discrimination will not be tolerated. Until then, groups most vulnerable to discrimination will need special protection.

United Nations efforts to combat discrimination are concentrated in the following areas:

- *Eliminating racism and racial discrimination;*
- *Safeguarding the rights of indigenous people;*
- *Defending the special rights of all minorities;*
- *Promoting the human rights of women;*
- *Protecting the rights of children.*

Racism

Distinctions and restrictions, preferences and exclusions based on racial prejudice continue to create animosity among people and cause immense suffering and even loss of life. The United Nations combats racial discrimination because of its fundamental injustice. But racial discrimination also represents a serious danger to international peace and security — most contemporary armed conflicts are not of international, but of internal, origin. Just as political doctrines of superiority based on racial differentiation are not only scientifically false but also morally condemnable, the existence of racial barriers is contrary to the notion of open and free societies, harming not only those who are its victims, but also those who discriminate. The



United Nations therefore provides leadership in drafting legislation outlawing discrimination and developing policies to combat it effectively. The **Office of the United Nations High Commissioner for Human Rights (OHCHR)**, after reviewing existing national laws against racial discrimination, has drawn up model anti-discrimination legislation concentrating on the following areas:

- *Guaranteeing the equality of persons before the law, irrespective of their race, colour, nationality or ethnic origin;*
- *Punishing the dissemination of ideas based on racial superiority and incitement to racial discrimination, as well as racist activities;*
- *Prohibiting organizations which promote and incite racial discrimination;*
- *Assuring protection and remedies against acts of racial discrimination.*



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ARTICLE 13 *Right to freedom of movement and residence in one's own country and to leave and return at will*

The United Nations also provides leadership in coordinating international action against discrimination in the fields of education, culture and information. Since 1973, the Organization has instituted three successive Decades for Action to Combat Racism and Racial Discrimination. The **Third Decade to Combat Racism and Racial Discrimination**, which began in 1993, provides an important framework for present action against racism. A **third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance** is planned for the year 2000, offering an opportunity to review progress in the fight against racism and to mobilize effective support at all levels to confront racism and racial discrimination.

In 1993, the Commission on Human Rights appointed a **Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance**. In his 1998 report, the Special Rapporteur stated that discrimination against foreigners persisted throughout the world, and was directed particularly against blacks, Arabs and other Muslims, Jews and the Roma, or Gypsies. Also, studies indicate that discrimination against migrant workers in host countries is on the rise worldwide. The globalization of international economic relations has prompted many countries to take discriminatory legislative and regulatory measures to protect their domestic labour force, effectively excluding certain categories of immigrants.

One of the most disturbing recent phenomena of racial prejudice, the Special Rapporteur reported, is the upsurge of racist and xenophobic activities on the Internet, with over 100 extremist, especially neo-Nazi, sites advocating white supremacy and inciting racial hatred. Germany and Switzerland have already adopted legislation against the electronic dissemination of racist propaganda. In 1997, a United Nations seminar focused on the role of the Internet in contemporary forms of racism. Reviewing possible responses, such as blocking certain material and prohibiting propaganda on the Internet, participants highlighted the difficulty of finding an effective way to block racist material while protecting the right to free speech.

Indigenous people

Spread across the world from the Arctic to the South Pacific, indigenous people number, at a rough estimate, some 300 million, about 5 per cent of the world's population. Still living on the lands of their ancestors, indigenous people are the descendants of the aboriginal populations that inhabited

a geographical region at the time when settlers of different cultures or ethnic origins arrived. The new arrivals later came to dominate the region through conquest, occupation or settlement. Retaining social, cultural, economic and political characteristics clearly distinct from those of the other segments of the national populations, indigenous people have become threatened minorities and are perhaps the most vulnerable groups in the world today.

The main threats to the survival of indigenous people arise from the uniqueness of their cultures, the ownership of their lands and their legal status. Although some groups have been relatively successful in retaining their culture, in most parts of the world indigenous people are struggling to maintain their cultural identities and their ways of life. Since 1982, when the United Nations began to formally consider the situation of indigenous people with the establishment of the **Working Group on Indigenous Populations**, a wide range of activities have been undertaken by the Organization's human rights programme and by the United Nations system as a whole.

The main areas of concern regarding the human rights of indigenous people are:

- *Land rights and indigenous treaties with national Governments;*
- *Forced displacement and cultural genocide;*
- *Economic and social marginalization, including a lack of political representation at the national level;*
- *Disproportionate impact of unemployment and poverty on indigenous communities;*
- *Lack of basic health infrastructures and inadequate level of education, with little consideration for indigenous traditional culture in national education programmes;*
- *Lack of protection for indigenous people's intellectual and cultural property, such as knowledge of medicinal plants and preservation of their unique cultural artifacts.*

ARTICLE 14 *Right to asylum*



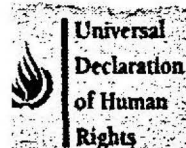
The Working Group on Indigenous Populations, a subsidiary organ of the **Subcommission on Prevention of Discrimination and Protection of Minorities**, consists of five independent experts representing each of the geopolitical regions of the world. Today, the Working Group, whose sessions are open to representatives of indigenous people as well as Governments, United Nations agencies and non-governmental organizations (NGOs), is one of the main international forums in the field of human rights, in charge of reviewing the development of international standards concerning indigenous rights.

The decision that the issue of indigenous rights should be given special consideration led to the long process of drafting a **Declaration on the Rights of Indigenous People**, beginning in 1985. The draft declaration, concluded in 1993, acknowledges the human rights and fundamental freedoms of indigenous people, including equality, self-determination and non-discrimination. The Declaration, adopted by the Subcommission on Prevention of Discrimination and Protection of Minorities, is now being reviewed by an inter-sessional working group of the Commission on Human Rights.

The General Assembly proclaimed 1993 the **International Year of the World's Indigenous People** to raise public awareness of indigenous issues and to increase Member States' efforts to protect their rights. Some States with significant indigenous communities, such as Bolivia, Colombia, Norway and Canada, have adopted legislation ensuring that indigenous people become fully involved in their nations' political and economic life. The World Conference on Human Rights fur-

ther recommended the establishment of a permanent forum for indigenous people within the United Nations system, a proposal which is still being discussed by the Commission on Human Rights. In recent years, however, the concerns of indigenous people have entered the discussions of other forums, particularly their role in sustainable development and the application of their knowledge to biological diversity, desertification and sustainable ecology.

The inauguration of the **International Decade of the World's Indigenous People (1995-2004)** marked the beginning of a series of promotional activities aimed at strengthening international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health. The General Assembly is working towards the adoption of the Declaration on the Rights of Indigenous People as the most important action of the Decade.



ARTICLE 15 *Right to a nationality and freedom to change it*

OHCHR has created two voluntary funds to assist indigenous people who want to participate in the activities of the Working Group on Indigenous Populations. The Office has also established an Indigenous Fellowship Programme, which offers six months' training on human rights issues and the United Nations system. The programme gives indigenous individuals the opportunity to gain knowledge and skills in the field of international human rights in general, and on indigenous rights in particular, enabling them to assist their local organizations and communities.

Many Governments are aware of the serious problems faced by indigenous people living in their territories and of the factors that make them one of the most vulnerable groups in national societies. In some parts of the world, an ongoing dialogue is taking place. In other places, direct negotiations between indigenous people and Governments have been instituted and are moving forward with the aim of improving relations and guaranteeing better protection of indigenous people's rights.

Minorities

Almost every country has one or more minority groups within its territory, characterized by their own ethnic, linguistic or religious identity, distinct from the majority of the population. Though respect for each group's identity is a great asset to the multicultural diversity of our global society, relations between the majority and a minority as well as among different minorities often cause tensions and violence. In recent years, ethnic, racial and religious tensions have escalated, threatening the economic, social and political fabric of States, as well as their territorial integrity. For this reason, the United Nations is greatly concerned with human rights issues affecting minorities. Some issues — for instance, demands for independence or autonomy — present a challenge to States that is not always resolved by eliminating discrimination. But meeting the aspirations of various ethnic, religious or linguistic communities and ensuring the rights of minorities significantly lessen tensions among groups and individuals and help to further participatory development, thus contributing to stability and peace.

In the wake of rising discrimination and violence against minority groups, many of whom are demanding greater autonomy, the protection of minorities' rights has attracted the same level of attention as other rights. In 1992, the United Nations adopted the **Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities**. Because there is no specific reference to minorities in the Universal Declaration of Human Rights, the Declaration

emphasizes the special status and rights of minority groups, recognizing the value of preserving their identity, traditions and language. The Declaration spells out the responsibility of States to protect and promote the rights of their minorities by creating favourable conditions for their cultural expression and participation in the economic development of each nation. The Secretary-General has entrusted the High Commissioner for Human Rights with promoting the principles of the Declaration by engaging in continuous dialogue with Governments on behalf of national or ethnic, religious and linguistic minorities. Country visits and reports by Special Rapporteurs are also essential in the implementation of minority-related resolutions.

The tremendous variety of situations among minorities — some are linked by a common cultural heritage, others by geographical closeness — often complicates matters. But it has not precluded United Nations activities promoting human rights standards concerning these vulnerable groups. In 1995, the Subcommission on Prevention of Discrimination and Protection of Minorities established a **Working Group on Minorities**. The sessions of the Working Group, which are open to representatives of Governments and NGOs involved with the protection of these vulnerable groups, have become the focal point of United Nations activities in the field of minority rights.

Migrant workers

In recent years, the phenomenon of migration, in the wake of increasing globalization, has affected a large number of States in all regions of the world. Millions of people are now earning their livelihood or looking for paid employment as immigrants in another State. Migrant workers and their families face economic exploitation and discrimination related to labour, as well as low income, poor working standards and a lack of job security. In their quest to cope psychologically and adjust culturally to the host country, they also often suffer from hostile attitudes from the Government, local prejudices and other human rights abuses. These human problems involved in migration are even more serious in cases of irregular or illegal immigration, fuelled by clandestine trafficking in migrant workers.

The number of women migrant workers who have left their country to escape poverty and who suffer inhuman treatment and sexual abuse at the hands of their employers is on the rise. This phenomenon is increasingly recognized as a new form of slavery related to the increase in the transnational sex trade and trafficking in women and girls. This has prompted the United Nations and the international community to give special attention to the plight of female migrant workers.

ARTICLE 16 *Right to marriage and protection of family*



In 1990, the General Assembly strengthened efforts to recognize the human rights of migrant workers by adopting the **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**. Besides the core human rights treaties and relevant international labour standards, the Convention takes into account the Slavery Conventions and the United Nations Educational, Scientific and Cultural Organization's Convention against Discrimination in Education. At present, the Convention has been ratified by only nine countries and is not yet in force. In 1997, the Commission on Human Rights established a working group of intergovernmental experts on the human rights of minorities to study the status of migrant workers.

Today's Violations, Tomorrow's Conflicts - Some Views of the High Commissioner

Mary Robinson, President of Ireland from 1990 to 1997, has been the United Nations High Commissioner for Human Rights since 12 September 1997. She is responsible for all human rights activities of the Organization, including the tasks of streamlining the human rights machinery throughout the United Nations system. Some of her views on priority issues, taken from her recent statements, follow.

During 1998, we celebrate the fiftieth anniversary of the Universal Declaration of Human Rights. What has the UN accomplished in the field of human rights in these past five decades?

I have to say that it is not really a time for celebration. If we look at all the programmes and all the rhetoric that has been heard on the issue, we have to admit that the results are underwhelming. There are still widespread violations of basic human rights as a result of discrimination on the basis of gender, ethnicity, religious belief or sexual orientation. It is important for us to assess the successes and the shortcomings of the UN system in respect to the protection of human rights. The Universal Declaration is a seminal document, a "common standard of achievement for all peoples and all nations". It is a living document that we have to reinterpret through modern eyes and in current terms. A great amount of normative work has been done since its adoption. Unfortunately, rights for too many remain little more than words on paper. What we need now, and this anniversary presents an opportunity, is to renew our commitment to those principles and to increase our efforts to implement them. We must reinvigorate the common will of the international community and ensure the enjoyment of full human rights by people everywhere. Since the 1993 World Conference on Human Rights in Vienna, the UN has taken many steps in this direction.

The expression "human rights" carries many meanings and is perceived differently by different people. Which rights do you believe have been neglected and should be prioritized by the UN?

The gap in perceptions of what we mean by human rights has to be narrowed in order to proceed with an efficient strategy to promote and protect them. We need to agree on a modern definition of human rights in accordance with the world's current needs. The first step is a balanced approach to the issue. In the past, civil and political rights have been viewed as the most

urgent and therefore have been given priority in the activities of the UN system. I have clearly stated my commitment to treat economic, social and cultural rights at the same level. It is important for me to have a broad approach to human rights, mainstreaming women's rights as human rights as well as protecting and promoting the rights of vulnerable groups such as children, indigenous people, refugees, internally displaced people, migrant workers and people with disabilities. These groups will definitely be a main focus of my Office.

Internal conflicts present one of the most urgent and most difficult challenges in protecting and promoting human rights today. What is your approach?

I firmly believe in the importance of conducting human rights work in the places where people live. Our presence in the field allows us to better understand the true state of human rights in a society: it gives faces to the victims of violations and immediacy to the actions of human rights workers. For this reason, the Office of the High Commissioner for Human Rights is increasingly devoting its efforts in the field-work by establishing a presence in conflict areas such as Rwanda, Liberia, Cambodia and the former Yugoslavia. I have argued that human rights violations are frequently the root causes of conflict and humanitarian crises. Today's violations are tomorrow's conflicts. Therefore, a rights-based approach to peacekeeping operations is essential. It requires a multilateral strategy, starting from conflict prevention to post-conflict peace-building. An efficient early warning system of special rapporteurs, human rights experts and field monitors is invaluable in deterring human rights violations that might escalate into armed conflicts. Another crucial, but also very controversial, point is the integration of human rights concerns into crisis-response operations. We must ensure that integrated planning within the Secretariat results in a coordinated UN strategy on the ground.

How is your Office working with the humanitarian operations in the field?

Human rights standards and principles should be the framework for all UN humanitarian action. Human rights and humanitarian law need to be seen in an integrated and holistic manner. Humanitarian assistance has not traditionally been seen as a human rights function, but there is no doubt that providing food, medical care and basic education is a direct means of supporting the "inherent dignity" of the affected population. The strategy is to link with partners that are engaged in similar programmes. To ensure the effectiveness of the overall programme, my Office is encouraging a more systematic cooperation

between UN human rights experts and the Office of the UN High Commissioner for Refugees, the Office for the Coordination of Humanitarian Affairs, the Department of Political Affairs, the Department of Peacekeeping Operations and the United Nations Development Programme. This collaborative approach is also necessary in the process of deployment of observers and advisers in the field and in strengthening technical cooperation programmes.



...human rights violations are frequently the root causes of conflict and humanitarian crises.

How does the right to development fit into the field of human rights promotion?

The right to development has been recognized as a fundamental human right that synthesizes all others. In other words, the right to development encompasses all human rights but cannot be identified just as the sum total of civil, political, economic, social and cultural rights. It enables the integration of the body of rights from the perspective of the individual's participation in sustainable development. It is important to understand that human rights empower the individual and the communities, and therefore are central to development. The realization of the right to development as all-encompassing demands the promotion of all human rights and requires a rights-based approach to all UN activities. The right to development has the potential to become the integral approach to human rights that the international community has been seeking for over five decades.

The establishment of an International Criminal Court is currently high on the agenda of the international community. What is its importance for your work?

The recent diplomatic conference was an important step in establishing a permanent International Criminal Court. The purpose of this Court is to fight impunity — by which I mean to ensure that the perpetrators of human rights violations are not exempt from punishment and legal consequences. As long as the crimes of rape, torture, murder, genocide and ethnic cleansing go unpunished, we cannot hope to prevent their recurrence in the future. Accountability for human rights abuses is what the UN must demand. A first step was the institution of criminal tribunals in Rwanda and former Yugoslavia. What we need now is a permanent International Criminal

Court with a clear and fair statute that defines the scope of crimes under the Court's jurisdiction, including sexual and gender violence and violence against children. The Court's role must not

be restricted to international conflicts. The worst atrocities of our days are the result of internal conflicts. A strong Court will send out a powerful message of deterrence to all those in positions of power who use terror tactics, systematic rape and indiscriminate killing as weapons of war.

The UN system is undergoing a process of reform. How is this affecting the way your Office is working?

Recent years have witnessed many changes in the UN approach to human rights issues. The most evident is the creation of the Office of the High Commissioner for Human Rights, and the integration within its structure of the Centre for Human Rights. This consolidation allows us to work more efficiently towards the implementation of human rights system-wide. Equally important is the new priority of human rights within the UN system, as the Secretary-General clearly stated in his reform proposals. Instead of adding a separate human rights committee to the four main Executive Committees — on peace and security; humanitarian affairs; economic and social affairs; and development — I participate in all of them. The goal is to mainstream the issue of human rights and develop an integrated approach. My office is small and my resources modest, so coordination and collaboration are the keys to achievements in the field. Collaboration means not only with the UN agencies and programmes on the ground, but also and especially with Governments, at the national level.

Human rights of women

Although women constitute a majority of the world's population, there is still no society in which women enjoy full equality with men. In 1996, for example, women held only 7 per cent of ministerial level posts in Governments worldwide. Figures for the number of women in high-level positions in business and in higher education are similar. Women are still subject to widespread discrimination in everyday life and often lack adequate representation in the public life of developing, as well as developed countries. The United Nations has always affirmed that the promotion of the human rights of women must eliminate all forms of gender-based discrimination and enable them to participate fully in all spheres of civil, political, economic, social and cultural life.



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ARTICLE 17 *Right to own property*

Recognizing the important contribution of women to development and peace, and concerned that in many parts of the world women still did not enjoy equal rights, the United Nations General Assembly proclaimed the period 1976-1985 the **United Nations Decade for Women** in support of national women's movements around the world. The most significant achievement during the Decade for Women was the adoption (1979) and quick entry into force (1981) of the **Convention on the Elimination of All Forms of Discrimination against Women**, which established the **Committee on the Elimination of Discrimination against Women** to oversee the implementation of all principles of gender equality and empowerment of women (*see Annex 5*).

National women's movements, in turn, have had a profound impact on the world conferences in this past decade: emphasizing the special needs of the girl child at the Children's Summit in New York (1990); the central role of women in sustainable development at the Earth Summit in Rio de Janeiro (1992); women's reproductive rights at the Population Conference in Cairo (1994); and the special focus on women in the eradication of poverty at the Social Summit in Copenhagen (1995).

Women's movements have also been instrumental in effecting a conceptual shift in emphasis concerning the advancement and empowerment of women. Until the 1980s, the United Nations stressed the recognition of women's rights in order to ensure their full participation in development and to realize non-discrimination. But women's groups advocated, with increasing persuasiveness, that there are no human rights without women's rights, thus grounding the promotion and protection of the rights of women in the universality and indivisibility of all human rights.

This new emphasis, in turn, became the central, cross-cutting theme of the **Fourth World Conference on Women in Beijing (1995)**. Attended by nearly 50,000 participants, the Beijing Conference on Women significantly strengthened the empowerment of women by elaborating the crucial links between the universal advancement of women and social progress around the world. The **Beijing Declaration and Platform for Action**, adopted by consensus, highlighted the global nature of human rights issues concerning women and signalled a clear commitment to international norms in gender equality. The Platform for Action advanced a number of forward-looking strategies to integrate a gender perspective into all policies and programmes at all levels and to enhance women's participation in political, civil, economic, social and cultural life. Its multidimensional strategy aims at enabling women to act as autonomous subjects in development and participate in society on their own terms.

The Beijing Declaration elaborates on themes of the Convention on the Elimination of All Forms of Discrimination against Women by recognizing that:

- Women's rights are human rights, which need to be protected particularly in relation to violence, sexuality and reproductive health;

- Women should have equal rights in inheriting land and property;
- Women have a special role in the family and in society, but maternity should not impede the full participation of women in society nor should they be penalized for illegal abortions;
- Rape is a war crime, and in some cases an act of genocide, under international humanitarian law (see Chapter 6).

In the past decade, the United Nations has moved to coordinate its actions in advancing the equal status of women by strengthening women's rights throughout the United Nations system, a principle first explicitly expressed at the 1993 Vienna Conference. Its main thrust is to integrate women's concerns into the mainstream of the Organization so that the protection of women becomes a central concern in all human rights activities and economic and social development programmes.

The 45-member **Commission on the Status of Women (CSW)**, established in 1946, is the leading United Nations policy-making body concerned with women's rights and issues affecting the equal status of women. CSW has recently cooperated with the Commission on Human Rights on issues concerning women's human rights. A recent joint project, examining the impact of discrimination against women on their socio-economic status, revealed how gender-specific denial of economic rights directly reduces women's opportunities for social advancement.

Other United Nations programmes are specifically dedicated to the advancement and empowerment of women. The **International Research and Training Institute for the Advancement of Women (INSTRAW)**, established by the Economic and Social Council in 1976, provides training and advisory services for women, especially in developing countries. INSTRAW is currently promoting the training of women in computer-related communications, and also fostering a more gender-sensitive media.

ARTICLE 18 *Freedom of belief and religion*



The **United Nations Development Programme (UNDP)** has also increasingly focused on the inclusion of women in its development projects, and in 1984 established a fund aimed at strengthening women's economic capacity, the **United Nations Development Fund for Women (UNIFEM)**. UNIFEM offers technical and financial support to women in cooperation with Governments and NGOs and works closely with other United Nations programmes to ensure women's participation in decision-making at all levels of development planning and practice.

Within the United Nations Secretariat, the **Division for the Advancement of Women (DAW)** and the Secretary-General's **Special Adviser on Gender Issues and the Advancement of Women** monitor the progress in women's full enjoyment of their rights in the light of the goals set by the Beijing Platform for Action. The Division also plays an important role in supporting the Committee on the Elimination of Discrimination against Women. DAW, UNIFEM and INSTRAW have jointly set up an important UN Internet gateway on the advancement and empowerment of women titled "WomenWatch" (for a list of Web resources, see Annex 6).

Within the United Nations system, the **Office of the United Nations High Commissioner for Refugees (UNHCR)**, the **World Health Organization (WHO)** and the **International Labour Organization (ILO)** have also taken significant steps towards integrating women rights issues and a gender perspective into their activities. The mandate of the **United Nations Children's Fund (UNICEF)** has always been oriented to the well-being of women in their role as mothers, with

activities to combat malnutrition, maternal mortality, gender-based violence and unequal access to education. One important UNICEF programme aims at eliminating the sexual exploitation of girls by providing basic education and employment counselling for girls at risk.

Violence against women

According to the 1997 UNICEF report *The Progress of Nations*, violence against women and girls is the most pervasive violation of human rights in the world today. Cutting across economic, social, cultural and religious barriers, violence against women is an insidious phenomenon affecting the lives of millions of women and taking a dismaying variety of forms. The international community did not take concrete action against the alarming global dimensions of gender-based violence until 1993, when the General Assembly adopted the **Declaration on the Elimination of Violence against Women**. Until that point, most Governments tended to regard violence against women largely as a private matter between individuals, and not as a pervasive human rights problem requiring active State intervention.

The Declaration defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life". It also identifies systematic rape, sexual slavery and forced pregnancy of women in situations of armed conflicts as extremely grave violations of the fundamental principles of human rights and international humanitarian law. The Declaration identifies three areas in which women are particularly vulnerable:

- Violence in the family;
- Violence within the community;
- Violence perpetrated or condoned by the State.



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ARTICLE 19 *Freedom of opinion and information*

In the family, domestic violence is on the increase, according to a World Bank study, which found that, worldwide, 25 to 50 per cent of all women suffer physical abuse by their partner. An estimated 60 million females die because of son-preference; many parents, hoping for sons, kill or neglect their daughters before or shortly after birth. Each year, an estimated 2 million girls in at least 28 countries are subjected to the traumatizing traditional practice of female genital mutilation. In some societies, girls are compelled to marry at an early age before they are physically, mentally or emotionally mature.

In the community, rape continues to be a widespread offence that still brings shame and blame onto the innocent victims. Women who are victims of rape and sexual harassment often suffer trauma, physical handicap or even death. The extent of trafficking in women and girls, within and across borders, has reached alarming proportions, especially in Asian and Eastern European countries. At the same time, sex tourism to developing countries is a well-organized industry in several Western and other developed countries.

In cases of State-perpetrated or condoned violence, police or prison officials, who supposedly protect women from violence, are often perpetrators of sexual abuse. Thousands of women held in custody are routinely raped in police detention centres worldwide and cruelly tortured by security

forces. In virtually all armed conflicts, rape continues to be widely used as a cynical tactic to subjugate and terrify entire communities. Women and girl children are frequently victims of gang rape and sexual slavery at the hands of soldiers, as seen during the conflicts in Rwanda and the former Yugoslavia and in many other conflicts around the world (see also Chapter 6).

ARTICLE 20 Right to peaceful assembly and association



The United Nations is committed to combating violence against women by addressing the root causes of the problem as well as treating its manifestations, challenging the ways in which gender roles and unequal power relations are articulated in society. Because most laws fail to protect victims or to punish perpetrators, it is crucial to enforce laws that redefine the limits of acceptable behaviour and to eliminate the prevailing culture of impunity by applying standards of “due diligence” for Governments. At the same time, information campaigns emphasizing the equal rights of women must address society at large, educating judges and police officers, as well as boys and men in general, in order to change the social attitudes and beliefs that tolerate violence against women.

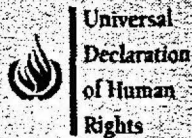
Changing people’s attitudes and mentality towards women will take a long time. But raising awareness of the issue of violence against women and educating boys and men to view women as equal partners in private and public life are crucial to democratizing society and are as important as taking legal steps to ensure the protection of women’s rights. This will require sustained collaboration between governmental and non-governmental actors, including educators, health-care authorities, legislators, the judiciary and the mass media.

The United Nations is mobilizing concerted international initiatives to protect women from violence at the local and national levels. The 1993 World Conference on Human Rights urged Governments and the United Nations system to work together towards banning all forms of sexual harassment and exploitation. The Vienna Declaration highlighted as areas of critical concern international trafficking, cultural prejudices and religious extremism, as well as gender bias in the administration of justice and in all aspects of political, civil, economic, social and cultural life. Since 1994, the **Special Rapporteur on violence against women**, in concert with other special rapporteurs of the Commission on Human Rights, has been drawing increasing political attention to the causes and consequences of gender-related violence, recommending measures to eliminate its occurrence and to remedy its consequences. The Special Rapporteur has carried out missions on military and sexual slavery in wartime in Korea and Japan; trafficking in women and girls in Poland; domestic violence in Brazil; rape in South Africa; violence against women in armed conflicts in Rwanda; and violence against women in prisons in the United States.

Monitoring and reporting on violations are essential tools for protecting women’s rights. The experts of the Commission on Human Rights and the treaty bodies are increasingly integrating a gender perspective into their work and now generally devote a separate section of their reports to the analysis of discrimination that women still face. Besides the Special Rapporteur on violence against women, some of the thematic mandates, such as executions, torture, religious intolerance, freedom of opinion and expression, racial discrimination and independence of the judiciary, are also concerned with women’s rights and are required to fully integrate these concerns in their reports.

Protecting the rights of children

Two billion people in the world today are under the age of 18. As the most vulnerable members of a society, children are often victims of serious human rights violations. The extent of systematic abuses against children is disturbing, ranging from malnutrition to military recruitment, from labour exploitation to lack of education, with lifelong implications for their well-being as adults.



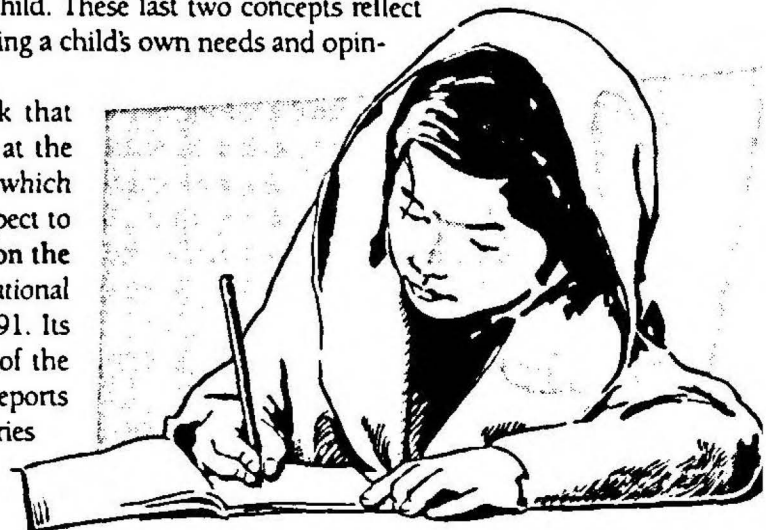
ARTICLE 21 *Right to participate in government and in free elections and to equal access to public service*

Malnutrition is by far the most pernicious abuse against children in the world. Each year, more than 12 million children under the age of five die in developing countries. More than 55 per cent of all child deaths worldwide can be attributed to malnutrition. Some 40 million babies, one out of three born each year, are at risk simply because they are not registered at birth. Without a birth certificate, a child is not officially recognized as a citizen and is often denied adequate access to basic health services and primary education. At least 120 million children between the ages of 5 and 14 work full time, according to ILO, and for about 250 million children work is a secondary activity. Other threats to children's lives and development throughout the world include murder of street children, sale of organs, child pornography and prostitution. More than 2 million children are believed to be involved in prostitution, including some 1 million in Asia and 300,000 in the United States.

Protection and promotion of the rights of children have always been a central issue on the agenda of the United Nations. Slow but steady progress has been made towards the affirmation that children, like adults, are the subjects of rights, and not only helpless objects of concern or beneficiaries of services. In 1959, the Declaration of the Rights of the Child represented the first concrete affirmation by the international community that children needed special protection and, for the first time, defined a child as a person below the age of 18.

The **International Year of the Child** in 1979 marked the starting point of the debates that led to the formulation of the **Convention on the Rights of the Child**, which was adopted unanimously in 1989. Setting common standards for the protection of the rights of children within different cultural settings, the Convention is today the most widely ratified instrument in the field of human rights, with a total of 191 States parties. Reaffirming the principles of the International Bill of Human Rights, the Convention emphasizes particularly the right to life, survival and development of children. The main principles outlined in the Convention are non-discrimination, the child's best interests and the views of the child. These last two concepts reflect recent awareness of the importance of recognizing a child's own needs and opinions within a society.

The Convention provides the framework that serves as a catalyst and guideline for action at the national level. It sets universal standards to which each country should conform its laws with respect to its specific cultural situation. The **Committee on the Rights of the Child**, composed of 10 international experts, was convened for the first time in 1991. Its main role is to monitor the implementation of the Convention by examining regular mandatory reports submitted by States parties. While some countries



lag behind in submitting their reports and others provide insufficient data, there has been great progress in the implementation of the national plans of action.

In 1990, the **World Summit for Children** in New York reaffirmed the standards established by the Convention and adopted the World Declaration on the Survival, Protection and Development of Children, setting the year 2000 as the deadline for the successful implementation of benchmarks benefiting the lives and development of children:

- *Reduction of the infant mortality rate by one third or at least to under 50 per 1,000 live births and reduction of the maternal mortality rate by half;*
- *Reduction of severe and moderate malnutrition among under-five children by half;*
- *Universal access to safe drinking water and to adequate sanitation;*
- *Universal access to basic education and completion of primary education by at least 80 per cent of primary-school-age children;*
- *Reduction of the adult illiteracy rate to no more than half its 1990 level, with emphasis on female literacy.*

The Summit developed a Plan of Action that called for various activities on behalf of the well-being of children and mobilized international cooperation among Governments, NGOs, the media and civil society. At the national level, each country is urged to review its budget to ensure that programmes aimed at the protection of children's rights receive priority when resources are allocated.

Guided by the Convention on the Rights of the Child, UNICEF promotes sustainable development for children and strives to establish children's rights as enduring ethical principles and international standards of behaviour towards children. Working together with other United Nations agencies, Governments and NGOs, UNICEF provides low-cost, community-based services in primary health care, nutrition, basic education and sanitation as a way to protect the rights of the child in the developing world. UNICEF's annual reports *The State of the World's Children* and *The Progress of Nations* review steps undertaken by States parties to meet the goals of the Convention and promote the well-being of children.

ARTICLE 22 Right to social security



The United Nations machinery in the field of children's rights comprises a variety of bodies, among which the Committee on the Rights of the Child plays a central role. The **Special Rapporteur on the sale of children, child prostitution and child pornography** analyses instances of sexual exploitation of children in various countries. A working group of the Commission on Human Rights is drafting an optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

Children and armed conflict

Children all over the world continue to be victims of the wars of adults — losing parents, families and homes, losing their childhood and the opportunity for education, losing limbs and their lives to armed conflicts. In the past decade alone, an estimated 2 million children have been killed in armed conflicts. Three times as many have been seriously injured or permanently disabled. One million have been orphaned. Countless others have been forced to witness or even take part in

horrifying acts of violence. A 1995 UNICEF survey of more than 3,000 children in Rwanda, in the aftermath of the genocidal killings of the previous year, found that more than 80 per cent had lost immediate family members, and more than one third had actually witnessed the murders.

The direct physical effects and the collateral psychosocial damage endured by children during armed conflicts are devastating to their future development. One of the most alarming trends in armed conflicts is the forced recruitment of young children as active soldiers. Some are conscripted, others kidnapped or forced to join armed groups to defend their families. They are sometimes used as advance scouts or mine detectors. In cases of acute hunger and poverty, parents sometimes offer their children for service or, if marriage prospects are poor, encourage their daughters to become soldiers. An estimated 500,000 children are currently involved in armed conflicts around the world.



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ARTICLE 23 *Right to work and fair pay for work*

Modern warfare often brutally uproots children because their families are forced to flee to neighbouring States or are internally displaced within their own countries. Of the world's estimated 22 million refugees and 30 million displaced people, half are children. Displacement has a profound physical, emotional and developmental impact on children and sharply increases their vulnerability. Wandering around as refugees, often separated from their families, these children are continually threatened by sudden attacks, shelling and landmines.

Rape and sexual exploitation are a continual threat in armed conflicts. Girls, in particular, are subjected to gender-based violence, such as sexual abuse and mutilation, prostitution and trafficking. The widespread practice of rape by armed forces often has a tragic ripple effect that extends far beyond the immediate pain and degradation. Sexual abuse can lead to sexually transmitted diseases and HIV/AIDS infection. Rape victims who become pregnant are often ostracized by their families and communities and forced to abandon their unwanted babies. In such unbearable circumstances, many of these girls commit suicide out of despair.

In addition to the fragmenting of family and community, the breakdown of infrastructure and disruption of education due to armed conflicts have devastating long-term effects on the future of children. The destruction of schools and education networks represents one of the greatest developmental setbacks for countries affected by armed conflict. Missed education and lost vocational skills take years to replace, making the overall task of post-conflict recovery even more difficult.

Since the 1990 World Summit on Children, the United Nations has placed the plight of children affected by armed conflicts high on the international agenda. The United Nations report *Impact of Armed Conflict on Children* (1996) provided the first comprehensive assessment of the multiple ways in which children are abused and brutalized in the context of war. In 1997, in response to the urgent need for a public advocate on behalf of children's rights in situations of armed conflict, the Secretary-General appointed a **Special Representative for Children in Armed Conflict**. A working group is also drafting an **Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflicts**, which seeks to raise the minimum age of recruitment into armed forces to 18 and to specify measures for demobilization and reintegration of child soldiers into society.

CHAPTER 6 Human Rights and Conflicts

TODAY, SOME OF THE MOST SERIOUS threats to international peace and security are armed conflicts that arise, not among nations, but among warring factions within a State. Although situations of internal violence, they often spill over borders, endangering the security of other States and resulting in complex humanitarian emergencies. The human rights abuses prevalent in internal conflicts are now among the most atrocious in the world. In 1996, there were 19 ongoing situations of internal violence around the world in which 1,000 people or more were killed. These so-called "high-intensity conflicts" cumulatively led to between 6.5 million and 8.5 million deaths. In the same year, there were also 40 "low-intensity conflicts", each causing between 100 and 1,000 deaths. Another 2 million deaths can be added to these figures if one includes situations of internal violence that had de-escalated in 1996.

The number of conflict-related deaths is only a small indication of the tremendous amount of suffering, displacement and devastation caused by conflicts. Assaults on the fundamental right to life are widespread — massacres, indiscriminate attacks on civilians, executions of prisoners, starvation of entire populations. Torture is common in internal conflicts, as are measures restricting people's freedom of movement — forcible relocations, mass expulsions, denial of the right to seek asylum or the right to return to one's home. Women and girls are raped by soldiers and forced into prostitution, and children are abducted to serve as soldiers. Tens of thousands of people detained in connection with conflicts "disappear" each year, usually killed and buried in secret, leaving their families with the torment of not knowing their fate. Thousands of others are arbitrarily imprisoned and never brought to trial or, if they are, are subject to grossly unfair procedures. Homes, schools and hospitals are deliberately destroyed. Relief convoys, which try to assist civilians by providing humanitarian aid, are attacked.

The denial of fundamental rights relating to employment, housing, food or the respect for cultural life and large-scale discrimination and exclusion from the decision-making processes of society are the root causes of many grave crises today. Armed conflicts clearly illustrate the indivisibility and interdependence of all human rights. The collapse of infrastructure and civic institutions undermines the range of civil, economic, political and social rights. The rights to adequate health, housing, education, freedom of movement and expression, privacy and fair trial are only some of the fundamental rights and freedoms affected when hospitals and schools are closed, water and sanitation polluted, local administrations unable to function, and police and judicial systems shattered or corrupted. Government institutions often become increasingly militarized, with the armed forces assuming civilian policing functions and military courts trying civilians. Prolonged conflicts also affect rural areas; crops are destroyed, crippling productivity in subsistence farming and agriculture and leading to chronic food shortages, malnutrition and famines. Ill health and poverty are often the most devastating long-term consequences of conflicts.



Human rights and the transition to peace

The 1993 World Conference on Human Rights affirmed the crucial connection between international peace and security and the rule of law and human rights, placing them all within the larger context of democratization and development. The need to reinforce these vital links has been highlighted by the sharp increase in bloody conflicts and man-made calamities in this decade.

The United Nations is increasingly combining efforts to prevent or end conflicts with measures aimed at reducing human rights abuses in situations of internal violence. Special emphasis is placed on ensuring the protection of minorities, strengthening democratic institutions, realizing the right to development and securing universal respect for human rights. Preventing massive human rights violations from arising, responding to violations before they escalate into conflicts and controlling and resolving conflicts before they escalate further are central concerns of preventive action. In the context of preventive action and peacemaking, the Security Council and the Secretary-General, in carrying out his "good offices", are also assisted by the **Department of Political Affairs (DPA)**.

Recognizing that human rights violations are frequently the root causes of conflict and humanitarian crises, the United Nations is making efforts towards strengthening its early warning capacity and response to conflicts by integrating human rights monitoring into peacekeeping operations, thus enhancing its ability to deal with allegations of human rights violations. The Office of the High Commissioner for Human Rights is developing close contacts with the United Nations departments, offices and programmes responsible for peacekeeping and for humanitarian assistance, in particular the **Department of Peacekeeping Operations (DPKO)**, **DPA**, the **Office for the Coordination of Humanitarian Affairs (OCHA)** and the **Office of the United Nations High Commissioner for Refugees (UNHCR)** (*see below*).

The human rights programme is performing a crucial role not only in the United Nations early warning system, but also in post-conflict reconstruction, building mutual confidence and helping to re-establish a climate of understanding. The international community has recognized that protecting human rights in the aftermath of conflicts cannot be isolated from how the conflict is brought to an end. Experience in assisting countries in transition to democracy has shown how important the inclusion of human rights provisions in peace or transitional agreements can be.



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ARTICLE 24 *Right to rest and leisure*

In recent years, beginning with the El Salvador mission in 1990, a number of peacekeeping and other political operations have included a human rights component. A human rights field presence was part of the peace processes in Cambodia, El Salvador, Guatemala and Haiti. The International Civilian Mission in Haiti, for example, has been dedicated to verifying the respect for human rights since its inception in February 1993. After the return to constitutional order in October 1994, the Mission expanded its work to include the promotion of human rights, civic education, electoral assistance and institution-building. It supports the National Truth and Justice Commission and assists in the strengthening of the Haitian judicial and penal system.

The human rights missions in El Salvador and Guatemala demonstrate the crucial role of human rights in rebuilding trust and fostering a climate of reconciliation after armed conflict. In Guatemala, the **Human Rights Verification Mission (MINUGUA)** was deployed in 1994, two years in advance of the final peace agreement signed by the Government and the opposition front. The largest United Nations human rights verification mission ever mounted, with 13 regional and sub-regional offices and 245 international staff, MINUGUA's field presence is more extensive than that of

many national institutions in Guatemala. In the past two years, the Mission has successively reported dramatic declines in verified complaints of torture, forced disappearances and arbitrary detention.

The High Commissioner for Human Rights has deployed human rights field operations in Burundi, Rwanda, the former Yugoslavia and the Democratic Republic of the Congo (formerly Zaire). In each case, following up allegations of violations and establishing a framework of respect for human rights were seen as part and parcel of the work of creating an atmosphere of trust in a post-conflict situation. This has been a vital lesson for the United Nations in the 1990s.

ARTICLE 25 *Right to adequate standard of living for health and well-being*



Developing fundamental humanitarian standards

Just as human rights are a key element in peacekeeping and peace-building efforts, the protection of human rights is also recognized as a priority in humanitarian operations. The United Nations is currently leading efforts to establish minimum humanitarian standards, seeking to identify fundamental rules of human rights and humanitarian law that can be applied in all circumstances, in times of conflict, as well as in situations of mass exodus, for the protection of human rights. These efforts aim to provide the human rights framework necessary to find long-term solutions to the root causes of conflict and to prevent the excesses that make reconciliation so difficult. The United Nations urges national authorities to respect international human rights standards in such situations. But one of the most pressing problems now is enforcing accountability of non-State actors committing crimes against humanity. For these reasons, the United Nations is incorporating human rights concerns into all aspects of its response to conflicts — from preventive action to humanitarian assistance.

For the United Nations, providing assistance to the victims of conflict is the supreme humanitarian task. Though not traditionally considered a human rights function, there is no doubt that the provision of food, medical care and basic education is a direct and tangible means of supporting the human dignity of the affected population. The human rights framework can also help to set the parameters and rules for the delivery of humanitarian assistance — ensuring the non-discriminatory treatment of those in need, and paying due regard to the special needs of women and children.

Refugees are particularly vulnerable to the loss of human rights. The violation of fundamental rights is almost always the root cause of refugee flows. Displacement and forced migration are intrinsically human rights issues, underlying related questions such as mass exoduses, the status of internally displaced persons and the right to return to their homes and communities. Since it began its work in 1951, UNHCR has always incorporated a human rights dimension into humanitarian action, particularly concerning the rights to asylum and non-forced repatriation. Its work has been based on the 1951 **Convention relating to the Status of Refugees** and its 1967 **Protocol**, which define the rights and duties of refugees. Durable solutions to these man-made catastrophes require sustained and concerted efforts towards reconstruction and reconciliation. The challenge of ensuring the sustainability of return extends far beyond the capacities of any single organization and requires the creative collaboration of a variety of actors. For this reason, the High Commissioner for Human Rights and the High Commissioner for Refugees are expanding the cooperation of their offices, on both an informal and a formal basis, through the day-to-day contacts among the staff, at Headquarters and in the field. Their interaction, guided by a Memorandum of Understanding, includes joint meetings and projects, as well as facilitating the sharing of responsibilities by exchanging personnel and co-sponsoring staff training.

The Office of the United Nations High Commissioner for Human Rights also works closely with OCHA, the central Secretariat body responsible for coordinating United Nations humanitarian action. The increased collaboration between the two offices seeks to provide relief for victims of humanitarian disasters within an integrated framework of human rights law and humanitarian law. In order to ensure that their work is harmonized, the High Commissioner for Human Rights participates in the meetings of the Executive Committee on Humanitarian Affairs and the Inter-Agency Standing Committee, the main coordinating forums for developing humanitarian programmes and formulating strategic policies.



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ARTICLE 26 *Right to education*

A rights-based approach to peace-building

Just as human rights forge vital links between peace, democracy and development, bringing the full weight of the United Nations human rights programme to bear can also facilitate the successful transition between peacekeeping operations and humanitarian emergency assistance to long-term peace-building and sustainable development. Societies that are emerging from civil conflict have particular needs in the area of human rights and economic development. The complexities of post-conflict situations require that special attention be given to repairing the large-scale damage inflicted on economic, health and educational infrastructures. But international development programmes can also contribute to healing the psychological scars of conflict. Strengthening respect for human rights through development contributes to a climate of confidence that helps a society regain its equilibrium.

Such a human rights framework is most effectively realized when United Nations operations overseeing or implementing peace agreements incorporate human rights specialists, both in their monitoring capacity as human rights observers and as technical advisers, to help strengthen the administration of justice. The United Nations is developing a two-track approach in which immediate humanitarian assistance and long-term development assistance eventually converge, with human rights a crucial binding element in both. This means that the various actors, from international institutions developing projects to individuals operating in the field, must work together, aware of the common goals and mutual needs of the parallel programmes. As demonstrated in Cambodia, El Salvador, Haiti and Rwanda, work in the field demands a delicate mix of standard-setting, training, advice on laws and procedures, and funding. United Nations human rights experts assist in building an independent judiciary and in training police and security personnel in human rights standards for law enforcement. They also provide guidance in drafting press freedom laws, minority legislation or laws securing women's equality.

Without prescribing for any one society a preferred model of economic development or cultural organization, the rights-based approach to peace-building facilitates the growth of civil society. Human rights standards provide the impartial means through which reconciliation can be achieved. A human rights framework provides certain guarantees for justice and also protects against random retribution, establishing the parameters within which democratic societies can legitimately balance the interests of the victims against larger concerns for social harmony.

Breaking the cycle of impunity

Solving conflicts also means addressing past abuses, especially against the civilian population. A recurring theme that applies to all human rights abuses in conflicts is that again and again the

members of armed groups kill, torture, rape or attack civilians with virtual impunity, apparently confident that they will never be called to account for their crimes. Impunity is a relatively new concept for an age-old phenomenon of injustice, namely, the absence of penalties or inadequacy of compensation for massive and grave violations of human rights. The manner in which a Government reacts to human rights violations committed by its agents, through action or omission, clearly shows the degree of its willingness to ensure effective protection of human rights. Very often, a Government's declared commitment to respect human rights is contradicted in practice by an alternating cycle of violations and impunity. In some cases, impunity is inscribed in legislation that exempts perpetrators of human rights abuses from prosecution. In other cases, despite the existence of legal provisions for the prosecution of human rights violators, impunity continues in practice. Authorities often do not react to complaints filed by victims, their families or representatives, or to urgent appeals by United Nations special rapporteurs.

Problems related to the independent and impartial functioning of the judiciary have also encouraged impunity. Although Governments are under an obligation to initiate inquiries into allegations as soon as they are brought to their attention, in some countries impartial investigations are rarely conducted. In other cases, public inquiries are compromised, with light sentences imposed on perpetrators despite the gravity of the crimes committed. In particular, trials of members of the security forces before military courts are sometimes undermined by an ill-conceived *esprit de corps*. There are also instances where low-ranking officials are convicted of human rights violations or crimes, while those in positions of command escape responsibility. Often victims — and sometimes witnesses who assist in investigative efforts — are subjected to intimidation and death threats.

For this reason, the United Nations has intensified efforts to bring the perpetrators of such crimes to justice and break the cycle of impunity. Ensuring that individuals are held criminally responsible and punished for committing serious human rights abuses is one of the most effective means of dealing with grave injustice and fostering necessary reconciliation. In countries where the justice system does not function properly, legislative reforms are required first, before the judiciary can effectively undertake investigations. In cases where violations warrant particular treatment because of their special nature or gravity, as with apartheid in South Africa, for example, Governments may establish special truth commissions adhering to the same requirements of independence, impartiality and competence as ordinary courts. The results of their investigations can be made public, and sometimes their recommendations are binding on the authorities.

ARTICLE 27 Right to participate in the cultural life of the community



The history of impunity parallels the struggle of civil society against authoritarian States. During the 1970s, the United Nations began to take action in the campaign against impunity after non-governmental organizations and human rights groups pioneered the creation of an international strategy to address the widespread problem. In the absence of an international criminal court, prominent "courts of opinion" sometimes filled an institutional gap in international human rights law. In the 1980s, the proliferation of "amnesty" laws proclaimed by military dictatorships anxious to arrange their own permanent impunity while still in power provoked a strong reaction from victims, who undertook legal campaigns to ensure that justice was done.

In the 1990s, with the end of the cold war and the restoration of democracy in many parts of the world, the question of impunity within the context of national reconciliation became a matter of international concern. When, in the course of democratization, the former victims took over the

Crimes against humanity

GENOCIDE REFERS TO acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, by either killing or causing serious bodily or mental harm to members of the group. Genocide also includes deliberately imposing living conditions calculated to bring about the group's physical destruction, such as imposing measures intended to prevent births or forcibly transferring children of the group.

Crimes against humanity are acts deliberately committed as part of a widespread or systematic attack directed against any civilian population. Crimes include murder and extermination (the intentional deprivation of access to food and medicine, calculated to bring about the destruction of part of a population). Crimes against humanity also include the deportation or forcible transfer of people and inhumane imprisonment in violation of fundamental rules of international law. Persecution of any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender or other grounds is also

universally recognized as impermissible under international law. This applies also to the enforced disappearance of persons, the crime of apartheid and other inhumane acts causing serious physical injury or great suffering.

War crimes are grave breaches of the 1949 Geneva Conventions. Serious violations of the laws and customs of war include intentionally directing attacks against the civilian population not taking direct part in hostilities or deporting the population of an occupied territory; employing weapons, material and methods of warfare which cause superfluous injury or unnecessary suffering or which are inherently indiscriminate in violation of the international law of armed conflict, such as biological, chemical and nuclear weapons; sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence; and the conscription or enlistment of children under the age of 15 years into armed forces or groups participating in hostilities.

responsibility of the State, they often found themselves forced to moderate their initial commitment against impunity in the name of national reconciliation. But the Inter-American Court of Human Rights, in a recent ground-breaking ruling, found that amnesty for the perpetrators of serious human rights violations was incompatible with the right of every individual to a fair hearing before an impartial and independent court.

In 1997, two experts of the Subcommission on Prevention of Discrimination and Protection of Minorities presented reports on impunity, one in relation to civil and political rights, the other concerning economic, social and cultural rights. The reports propose a draft "set of principles for the promotion and protection of human rights through action to combat impunity". The principles refer to victims' legal rights as obligations of society, particularly the right to know, the right to justice and the right to reparations. If adopted by the General Assembly, these guiding principles would provide the strategic framework for the international campaign against impunity.

Towards an International Criminal Court

In 1945, at the Tribunal of Nuremberg, which judged the accused war criminals of Nazi Germany, the international community pledged that "never again" would it allow monstrous crimes against humanity or genocide to take place. For nearly half a century, the United Nations has recognized the need for a world court to prosecute and punish persons responsible for crimes of international concern, such as genocide, crimes against humanity, war crimes and the crime of aggression. In 1948, the United Nations General Assembly adopted the **Convention on the Prevention and Punishment of the Crime of Genocide**, one day before adopting the Universal Declaration of

Human Rights. In 1949, a Diplomatic Conference for the Establishment of International Conventions for the Protection of Victims of War, held in Geneva from 21 April to 12 August, adopted four Conventions, which codified the humanitarian action of soldiers in times of war. The four **Geneva Conventions** outlined the humane treatment of wounded, sick or surrendering combatants, prisoners and civilians, and banned the wilful taking and killing of hostages. By 1951, these international treaties against genocide, war crimes and crimes against humanity had entered into force, establishing a body of law known as **International Humanitarian Law**. The United Nations directed the International Law Commission to draft a statute for an International Criminal Court (see below). But for a long time disagreement among Member States on the jurisdiction of such a court hindered any decisive development towards its creation.

The atrocities that occurred in the former Yugoslavia and Rwanda were widely seen as failures of the international community to intervene in time to prevent serious human rights violations. However, Yugoslavia and Rwanda are not unique as conflict areas where massive violations of human rights and international humanitarian law occurred. In recent decades, there have been many instances of crimes against humanity committed in war for which no individuals have been held accountable. In Cambodia in the 1970s, for example, the Khmer Rouge killed over 1 million people. In many countries around the world, massacres of civilians, including countless women and children, continue to this day.

International Criminal Tribunal for the former Yugoslavia

In 1993, faced with widespread atrocities committed under the policy of "ethnic cleansing" during the Yugoslav conflict between the Muslim, Serb and Croatian communities, the United Nations responded by setting up an international tribunal to bring the perpetrators of the crimes to justice. In May 1993, the Security Council, acting under Chapter VII of the United Nations Charter, created 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 (ICTY)**. The Tribunal highlighted the need for a permanent International Criminal Court to deal with such violations quickly and effectively.

The Tribunal, which has its seat at The Hague, the Netherlands, was given the broadest mandate of any international investigative body since the Nuremberg trials. Its statute defines the Tribunal's authority to prosecute individuals responsible for four groups of offences: grave breaches of the Geneva Conventions of 1949; violations of the laws or customs of war; genocide; and crimes against humanity. Moreover, because the Tribunal was established under Chapter VII of the United Nations Charter, the Security Council can use sanctions and other measures to enforce the Tribunal's decisions.

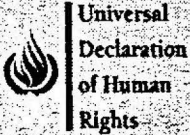
ARTICLE 28 Right to social order assuring human rights



To date, 60 individuals have been publicly indicted, and 28 of the accused apprehended. Five trials are ongoing before the Tribunal and two verdicts have been handed down. One individual was found guilty of crimes against humanity and sentenced to 20 years' imprisonment. In the other case, the accused pleaded guilty to war crimes and was sentenced to five years' imprisonment.

The Tribunal has primacy over national jurisdictions and can issue an international arrest warrant if national authorities are unwilling to cooperate or fail to serve the initial indictment of the accused individuals. The Tribunal then notifies the Security Council to enforce the warrant. By the

middle of 1998, eight international arrest warrants had been issued. The attempts by the Tribunal to arrest indicted persons currently living in the Federal Republic of Yugoslavia have been generally without success. The Government has consistently refused to meet its international obligations to hand over those indicted for war crimes and crimes against humanity.



ARTICLE 29 Responsibility to community essential to free and full development of the individual

International Criminal Tribunal for Rwanda

In Rwanda, civil strife and internal violence led to genocide on a vast scale. From April to July 1994, a systematically planned genocide by extremist Hutu militia claimed the lives of between 500,000 and 1 million persons. The main victims of this carnage were members of the Tutsi minority and moderate Hutus. The civil war forced hundreds of thousands of Rwandans to flee to neighbouring countries. By mid-July, more than 2 million Rwandan refugees were living in camps in Burundi, Tanzania and Zaire. Many thousands more had been displaced internally within the territory of Rwanda.

In November 1994, the Security Council created the **International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda (ICTR)**. The Tribunal also prosecutes Rwandan citizens responsible for genocide, crimes against humanity and war crimes committed in the territory of neighbouring States between 1 January 1994 and 31 December 1994.

While the Hague Tribunal consists of two chambers and an appeals chamber, the International Criminal Tribunal for Rwanda, which has its seat in Arusha, Tanzania, recently added a third chamber to accelerate the procedural process. The Chief Prosecutor, based in The Hague, serves for both Tribunals.

The International Criminal Tribunal for Rwanda issued its first indictment in November 1995. By 1998, three trials had commenced. As of August 1998, 35 indicted individuals were in custody in Arusha.

One of the most dramatic cases so far before the Tribunal has been the trial of Rwandan ex-Prime Minister Jean Kambanda. In his long-delayed, first appearance before the Tribunal on 1 May 1998, Kambanda pleaded guilty to the crime of genocide. This is the first time in history that an accused individual publicly confessed to the crime of genocide. The former Prime Minister was subsequently sentenced to life in prison, also the first-ever conviction of an individual for the crime of genocide.

In a related trial, the former mayor of the Rwandan District of Taba, Jean-Pierre Akayesu, was convicted on 2 September 1998 of genocide against Tutsi citizens, as well as for the crimes of rape, torture and other inhumane acts and subsequently sentenced to life imprisonment.

Establishing the International Criminal Court

The **International Criminal Court (ICC)** was finally created at the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, held in Rome from 15 June to 17 July 1998. Delegations from 160 countries, 17 intergovernmental organizations, 14 United Nations specialized agencies and funds and 124 NGOs participated in the five-week landmark Conference. The Rome Statute of the International Criminal Court was adopted by a vote of 120 in favour to 7 against, with 21 abstentions. The treaty establishing the Court needs to be ratified by at least 60 States parties before entering into force.

The establishment of the Court makes it clear that the international community no longer tolerates violations of human rights without assigning responsibility. Unlike the ad hoc Tribunals, the Court provides a comprehensive mechanism for punishing perpetrators of genocide and other crimes against humanity. The assurance that at least some perpetrators of war crimes, crimes against humanity or genocide may be brought to justice acts as a significant deterrent, and in itself may provide incentives to end conflicts.

The ICC forges a missing link in the international legal order, for the International Court of Justice (ICJ) at The Hague handles only cases between States. The ICC will act on the principle of individual responsibility, applied equally and without exception to any individual throughout a governmental hierarchy or military chain of command. The appropriate punishment would apply to heads of State and commanding officers, as well as to low-ranking soldiers in the field or militia recruits. Especially in situations of internal violence, in countries where there is no legitimate Government, ensuring accountability at the international level is crucial.

The Court, comprising the Presidency, a Trial Division, a Pre-Trial Division, an Appeals Division, the Office of the Prosecutor and the Registry, will be located at The Hague in the Netherlands, but may convene elsewhere if necessary. The Assembly of States parties elects the Court's Prosecutor and 18 judges for terms limited to nine years, with no two judges of the same nationality. The judges, in turn, elect the President. The Assembly of States parties will define the precise nature of the Court's relationship with the United Nations at a later stage. The maximum penalty the Court can impose is life imprisonment.

The International Criminal Court will complement national criminal courts, which should normally try alleged criminals within their jurisdiction. The Court is needed only when national institutions have collapsed due to conflict (as in Rwanda) or when a State is unwilling to try its own nationals (as in the former Yugoslavia). The Prosecutor has the power to investigate and bring to justice individuals who commit genocide, crimes against humanity, war crimes and the crime of aggression, once its definition has been finalized.

ARTICLE 30 Freedom from State or other interference in any of the above rights



Since the Nuremberg Tribunal of 1945, the crime of aggression has been recognized as the supreme international offence, a crime against peace which often incites the most serious mass human rights violations, including genocide, war crimes and crimes against humanity. The statute of the International Criminal Court provides for criminal responsibility for the crime of aggression, which is generally understood to comprise planning, preparing, ordering, initiating or carrying out an armed attack or waging a war of aggression, in violation of international treaties. In such a scenario, only individuals in positions of leadership who order or actively participate in such acts of aggression could incur responsibility. However, there is still no consensus on a definition or legal precedent for individual criminal responsibility for acts of aggression, as opposed to wars of aggression. The crime of aggression will only be part of the Court's jurisdiction after a definition — sufficiently precise and clear to meet the high level of specificity required of criminal law — has been determined.

Some of the international crimes discussed but not included in the Rome Statute were the illicit traffic in narcotic drugs and substances, terrorism, and crimes against United Nations and associated personnel. As there is no unified international legal system for addressing the crimes of drug trafficking and terrorism, delegates agreed that these crimes could be more effectively investigated

and prosecuted by national authorities under existing international cooperation agreements rather than by the International Criminal Court. This was also the rationale for not including crimes against United Nations personnel, which have been on the rise in recent years. Since 1992, almost 300 civilians have lost their lives in the service of the United Nations. Military peacekeeping personnel are also often the targets of assault, kidnapping and murder. This alarming situation prompted the General Assembly to adopt, in 1994, the Convention on the Safety of United Nations and Associated Personnel, which affirms individual criminal responsibility for attacks against United Nations personnel.

Annexes

Annex 1

United Nations Landmarks in Human Rights: A Brief Chronology

- 26 June 1945** Signing of the **Charter of the United Nations** and the **Statute of the International Court of Justice**, in San Francisco.
- 21 June 1946** The Economic and Social Council (ECOSOC) establishes the **Commission on Human Rights** and the **Commission on the Status of Women**.
- 9 December 1948** The General Assembly adopts the **Convention on the Prevention and Punishment of the Crime of Genocide** (entered into force 1951).
- 10 December 1948** The General Assembly adopts the **Universal Declaration of Human Rights**.
- 12 August 1949** The Diplomatic Conference for the Establishment of International Conventions for the Protection of Victims of War adopts four **Geneva Conventions**, relating to the Amelioration of the Condition of Wounded and Sick Members of Armed Forces in the Field and at Sea, the Treatment of Prisoners of War and the Protection of Civilians in Wartime (into force 1950).
- 20 December 1952** The General Assembly adopts the **Convention on the Political Rights of Women** (into force 1954).
- 1 August 1956** ECOSOC calls for periodic reports (every three years) on human rights and studies of specific rights or groups of rights. This resolution represents the first call for reports from Member States, and was a precursor to the reporting requirements contained in the many subsequent human rights covenants.
- 20 November 1959** The General Assembly adopts the **Declaration of the Rights of the Child** (see also 20 November 1989).
- 21 December 1965** The General Assembly adopts the **International Convention on the Elimination of All Forms of Racial Discrimination** (into force 1969). This Convention provides for the establishment of the Committee on the Elimination of Racial Discrimination.
- 16 December 1966** The General Assembly adopts the **International Covenant on Economic, Social and Cultural Rights** (into force 3 January 1976) and the **International Covenant on Civil and Political Rights** with an **Optional Protocol** (into force 23 March 1976). This Covenant provides for the establishment of the Human Rights Committee (see also 28 May 1985).
- 6 June 1967** ECOSOC adopts **resolution 1235 (XLII)**, authorizing the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities to examine information relevant to gross violations of human rights and fundamental freedoms.
- 7 November 1967** The General Assembly adopts the **Declaration on the Elimination of Discrimination against Women**.
- 13 May 1968** The International Conference on Human Rights adopts the **Proclamation of Tehran**.
- 26 November 1968** The General Assembly adopts the **Convention on the Non-Applicability of Statutory Limitations to War Crimes against Humanity** (into force 1970).
- 11 December 1969** The General Assembly adopts the **Declaration on Social Progress and Development**.

- 30 November 1973** The General Assembly adopts the **International Convention on the Suppression and Punishment of the Crime of Apartheid** (into force 1976).
- 9 December 1975** The General Assembly adopts the **Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**.
- 23 March 1976** With entry into force of the **International Covenant on Civil and Political Rights** and the **International Covenant on Economic, Social and Cultural Rights**, 10 years after being originally opened for signature (see 16 December 1966), the **International Bill of Human Rights** becomes a reality (see also 10 December 1948).
- 18 December 1979** The General Assembly adopts the **Convention on the Elimination of All Forms of Discrimination against Women** (into force 1981). The Convention provides for the establishment of the Committee on the Elimination of Discrimination against Women.
- 25 November 1981** The General Assembly adopts the **Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief**.
- 10 December 1984** The General Assembly adopts the **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** (into force 1987). The Convention provides for the establishment of the Committee against Torture.
- 28 May 1985** ECOSOC establishes the **Committee on Economic, Social and Cultural Rights**, responsible for monitoring the implementation of the **International Covenant on Economic, Social and Cultural Rights**.
- 4 December 1986** The General Assembly adopts the **Declaration on the Right to Development**.
- 9 December 1988** The General Assembly adopts the **Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment**.
- 24 May 1989** ECOSOC adopts the **Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions**.
- 20 November 1989** The General Assembly adopts the **Convention on the Rights of the Child** (into force 1990). The Convention provides for the establishment of the Committee on the Rights of the Child.
- 18 December 1990** The General Assembly adopts the **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**.
- 18 December 1992** The General Assembly adopts the **Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities**.
- 25 May 1993** The Security Council adopts resolution 827 (1993), establishing an **International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991**, with its seat at The Hague in the Netherlands.
- 25 June 1993** The World Conference on Human Rights adopts the **Vienna Declaration and Programme of Action**.
- 20 December 1993** The General Assembly adopts resolution 48/141, establishing the post of **United Nations High Commissioner for Human Rights**.
- 5 April 1994** Mr. José Ayala Lasso of Ecuador assumes the post of first **United Nations High Commissioner for Human Rights**.

- 8 November 1994** The Security Council adopts resolution 955 (1994), establishing an **International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Crimes against Humanitarian Law Committed in Rwanda during 1994**, with its seat in Arusha, Tanzania.
- 23 December 1994** The General Assembly proclaims the **United Nations Decade for Human Rights Education (1995-2004)**.
- 12 September 1997** Ms. Mary Robinson of Ireland becomes the second **United Nations High Commissioner for Human Rights**.
- 17 July 1998** The Diplomatic Conference of Plenipotentiaries adopts the **Rome Statute of the International Criminal Court**, establishing the International Criminal Court, with its seat at The Hague.

Annex 2

The Universal Declaration of Human Rights: A Synopsis

This abbreviated version of the 30 Articles of the Universal Declaration of Human Rights provides an overview of the *principal rights and freedoms* that are every person's birthright.

The first two articles are fundamental principles underlying all human rights. Articles 3 to 21 comprise civil and political rights. Articles 22 to 27 refer to economic, social and cultural rights. The last three articles provide a framework of *solidarity* safeguarding the universal enjoyment of all human rights.

Article 1	Right to freedom and equality in dignity and rights
Article 2	Freedom from discrimination
Article 3	Right to life, liberty and security of person
Article 4	Freedom from slavery and servitude
Article 5	Freedom from torture or degrading treatment
Article 6	Right to recognition as a person before the law
Article 7	Right to equal consideration before the law
Article 8	Right to remedy through a competent tribunal
Article 9	Freedom from arbitrary arrest or exile
Article 10	Right to a fair trial or public hearing
Article 11	Right to be considered innocent until proven guilty
Article 12	Freedom from interference with privacy, including home, family and correspondence
Article 13	Right to freedom of movement and residence in one's own country and to leave and return at will
Article 14	Right to asylum
Article 15	Right to a nationality and freedom to change it
Article 16	Right to marriage and protection of family
Article 17	Right to own property
Article 18	Freedom of belief and religion
Article 19	Freedom of opinion and information
Article 20	Right to peaceful assembly and association
Article 21	Right to participate in government and in free elections and to equal access to public service
Article 22	Right to social security
Article 23	Right to work and fair pay for work
Article 24	Right to rest and leisure
Article 25	Right to adequate standard of living for health and well-being
Article 26	Right to education
Article 27	Right to participate in the cultural life of the community
Article 28	Right to social order assuring human rights
Article 29	Responsibility to community essential to free and full development of the individual
Article 30	Freedom from State or other interference in any of the above rights

Annex 3

International Human Rights Instruments

There are over 60 international human rights instruments today, and some are listed below. The core human rights treaties, which have established treaty bodies to monitor their implementation, are marked with an asterisk. Also listed is the year of adoption of a treaty and, where applicable, the year it entered into force and the current status of ratifications, as of August 1998.

Charter of the United Nations (1945)

International Bill of Human Rights

Universal Declaration of Human Rights (1948)

International Covenant on Economic, Social and Cultural Rights (adopted 1966, entry into force 1976, 137 ratifications)*

International Covenant on Civil and Political Rights (adopted 1966, entry into force 1976, 140 ratifications)*

First Optional Protocol to the International Covenant on Civil and Political Rights, allowing individuals to submit complaints to the Human Rights Committee (adopted 1966, entry into force 1976, 92 ratifications)

Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at the abolition of the death penalty (adopted 1989, entry into force 1991, 33 ratifications)

Prevention of discrimination

Declaration on the Elimination of All Forms of Racial Discrimination (1963)

International Convention on the Elimination of All Forms of Racial Discrimination (1965, 1969, 150)*

International Convention on the Suppression and Punishment of the Crime of Apartheid (1973, 1976, 101)

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981)

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992)

ILO Convention concerning Employment and Occupation Discrimination (1958, 1960)

UNESCO Convention against Discrimination in Education (1960)

UNESCO Declaration on Race and Racial Prejudice (1978)

Human rights of women

Convention on the Political Rights of Women (1952, 1954, 110)

Declaration on the Elimination of All Forms of Discrimination against Women (1967)

Declaration on the Protection of Women and Children in Emergency and Armed Conflict (1974)

Convention on the Elimination of All Forms of Discrimination against Women (1979, 1981, 161)*

Declaration on the Elimination of Violence against Women (1993)

Rights of the child

Declaration on the Rights of the Child (1959)

Declaration on the Protection of Women and Children in Emergency and Armed Conflict (1974)

Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally (1986)

Convention on the Rights of the Child (1989, 1990, 191)*

Human rights in the administration of justice

Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1975)

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984, 1987, 105)*

Basic Principles on the Independence of the Judiciary (1985)

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (1988)

Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions (1989)

Basic Principles for the Treatment of Prisoners (1990)

Declaration on the Protection of All Persons from Enforced Disappearances (1992)

Social welfare, progress and development

Declaration on Social Progress and Development (1969)

Declaration on the Rights of Mentally Retarded Persons (1971)

Universal Declaration on the Eradication of Hunger and Malnutrition (1974)

Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind (1975)

Declaration on the Rights of Disabled Persons (1975)

Declaration on the Right of Peoples to Peace (1984)

Declaration on the Right to Development (1986)

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)

Slavery, servitude, forced labour and similar institutions and practices

Slavery Convention (1926, 1927, 40)

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949, 1951, 72)

Protocol amending the Slavery Convention (1953, 1953, 59)

Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956, 1957, 117)

War crimes and crimes against humanity, including genocide

Convention on the Prevention and Punishment of the Crime of Genocide (1948, 1951, 125)

Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (1968, 1970, 43)

Principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity (1973)

Humanitarian law

Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (1949, 1950)

Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (1949, 1950)

Geneva Convention relative to the Treatment of Prisoners of War (1949, 1950)

Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949, 1950)

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) (1977, 1979)

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) (1977, 1978)

Nationality, statelessness, asylum and refugees

Convention relating to the Status of Refugees (1951, 1954, 132)

Convention relating to the Status of Stateless Persons (1954, 1960, 44)

Convention on the Nationality of Married Women (1957, 1958, 66)

Protocol relating to the Status of Refugees (1966, 1967, 132)

Declaration on Territorial Asylum (1967)

Declaration on the Human Rights of Individuals Who Are Not Nationals of the Country in Which They Live (1985)

Right to self-determination

Declaration on the Granting of Independence to Colonial Countries and Peoples (1960)

Freedom of association

ILO Convention on Freedom of Association and Protection of the Right to Organise (1948, 1950)

ILO Convention on the Right to Organise and Collective Bargaining (1949, 1951)

Employment

ILO Convention concerning the Promotion of Collective Bargaining (1981, 1983)

ILO Convention concerning Employment Promotion and Protection against Unemployment (1988, 1991)

ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (1989, 1991)

Marriage, family and youth

Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962, 1964, 47)

Right to enjoy culture, international cultural development and cooperation

Declaration of the Principles of International Cultural Co-operation (1966)

Annex 4

Office of the United Nations High Commissioner for Human Rights

In 1997, the human rights programme of the United Nations was fundamentally restructured in order to strengthen its impact on the coordination of human rights activities throughout the system. The Secretary-General merged the High Commissioner's Office and the former Centre for Human Rights into a single human rights programme, the Office of the United Nations High Commissioner for Human Rights.

Three branches of the High Commissioner's Office now perform the functional activities of the former Centre for Human Rights: the Research and Right to Development Branch, the Support Services Branch and the Activities and Programmes Branch.

The **Research and Right to Development Branch** is involved in all activities related to the promotion and protection of the right to development, in particular by supporting the working groups on the realization of the right to development, and is also responsible for carrying out research projects. It also supports all thematic mandates and the work of the Subcommission on Prevention of Discrimination and Protection of Minorities.

The **Support Services Branch** serves as a secretariat to the six treaty bodies, the voluntary funds and to the Commission on Human Rights and its subsidiary bodies. It also processes the hundreds of thousands of complaints from individuals addressed to the United Nations each year.

The **Activities and Programmes Branch** coordinates all Advisory Services and Technical Cooperation Projects and the human rights field offices worldwide. It manages the Voluntary Funds for Advisory Services and Technical Cooperation Projects and for Field Presences, and is responsible for implementing the Plan of Action for the Decade for Human Rights Education. The Branch provides support to the Special Rapporteurs of the Commission on Human Rights, and maintains country desk offices dealing with the human rights situation in specific countries.

Annex 5

United Nations Human Rights Monitoring Mechanisms

At the heart of the United Nations monitoring system are the two types of human rights monitoring mechanisms. The so-called conventional mechanisms refer to the specific committees formally established through the principal international human rights treaties. These “treaty bodies” monitor the implementation of the individual conventions by the States parties.

Over the years, the United Nations has also developed an independent and ad hoc system of fact-finding outside the treaty framework, which is referred to as extra-conventional mechanisms or “special procedures”. Independent experts report in their personal capacity as special rapporteurs or as members of working groups.

Treaty Bodies (Conventional Mechanisms)

Treaty bodies have been set up for the six core United Nations human rights treaties to monitor States parties’ efforts to implement the provisions of the international instruments.

The **Human Rights Committee (HRC)** monitors the implementation of the International Covenant on Civil and Political Rights. Composed of 18 independent experts of recognized competence in the field of human rights, the Committee was established when the Covenant entered into force in 1976. The First Optional Protocol, which entered into force together with the Covenant, authorizes the Committee to consider also allegations from individuals concerning violations of their civil and political rights. The Committee is also concerned with the Second Optional Protocol on the Abolition of the Death Penalty.

The **Committee on Economic, Social and Cultural Rights (CESCR)** monitors the International Covenant on Economic, Social and Cultural Rights. Composed of 18 internationally recognized independent experts in the relevant fields, the Committee was established by the Economic and Social Council in 1985, nine years after the Covenant entered into force. Unlike the other committees, whose members are elected by the States parties to the respective convention and report to the General Assembly, the members of the Committee on Economic, Social and Cultural Rights are elected by ECOSOC, to which they report.

The **Committee on the Elimination of Racial Discrimination (CERD)** monitors the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. Composed of 18 independent experts, the Committee began its work when the Convention entered into force in 1969 and is the oldest treaty body.

The **Committee on the Elimination of Discrimination against Women (CEDAW)**, composed of 23 independent experts, has monitored the Convention on the Elimination of All Forms of Discrimination against Women since 1981.

The **Committee against Torture (CAT)** monitors the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Composed of 10 independent experts, the Committee was established in 1987.

The **Committee on the Rights of the Child (CRC)**, composed of 10 independent experts, has monitored the Convention on the Rights of the Child since 1991.

Special Procedures of the Commission on Human Rights (Extra-conventional Mechanisms)

The ad hoc nature of the special procedures of the Commission on Human Rights allows for a more flexible response to serious human rights violations than the treaty bodies. Experts entrusted with special human rights mandates act in their personal capacity and are variously designated as Special Rapporteur, Representative, Independent Expert or, when several experts share a mandate, Working Group. They examine, monitor and publicly report to the Commission either on human rights situations in specific countries and territories or on global phenomena that cause serious human rights violations worldwide. Certain special mandates are also entrusted to the Secretary-General or his Special Representatives. While never originally conceived as a system, the nearly 50 country and thematic mechanisms that have been established thus far clearly constitute and function as an effective system of human rights protection.

Country Mechanisms

Currently, some 20 mandates monitor the human rights situation in specific countries, including Afghanistan, Burundi, Cambodia, the Democratic Republic of the Congo (formerly Zaire), Equatorial Guinea, Haiti, the Islamic Republic of Iran, Iraq, Myanmar, Nigeria, Rwanda, Somalia, Sudan and the former Yugoslavia.

The General Assembly has established a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

Thematic Mechanisms

The General Assembly has established a Special Representative of the Secretary-General for Children in Armed Conflict.

The Commission on Human Rights has established a Special Representative of the Secretary-General on Internally Displaced Persons and has created a number of important thematic mandates on:

Arbitrary detention

Contemporary forms of racism, racial discrimination, xenophobia, and related intolerance

Effects of foreign debt on the full enjoyment of economic, social and cultural rights

Effects of illicit dumping of toxic wastes and dangerous products on the enjoyment of human rights

Enforced or involuntary disappearances

Extrajudicial, summary or arbitrary executions

Freedom of opinion and expression

Human rights and extreme poverty

Independence of judges and lawyers

Religious intolerance

Right to development

Right to education

Sale of children, child prostitution and child pornography

Structural adjustment policies

Torture

Use of mercenaries and the right of peoples to self-determination

Violence against women

The Subcommittee on Prevention of Discrimination and Protection of Minorities has also established a number of thematic mechanisms.

There are Working Groups on:

Communications (the 1503 Procedure reviewing individual complaints)

Contemporary forms of slavery

Indigenous populations

Minorities

The Subcommittee has also appointed Special Rapporteurs and Independent Experts to conduct studies, including:

Impunity concerning economic, social and cultural rights

Impunity concerning civil and political rights

Human rights dimension of population transfer

Human rights and income distribution

Traditional practices affecting the health of women and the girl child

Systematic rape and sexual slavery during armed conflict

Treaties, agreements and other arrangements between States and indigenous populations

Human rights and states of emergency

Privatization of prisons

Freedom of movement

Human rights and terrorism

Human rights and scientific progress

Thematic mandates are also entrusted to the Secretary-General, at the level of either the Commission on Human Rights or the Subcommittee, including:

Human rights in the context of HIV/AIDS

Human rights and forensic science

Human rights and mass exoduses

Human rights and terrorism

Rape and abuse of women in the areas of armed conflict in the former Yugoslavia

Reprisals against persons cooperating with United Nations human rights bodies

Annex 6

United Nations Human Rights Bibliography

United Nations human rights publications are a key part of the Organization's efforts to promote a culture of human rights around the world. In recent years, the Organization's multimedia programme in human rights has been greatly enhanced by the new medium of the Internet. Below are some of the main references and resources currently available to the public. UN human rights publications are available in all or some of the official languages of the United Nations, Arabic, Chinese, English, French, Russian and Spanish (A/E/C/F/R/S), as indicated below.

United Nations Publications may be ordered from:

UNITED NATIONS PUBLICATIONS, Room DC2-0853, New York, N.Y. 10017, USA. Tel.: (212) 963-8302, (800) 253-9646. Fax: (212) 963-3489. E-mail: publications@un.org. Internet: www.un.org/Pubs/Sales.

UNITED NATIONS BOOKSHOP. Tel.: (212) 963-7680. Fax: (212) 963-3489.

For Europe, Africa and the Middle East: UN PUBLICATIONS, Palais des Nations, CH-1211 Geneva 10, Switzerland. Tel.: (41 22) 917-0027. E-mail: unpubli@unog.ch.

Reference Materials

Universal Declaration of Human Rights. UN/DPI. 44 pages. Sales No. GV.97.0.25. ISBN: 92-1-100760-7. \$19.50. E. This book contains the 30 articles of the Universal Declaration of Human Rights, illustrated by the painter William Wilson. The Declaration is a historic instrument portrayed here with the colours of life and the power of art. With a note by Ms. Mary Robinson, United Nations High Commissioner for Human Rights.

Basic Facts about the United Nations. 1998 edition. UN/DPI. New York. 350 pages. Sales No. E.98.I.20. ISBN: 92-1-100793-3. \$10. E/F/S. This book provides a general introduction to the role and functions of the United Nations and its related agencies, highlighting and outlining the main objectives and achievements of the Organization.

Human Rights: A Compilation of International Instruments. Volume 1. UN/DPI. 950 pages. Sales No. E.94.XIV.1. ISBN: 92-1-154099-2. \$50. E/F.

Human Rights: A Compilation of International Instruments. Regional Instruments. Volume 2. 496 pages. Sales No. 97.XIV.1. ISBN: 92-1-154124-7. \$45. E. A two-volume set that constitutes a comprehensive catalogue of the existing human rights instruments adopted at both international and regional levels. This compilation contributes to a wider knowledge and increased awareness of human rights standards. It is a valuable source for all those interested in the promotion and protection of human rights and fundamental freedoms.

The United Nations and Human Rights 1945-1995. United Nations Blue Books Series, Vol. VII. UN/DPI. 1996. 536 pages. Sales No. E.95.I.21. ISBN: 92-1-100560-4. \$29.95. E/F/S. This book provides an encyclopedic account of the work of the United Nations in the field of human rights. It serves to illuminate the Organization's campaign for human rights and its multifaceted role as fact-finder, monitor, adviser, forum of appeal and global conscience.

United Nations Action in the Field of Human Rights. 417 pages. Sales No. E.94.XIV.11. ISBN: 92-1-154107-7. \$80. E/F The standard United Nations reference work in the field of human rights, it presents a detailed summary of developments relating to human rights within the United Nations system.

United Nations Reference Guide in the Field of Human Rights. 124 pages. Sales No. E.93.XIV.4. ISBN: 92-1-154097-6. \$25. E/F The reference guide is designed as a simple and practical research tool. It consists of materials published by the United Nations on all human rights. It also covers institutional aspects concerning the United Nations and its specialized agencies, as well as other organizations active in the field of human rights.

Human Rights: Status of International Instruments. Chart of ratifications as of 30 June 1998. 12 pages. Sales No. 87.XIV.2. Rev.17. ISBN: 92-1-154063. \$5. E. This booklet is the sixteenth updated revision and contains details of ratifications and signatures by each Member State for each international human rights convention and other instruments.

Yearbook of the United Nations. 1995. Vol. 49. UN/DPI. 1,615 pages. Sales No. E.96.I.1. ISBN: 90-411-0376-6. \$150. E. Published annually in a single volume, the *Yearbook* is the most comprehensive and authoritative reference book on all aspects of the work of the United Nations system. It is designed to provide government offices, libraries and the research community with detailed and factual accounts of United Nations activities during a given calendar year.

Periodicals

Human Rights: A Quarterly Review of the Office of the High Commissioner for Human Rights OHCHR Geneva. ISSN: 1020-6507. Multilingual.

UN Chronicle. UN/DPI. \$8 (one-year subscription: \$20). E/F Quarterly magazine of the United Nations covering current developments in the UN system.

Thematic Series

Human Rights Fact Sheets

The *Human Rights Fact Sheet* series, published by the Office of the High Commissioner for Human Rights A/C/E/F/R/S, deals with selected questions that are of particular interest. They are intended to assist an ever-wider audience in better understanding basic human rights, what the United Nations is doing to promote and protect them, and the international machinery available to help realize those rights. The Fact Sheets, distributed free of charge, are available on-line at www.unhcr.ch/html/menu6/2/fact.htm.

- No. 1 **Human Rights Machinery** (under revision)
- No. 2 **The International Bill of Human Rights**
- No. 3 **Advisory Services and Technical Cooperation in the Field of Human Rights**
- No. 4 **Methods of Combating Torture**
- No. 5 **Programme of Action for the Second Decade to Combat Racism and Racial Discrimination** (under revision)
- No. 6 **Enforced or Involuntary Disappearances**
- No. 7 **Communications Procedures** (revision pending)
- No. 8 **World Public Information Campaign for Human Rights** (under revision)
- No. 9 **The Rights of Indigenous Peoples**
- No. 10 **The Rights of the Child**
- No. 11 **Extrajudicial, Summary or Arbitrary Executions**
- No. 12 **The Committee on the Elimination of Racial Discrimination**
- No. 13 **International Humanitarian Law and Human Rights**

- No. 14 **Contemporary Forms of Slavery**
- No. 15 **Civil and Political Rights: The Human Rights Committee** (under revision)
- No. 16 **The Committee on Economic, Social and Cultural Rights**
- No. 17 **The Committee against Torture**
- No. 18 **Minority Rights**
- No. 19 **National Institutions for the Promotion and Protection of Human Rights**
- No. 20 **Human Rights and Refugees**
- No. 21 **The Human Right to Adequate Housing**
- No. 22 **Discrimination against Women: The Convention and the Committee**
- No. 23 **Harmful Traditional Practices Affecting the Health of Women and Children**
- No. 24 **The Rights of Migrant Workers**
- No. 25 **Forced Evictions and Human Rights**

Human Rights Study Series

The Human Rights Study Series features studies and reports on important issues prepared by experts of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities. Material contained in these publications may be freely quoted or reprinted provided credit is given and a copy of the publication containing the reprinted material is sent to the Office of the High Commissioner for Human Rights.

- No. 1 **Right to Adequate Food as a Human Right.** 73 pages. Sales No. E.89.XIV.2. ISBN: 92-1-154075-5. \$9. A/C/E/F/R/S. Focusing on the basic premise that everyone has the right to food, this book presents the views of an international group of scholars on the economic, social and legal implications of this vitally important world problem.
- No. 2 **Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.** 75 pages. Sales No. E.89.XIV.3. ISBN: 92-1-154076-3. \$15. A/C/E/F/R/S. This report includes information on manifestations of intolerance and discrimination based on religion or belief in the contemporary world, attempts to identify the causes of these manifestations and proposes recommendations as to what measures can be taken to combat this problem.
- No. 3 **Human Rights and Pretrial Detention: Handbook of International Standards Relating to Pretrial Detention.** 54 pages. Sales No. 94.XIV.6. ISBN: 92-1-154106-9. \$16. E/R/S.
- No. 4 **Status of the Individual and Contemporary International Law: Promotion, Protection and Restoration of Human Rights at National, Regional and International Levels.** 68 pages. Sales No. E.91.XIV.3. ISBN: 92-1-154084-4. \$30. A/C/E/F. This study states that "The individual is a bearer of international rights and responsibilities". It is hoped that this study will contribute to new developments concerning the status of the individual in the field of contemporary international law.
- No. 5 **The Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities.** 114 pages. Sales No. E.91.XIV.2. ISBN: 92-1-154083-6. \$25. A/C/E/F. Focusing on Article 27 of the International Covenant on Civil and Political Rights, this report of the Subcommission on Prevention of Discrimination and Protection of Minorities examines in depth the problem of the juridical treatment of minorities.

- No. 6 **Human Rights and Disabled Persons.** 43 pages. Sales No. E.92.XIV.4 & Corr.1. ISBN: 92-1-154090-9. \$20. C/E/F/R/S. This publication is a thorough international study on the relationship between human rights and disability. Based on relevant international instruments and reports by Governments, non-governmental organizations and disability experts worldwide, it covers the following areas: legal issues; factors causing disability, particularly violation of human rights and humanitarian law; prejudices and discrimination; national and international policies to eradicate violations; and public information and education.
- No. 7 **The Right to Adequate Housing. Report of the Special Rapporteur.** 52 pages. Sales No. E.96.XIV.3. ISBN: 92-1-154120-4. \$20. C/E/F/R. A publication that responds to the urgent problem of the global housing crisis.
- No. 8 **Sexual Exploitation of Children.** 44 pages. Sales No. E.96.XIV.7. ISBN: 92-1-154123-9. \$25. E. This study analyses sustainable strategies that tackle the underlying factors in child sexual exploitation. It emphasizes the importance of education programmes and mobilization plans to be organized at all levels and in all communities.
- No. 9 **Compilation and Analysis of Legal Norms Pertaining to Internally Displaced Persons.** Sales No. E.97.XIV.2. ISBN 92-1-154125-5. \$25. E. (forthcoming)
- No. 10 **Protection of the Heritage of Indigenous People.** 40 pages. Sales No. E.97.XIV.3. ISBN: 92-1-154126-3. \$20. A/C/E/F/R/S. For indigenous peoples the world over, the protection of cultural and intellectual property has taken on growing importance and urgency. This publication provides a basis for appropriate standard-setting by international bodies, as well as a number of specific institutional measures to provide indigenous peoples with some immediate relief from the widespread and growing threats to the integrity of their cultural, spiritual, artistic, religious and scientific traditions.

Human Rights Year (1998) Basic Information Kits

On the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, the Office of the High Commissioner for Human Rights is publishing a series of basic information kits on issues of particular interest. These kits, available in English, French and Spanish, can be downloaded on-line at www.unhchr.ch/html/menu6/pubs.htm.

- No. 1 **1998: 50th Anniversary of the Universal Declaration of Human Rights** (June 1997)
- No. 2 **Women's Rights: The Responsibility of All** (November 1997)
- No. 3 **Children's Rights: Creating a Culture of Human Rights** (March 1998)
- No. 4 **Human Rights Education** (forthcoming)
- No. 5 **Human Rights Defenders** (forthcoming)

Selected Topics

- ABC: Teaching Human Rights.** 1990. 56 pages. Sales No. E.90.I.5. ISBN: 92-1-100430-6. \$5. A/C/E/F/R/S. Basic information for teachers in primary and secondary schools who want to foster awareness and knowledge of human rights and the sense of reciprocity and universality upon which they are based; includes some practical activities.
- HIV/AIDS and Human Rights: International Guidelines.** 1998. 72 pages. Sales No. 98.XIV.1. ISBN: 92-1-154130-1. \$15. A/C/E/F/R/S. The guidelines provide an important means for supporting both human rights and public health. They offer concrete measures that could be taken to protect human rights and health where HIV/AIDS is concerned. The Guidelines cover three broad areas, government responsibility, laws and legal support services and private-sector and community participation.

Human Rights and Legal Status of Women in the Asian and Pacific Region. 1998. Studies on Women in Development Series, No.1. 74 pages. Sales No. 97.II.F31. ISBN: 92-1-119768-6. \$25. E. These studies on the Asian and Pacific region focus on three main areas: the reception of the general normative standards on gender equality in international law in national constitutions and international monitoring; limitation of constitutional approaches and the relevance of substantive and domestic laws; and the special problems of women and violence.

Integrating Human Rights with Sustainable Human Development. 1998. 44 pages. Sales No. E.98.III.B.10. ISBN: 92-1-126087-6. \$7.50. E. This study aims at promoting a wide discussion and a broad awareness of the links between human rights and development. It discusses human rights and their implications for sustainable human development, presenting UNDP's support for human rights and its implementation strategies.

Manual on Human Rights Reporting. 1997. HR/PUB/91 (Rev.1). Sales No. GVE.97.0.16. ISBN: 92-1-100752-6. E. (forthcoming in R/S)

Professional Training Series

The Professional Training Series consists of handbooks and manuals intended to increase awareness of international human rights standards and is directed at a specific target audience selected for its ability to influence the human rights situation at the national level. These publications can also serve as practical tools for those organizations involved in human rights education with professional groups.

- No. 1 **Human Rights and Social Work: A Manual for Schools of Social Work and the Social Work Profession.** \$16. Sales No. E.94.XIV.4. A/E/R/S. Prepared as a collaborative venture by the Centre for Human Rights and two non-governmental organizations, the International Federation of Social Workers and the International Association of Schools of Social Work, its purpose is to promote awareness and understanding among this important professional group of all aspects of human rights and the international mechanisms that have been developed to protect those rights.
- No. 2 **Human Rights and Elections: A Handbook on the Legal, Technical and Human Rights Aspects of Elections.** \$16. Sales No. E.94.XIV.5. A/E/F/R/S. A comprehensive presentation of basic international human rights principles relating to free and fair elections and the right to take part in government, the publication is expected to be a practical tool for Governments, non-governmental organizations, teachers and individuals involved in elections.
- No. 3 **Human Rights and Pre-Trial Detention: Handbook of International Standards Relating to Pre-Trial Detention.** \$16. Sales No. E.94.XIV.6. E/R/S. This handbook was developed to increase awareness of the international standards which exist in the area of pre-trial detention, as well as of interpretative material relating to those standards. It provides practical guidelines for implementation of the standards, based on the views of experts and the experience of countries in regard to pre-trial detention.
- No. 4 **National Human Rights Institutions: A Handbook on the Establishment and Strengthening of National Institutions for the Protection and Promotion of Human Rights.** \$16. Sales No. E.95.XIV.2. E/R/S. The handbook provides a summary of the various purposes for which a human rights institution may be established, an overview of elements necessary for its effective functioning and a detailed analysis of the various responsibilities with which such institutions may appropriately be entrusted. Practical assistance in the process is given in the form of legislative examples applicable to particular purposes, elements or responsibilities.
- No. 5 **Human Rights and Law Enforcement: A Manual on Human Rights Training for the Police.** \$16. Sales No. E.96.XIV.5. ISBN: 92-1-154121-2. E. This manual is one component of a three-part package of materials for human rights training for police. The Manual provides in-depth information on sources, systems and standards for human rights in law enforcement, along with practical guidance, and annexed international instruments.

- No. 5/ **International Human Rights Standards for Law Enforcement: A Pocket Book on**
Add.1 **Human Rights for the Police.** \$6. Sales No. E.96.XIV.6. E. This booklet provides a readily accessible and portable reference for all police committed to the lawful and humane performance of their vital functions in a democratic society. It contains hundreds of relevant standards, reduced to common language and point form and drawn from more than 30 international sources.

Audiovisual Materials

A variety of audiovisual materials produced by the United Nations and other organizations of the United Nations system are available for purchase, rent or loan from distributors, libraries and some United Nations offices. A copy of the United Nations film catalogue can be obtained from United Nations information centres or from the Department of Public Information, United Nations, New York, NY 10017, USA. A list of videos is available on-line (www.un.org/av).

The Universal Declaration of Human Rights. 1990. 21 min. This is an animated video of children's drawings depicting each article of the Universal Declaration of Human Rights. Narrated in English, French, Hindi, Hungarian, Italian, Japanese, Khmer, Portuguese, Russian and Spanish.

Key to Freedom: Women and Literacy. 1990. 28 min. E/F/S. This documentary, presented by Germaine Greer, features women in Mali, Thailand, Costa Rica and New York for whom literacy is making a difference and shows projects that advance literacy for women, while being responsive to their immediate needs.

About the United Nations: Rights of the Child. 1991. 16 min. E/F/S. The film shows the state of the world's children and how the Convention on the Rights of the Child, adopted by the United Nations in 1989, set standards to help guarantee children a right to life, liberty, a name, a nationality, an education and good health.

New Horizons for Human Rights. 1991. 27 min. A/E/F/S. In our changing world, new concerns are emerging in the field of human rights. Environmental degradation emphasizes an urgent need to protect people's health. Indigenous populations are demanding that their age-old rights be respected. New standards and definitions are being forged on the basis of the Universal Declaration of Human Rights. This film includes footage from Cameroon, Chernobyl in Ukraine, aboriginal communities in central Australia, and Medellin in Colombia.

A Common Goal. 1994. 14 min. A/C/E/F/R/S. Using a children's soccer game as a metaphor, the film takes a unique approach to introduce the wide range of United Nations activities to 8- to 12-year-old children. Illustrative footage from around the world is used to explain concepts such as peacekeeping and human rights, as well as the activities of the General Assembly and the Security Council.

Defying the Odds. 1995. 29 min. A/E/F/S. This documentary takes viewers on a journey through the lives of four women of diverse ages and backgrounds.

Other UN system publications available on-line

Refugees Magazine. Quarterly magazine published by the Office of the United Nations High Commissioner for Refugees (www.unhcr.org/unhcr/pubs/pubs.htm).

Human Development Report. United Nations Development Programme (www.undp.org/undp/hdro).

The State of the World's Children. United Nations Children's Fund (www.unicef.org/sowc98).

The Progress of Nations. United Nations Children's Fund (www.unicef.org/pon98).

UN Resources on the Web

United Nations (www.un.org). The United Nations Web site contains all the information related to United Nations activities, as well as international documents and a special human rights topic search guide. Among the various resources, a broad section is dedicated to the issue of human rights.

High Commissioner for Human Rights (www.unhchr.ch). The Web site of the Office of the High Commissioner for Human Rights, based in Geneva, is the most important source of information in this field, including programmes, documents, statements and publications. It also offers related links within the United Nations system.

Map of the United Nations System (www.un.org/search/map). An interactive map with links to all home pages of all United Nations programmes and specialized agencies.

WomenWatch (www.un.org/womenwatch). The United Nations gateway for the advancement and empowerment of women is a joint initiative of the Division for the Advancement of Women (DAW), the United Nations Development Fund for Women (UNIFEM) and the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW).

United Nations Children's Fund (UNICEF) (www.unicef.org)

United Nations Development Programme (UNDP) (www.undp.org)

United Nations High Commissioner for Refugees (UNHCR) (www.unhcr.org)

United Nations Educational, Scientific and Cultural Organization (UNESCO) (www.unesco.org)

International Labour Organization (ILO) (www.ilo.org)

Background information on selected topics

General information (www.un.org/rights/geninfo.html)

Human rights issues (www.unhchr.ch/html/menu2/hrissues.htm)

International human rights instruments (www.unhchr.ch/html/intlinst.htm)

Universal Declaration of Human Rights (www.unhchr.ch/html/menu3/b/a_udhr.htm)

UN human rights documents (www.unhchr.ch/html/otherdoc.htm)

Children's rights (www.un.org/rights/dpi1765e.htm)

Human rights and cultural diversity (www.un.org/rights/dpi1627e.htm)

Impact of armed conflict on children (www.un.org/rights/introduc.htm)

Independence of the judiciary (www.un.org/rights/dpi1837e.htm)

United Nations and human rights (www.un.org/rights/dpi1774e.htm)

Women and violence (www.un.org/rights/dpi1772e.htm)

UN Search Engines

United Nations Info Quest (UN-I-QUE) (www.un.org/Depts/dhl/unique/index.html)
Search for reports by UN human rights bodies, Special Rapporteurs and countries.

United Nations Documentation Research Guide (www.un.org/Depts/dhl/resguide/spechr.htm)
Search for special topic: human rights.

UNHCHR Website Search Engine (www.unhchr.ch/search.htm)
Search for United Nations human rights documents.

UNHCHR Treaty Bodies Database (www.unhchr.ch/tbs/doc.nsf)
Search for international human rights treaties information and reports.

GENERAL ASSEMBLY

- INTERNATIONAL COURT OF JUSTICE**
 - Main and other second committees
 - Standing committees and ad hoc bodies
 - Other subsidiary organs and related bodies
- ECONOMIC AND SOCIAL COUNCIL**
 - IAEA
International Atomic Energy Agency
 - INSTRAW
International Research and Training Institute for the Advancement of Women
 - ODCIP
United Nations Office for Drug Control and Crime Prevention
 - OHCHR
Office of the United Nations High Commissioner for Human Rights
 - UNCHS
United Nations Centre for Human Settlements (Habitat)
 - UNCTAD
United Nations Conference on Trade and Development
 - UNDP
United Nations Development Programme
 - UNFEM
United Nations Development Fund for Women
 - UNV
United Nations Volunteers
 - UNEP
United Nations Environment Programme
 - UNFPA
United Nations Population Fund
 - UNHCR
Office of the United Nations High Commissioner for Refugees
 - UNICEF
United Nations Children's Fund
 - UNICRI
United Nations Interregional Crime and Justice Research Institute
 - UNIDIR
United Nations Institute for Disarmament Research
 - UNTAR
United Nations Institute for Training and Research
 - UNOPS
United Nations Office for Project Services
 - UNU
United Nations University
- SECURITY COUNCIL**
 - Military Staff Committee
 - Standing committees and ad hoc bodies
 - International Criminal Tribunal for the former Yugoslavia
 - International Criminal Tribunal for Rwanda
 - UNSCOM
United Nations Special Commission (Iraq)
- SECRETARIAT**
 - Office of the Secretary-General
 - OIOS
Office of Internal Oversight Services
 - OLA
Office of Legal Affairs
 - DPA
Department of Political Affairs
 - DDA
Department for Disarmament Affairs
 - DPKO
Department of Peacekeeping Operations
 - OCHA
Office for the Coordination of Humanitarian Affairs
 - DESA
Department of Economic and Social Affairs
 - DGAACS
Department of General Assembly Affairs and Conference Services
 - DPI
Department of Public Information
 - DMI
Department of Management
 - UNSECOORD
Office of the United Nations Security Coordinator
 - UNOG
UN Office at Geneva
 - UNOV
UN Office at Vienna
 - UN Office at Nairobi
- ECONOMIC AND SOCIAL COUNCIL (continued)**
 - WORLD BANK GROUP**
 - IBRD
International Bank for Reconstruction and Development
 - IDA
International Development Association
 - IFC
International Finance Corporation
 - MIGA
Multilateral Investment Guarantee Agency
 - IMF
International Monetary Fund
 - ICAO
International Civil Aviation Organization
 - IPU
Universal Postal Union
 - ITU
International Telecommunication Union
 - WMO
World Meteorological Organization
 - IMO
International Maritime Organization
 - WFP
World Intellectual Property Organization
 - IFAD
International Fund for Agricultural Development
 - UNIDO
United Nations Industrial Development Organization
 - WTO
World Trade Organization
 - REGIONAL COMMISSIONS**
 - Economic Commission for Africa (ECA)
 - Economic Commission for Europe (ECE)
 - Economic Commission for Latin America and the Caribbean (CELA)
 - Economic and Social Commission for Asia and the Pacific (ESCAP)
 - Economic and Social Commission for Western Asia (ESCWA)
 - FUNCTIONAL COMMISSIONS**
 - Commission for Social Development
 - United Nations Research Institute for Social Development (UNRISD)
 - Commission on Human Rights
 - Commission on Narcotic Drugs
 - Commission on Science and Technology for Development
 - Commission on Sustainable Development
 - Commission on the Status of Women
 - Commission on Population and Development
 - Statistical Commission
 - PEACEKEEPING OPERATIONS**
 - UNTSO
United Nations Truce Supervision Organization (HC, Jerusalem), June 1948 to date
 - UNMOGIP
United Nations Military Observer Group in India and Pakistan, January 1949 to date
 - UNFICYP
United Nations Peacekeeping Force in Cyprus, March 1964 to date
 - UNDOF
United Nations Disengagement Observer Force (Golan Heights), June 1974 to date
 - UNIFIL
United Nations Truce Force in Lebanon, March 1978 to date
 - UNIKOM
United Nations Iraq-Kuwait Observation Mission, April 1991 to date
 - MINURSO
United Nations Mission for the Referendum in Western Sahara, April 1991 to date
 - MINUGO
United Nations Observer Mission in Georgia, August 1993 to date
 - UNAMOT
United Nations Mission of Observers in Timor-Leste, December 1994 to date
 - UNPREDEP
United Nations Preventive Deployment Force (the former Yugoslav Republic of Macedonia), March 1995 to date
 - UNAMIBH
United Nations Mission in Bosnia and Herzegovina, December 1995 to date
 - UNAMOP
United Nations Mission of Observers in Prevlaka, January 1996 to date
 - MONUA
United Nations Observer Mission in Angola, July 1997 to date
 - MINONUM
United Nations Criminal Police Mission in Haiti, December 1997 to date
 - MINURCA
United Nations Mission in the Central African Republic, April 1998 to date
 - EXPERT AD HOC AND RELATED BODIES**

United Nations Mission
in the Central African Republic,
April 1993 to date

SINCE THE END OF THE COLD WAR, advancing human rights has become the overarching concern of the United Nations in its work in peace and security, development and humanitarian assistance. The adoption of the Universal Declaration of Human Rights in 1948 laid the cornerstone of today's comprehensive body of human rights law and inspired the mechanisms that have been created to monitor compliance. The World Conference on Human Rights and the establishment of the Office of the UN High Commissioner for Human Rights in 1993 are landmarks in the ongoing effort to ensure that civil, political, economic, social and cultural rights are enjoyed universally throughout the world. More recently, the war crimes tribunals for the former Yugoslavia and Rwanda, and the agreement to establish the International Criminal Court in The Hague highlight the determination of the international community to put an end to crimes against humanity.

THIS UNITED NATIONS BRIEFING PAPER outlines the concrete steps that are being taken by the United Nations at the international and national levels to strengthen its human rights programmes and work more effectively with its partners in government and civil society to assure rights for all. In addition to outlining United Nations work in the field, it provides a blueprint of the work of the various intergovernmental human rights bodies. It also features annexes, including a chronology of UN human rights landmarks since 1945, an outline of key human rights conventions and a bibliography of related publications and other resources available to the general public.