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**CIVIL AND POLITICAL RIGHTS**

**Further measures to promote and consolidate democracy**

**Report of the High Commissioner for Human Rights submitted  
in accordance with Commission resolution 2002/46**

### **Executive summary**

The present report is submitted pursuant to Commission on Human Rights resolution 2002/46, in which the Commission urged the Office of the High Commissioner for Human Rights to invite the views of various regional, subregional and other organizations and arrangements on the role they play in promoting and consolidating democracy, and to report to the Commission at its fifty-ninth session.

The Office of the High Commissioner for Human Rights received five responses to its request for information: from the Food and Agriculture Organization of the United Nations, the Economic and Social Commission for Western Asia, the Organization of American States and the National Human Rights Commissions of India and New Zealand. These responses are summarized in the body of this report.

## I. INTRODUCTION

1. This report is submitted in accordance with Commission on Human Rights resolution 2002/46 and contains summaries of replies received from the United Nations and from regional organizations and national institutions on the role they play in promoting and consolidating democracy. The full text of all replies can be consulted in the files of the secretariat. Excerpts of these replies relevant to Commission resolution 2002/39 on the incompatibility between democracy and racism have also been included in document E/CN.4/2003/62.

## II. SUMMARIES OF REPLIES

### A. United Nations bodies and specialized agencies

2. The Economic and Social Commission for Western Asia (ESCWA) reported that in accordance with resolution 2002/46, it will undertake a project to facilitate the exchange of lessons learned and best practices for promoting and consolidating democracy. ESCWA stated that the process of democratization in the region has been impeded by a weak democratic culture, as well as the lack of familiarity by political leaders and influential societal actors with democratic practices and institutions. This situation has been compounded by the scarcity of reliable and accessible information, statistical data and documentation relating to the formal procedures and practices of democracy in the region. Thus, in an effort to contribute to the promotion of democracy in the region, ESCWA aims to establish a Database of Democracy in the Arab World that will address and alleviate the shortfall in information and thus deepen the ongoing process of democratization. The project will have four components: free, fair and competitive elections; freedom of speech, association and assembly; institutional setting; and an index of democracy in the Arab world. It will provide an ongoing survey of the institutional setting in the Arab countries and present useful information, resources and assessments of best practices pertaining to democratic political design and institutionalization. The information will be made available - through the internet and selected publications - to Governments, societal actors, activists, political development practitioners and researchers. The Database will help Governments and societies to acquaint themselves with past developments, current challenges and possible opportunities with a view to assisting them in selecting and designing appropriate rules, procedures and institutions to deepen the ongoing process of democratization. The project will lay the groundwork for the future publication of an Arab democracy report.

3. The Food and Agriculture Organization of the United Nations (FAO) referred to the International Treaty on Plant Genetic Resources for Food and Agriculture that was adopted by the FAO Conference in November 2001. The treaty recognizes, inter alia, that "the past, present and future contributions of farmers in all regions of the world, particularly those in centres of origin and diversity, in conserving, improving and making available these resources, is the basis of Farmers' Rights". The Contracting Parties recognized the contribution of local and indigenous communities and farmers to the conservation and development of plant genetic resources and undertook to support efforts to manage and conserve plant genetic resources. The treaty can be found at <http://www.fao.org/Legal/default.htm>. On the right to adequate food, FAO referred to the Declaration of the World Food Summit: five years later, in particular to the Intergovernmental Working Group (IGWG) that will elaborate a set of voluntary guidelines to

support the efforts of member States to achieve the progressive realization of the right to adequate food in the context of national food security. To assist IGWG, FAO has also proposed the launching of an International Alliance against Hunger which would mobilize political will, technical expertise and financial resources, so that every country can achieve success in reducing the number of undernourished by at least half by 2015. FAO has long cooperated with non-governmental organizations in order to enhance the vitality and equity of decision-making under FAO auspices; it endeavours to ensure that the interests of all social sectors are considered and to build consensus among stakeholders in development. The organization has formulated a "Policy and Strategy for Cooperation with non-governmental and civil society organizations." During the World Food Summit plus five, a large number of NGOs and civil society organizations attended a forum addressing food sovereignty and the right to food. FAO has also closely monitored the Code of Conduct on the Right to Adequate Food which was adopted by 800 NGOs.

## **B. Regional organizations**

4. The Organization of American States (OAS) provided a copy of the 30 April 2002 speech of the President of the Inter-American Commission on Human Rights to the Permanent Council of the OAS. In it, the President, *inter alia*, discusses the need for member States, in the post-11 September period, to take into account respect for international legal standards in their responses to violence and the threat of terrorism. The President referred to the role that the Inter-American Democratic Charter played during the recent failed coup attempt in Venezuela. He stated that in the Charter, member States have acknowledged that poverty and low levels of human development affect the consolidation of democracy; they have thus committed themselves to meeting the challenge of development by stressing "the importance of maintaining macroeconomic equilibria and the obligation to strengthen social cohesion and democracy" (art. 12). However, the Commission noted that during the reporting period, the region had witnessed socio-economic crises. Both individually and cooperatively, member States should implement measures designed to overcome the social, racial and ethnic marginalization that afflicts the peoples of the region and to assure them decent living conditions, equal opportunity and participation in decision-making processes. The President referred to gender-based discrimination and violence suffered by women and girl children in 2001 and expressed concern for the situation of human rights defenders, indigenous groups, Afro-descendants, and migrant workers and members of their families. The President noted that although the region has made major progress in human rights, problems still exist: the judiciary in many countries is a problem; law enforcement bodies are poorly trained, having a negative impact on the need to strike a balance between public security and respect for human rights. Further, certain groups must still be considered vulnerable, including women, indigenous peoples, Afro-descendants, children and the handicapped. The region has not yet achieved *de facto* equality which is crucial to free and full development. Economic, social and cultural rights are still a distant dream for vast sectors of societies in the region. Although elections are held regularly in the region, institutional debility still afflicts many of the region's democracies. Against this backdrop, the President explored the Inter-American system as a partner in extending the rule of law. His speech also contains a summary of the 2001 annual report and the report of the OAS Special Rapporteur for Freedom of Expression.

### **C. National institutions**

5. The National Human Rights Commission of India noted that the subject of the resolution is of central importance to the work of national institutions, which, through their efforts to promote and protect human rights, contribute to the strengthening of democracy. The NHRC of India emphasized the value of national institutions as instruments for the furtherance of democracy, equity, social justice and non-discrimination.

6. The New Zealand Human Rights Commission reported that the Electoral Act of 1993 is the only piece of entrenched legislation in New Zealand because it requires a two-thirds majority to be repealed. The country has had a history of democratic elections since 1852 and was one of the first to give women the right to vote, in 1893. The introduction of a Mixed Member Proportional System in the mid-1990s has also resulted in an increasingly diverse Parliament. After the 1999 election, the incoming Government, concerned at some procedural anomalies that had been identified, initiated a review of the electoral system. As a result, certain changes were made to ensure more equitable access to the process. This included removing the restrictions on where people listed on the Maori electoral role could vote and information provided in a greater variety of languages.

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