



Economic and Social Council

Distr.: Limited
28 June 2019

Original: English

Committee for Programme and Coordination

Fifty-ninth session

3–28 June 2019

Agenda item 7

Adoption of the report of the Committee on its fifty-ninth session

Draft report

Rapporteur: Mr. Jun Yamada (Japan)

Addendum

Programme questions: proposed programme budget for the year 2020

(Item 3 (a))

Programme 20 Human rights

1. At its 20th meeting, on 17 June 2019, the Committee considered programme 20, Human rights, of the proposed programme plan for 2020 and programme performance information for 2018 ([A/74/6 \(Sect. 24\)](#)). The Committee also had before it a note by the Secretariat on the review of the proposed programme plan, by sectoral, functional and regional bodies ([E/AC.51/2019/CRP.1/Rev.2](#)).

2. The Assistant Secretary-General and United Nations Deputy High Commissioner for Human Rights introduced the programme and responded to queries raised during its consideration by the Committee.

Discussion

3. Delegations expressed their appreciation and support for the programme and the work of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and emphasized its important role in the promotion and protection of all human rights in strict adherence with the Charter of the United Nations. Several delegations expressed their support for the proposed programme budget for 2020 for programme 20. A delegation welcomed the inclusion of a gender perspective in the programme of work. Some delegations welcomed the emphasis placed by OHCHR on persons with disabilities. A question was raised as to how the programme would promote economic, social and cultural rights and how it would balance those rights with civil and political rights.



4. A delegation welcomed the efforts of OHCHR to increase transparency in its work. The delegation found the practice of holding briefings in Geneva to be a useful approach in strengthening cooperation between Member States and OHCHR and in strengthening the promotion and protection of human rights. However, the delegation stressed that those meetings should not be limited to the compilation of the views of Member States, but rather should be taken into account in the presentation of the programme.
5. Emphasizing that the purpose of the programme plan was to focus on the programmatic and financial aspects of the programme, the delegation expressed its concern that programme 20 had been replaced in the report with “OHCHR” and requested that the report revert to the use of “programme 20” throughout the text. The delegation was of the view that the programme plan should focus on the proposed programme budget for 2020 of programme 20, and should not be about the activities of OHCHR, which was part of the Secretariat and not a separate entity. The delegation did not see merit in including the sections entitled “Highlighted result in 2018” and “Most significant relative variances in deliverables” and further opined that evaluation of activities was not the main goal of the programme plan. The delegation also questioned the inclusion of photographs in the programme narrative, noting that it would justifiably increase the cost of producing the document.
6. The delegation further stressed that OHCHR worked in line with programme 20, and not the other way around, and cautioned that OHCHR seemed to be stepping outside of its mandate. The delegation stated that OHCHR did not have a role in strengthening human rights in the United Nations system, including treaty bodies and the Human Rights Council, as that was the prerogative of Member States. In that regard, the delegation requested that previously used wording be used in the programme plan.
7. Several delegations expressed their concern with the introduction in the report of new language replacing language previously agreed by Member States. In the overall orientation, a delegation expressed its concern on the choice of wording in the programme, stressing that programme language had to be clear and not lead to ambiguities. Referring to the last sentence in paragraph 24.1, which stated “The Office has a role in supporting the implementation of the 2030 Agenda for Sustainable Development in a manner that is consistent with the rights and obligations of States under international law, including international instruments relating to human rights”, the delegation was of the view that such support should be provided in a manner consistent with national priorities, as Member States were owners of the programme.
8. Concerns were raised by several delegations on the use in paragraph 24.7 of the term “marginalized, disempowered and excluded communities”, and clarification was sought on the relevance of that term to the programme and mandate of OHCHR.
9. A delegation questioned the inclusion in paragraphs 24.13 and 24.14 of the report of information on evaluation and self-evaluation activities and, in that connection, expressed the view that evaluations not endorsed by competent intergovernmental bodies should not be used to guide the programme. Another delegation welcomed the inclusion of evaluations and self-evaluations in the proposed programme budget for 2020.
10. With regard to strategy and external factors for 2020, a delegation observed that the programme narrative stated that the objectives of the subprogrammes were guided by international law, and expressed the view that the objectives of the subprogrammes should be guided first by international human rights law before being guided by the international humanitarian law, noting the distinction between those two legal frameworks. Although they were complimentary, the delegation noted that

international humanitarian law applied in humanitarian situations, whereas international human rights law applied both in times of peace and war.

11. A delegation noted that changes had been made in the formulation of the objectives of all the subprogrammes in comparison with the programme budget for the biennium 2018–2019. It enquired as to the reason for the change and requested that the previous formulation be reverted.

12. With regard to subprogramme 1, human rights mainstreaming, right to development, and research and analysis, a delegation questioned the use of terminology that had no international consensus, such as references to a “human rights-based approach to development”, and requested that such references be removed from the report. Another delegation was of the view that the absence of a concept in a General Assembly resolution did not preclude its inclusion in other documents and reports. Several delegations noted that there was no international consensus on recognizing the right to development as a human right. A delegation expressed its support for international development despite not recognizing the existence of a universal right to development. To that effect, the delegation recalled that article 25 of the Universal Declaration of Human Rights referred to “a standard of living adequate for the health and well-being”.

13. Another delegation welcomed the inclusion in the programme of work of rights other than the rights of individuals, in particular the right to development. However, it observed that there appeared to be an imbalance in addressing the different rights within the right to development. The delegation sought clarification on the matter.

14. A delegation questioned the work of the programme on inclusive and just trade, noting that international free trade and international trade agreements fell directly under the mandate of other international organizations, such as the World Trade Organization and International Labour Organization.

15. With regard to the performance measure for the highlighted result for 2020 for subprogramme 1 (b), Right to development, a question was raised about the appropriateness of evidencing the result by the number of national voluntary reports on the implementation of the Sustainable Development Goals that included references to the right to development, noting that voluntary reports were by their nature difficult to predict. Some delegations enquired as to whether the programme planned to address the impact of unilateral coercive measures on the right of other States to exercise their right to development.

16. With regard to the highlighted result in 2018 under subprogramme 1 (c), Research and analysis, a delegation noted that the Global Compact for Safe, Regular and Orderly Migration had not been universally supported and that it was therefore inappropriate for the programme to advocate for it. In that connection, however, no objections were raised regarding the assistance provided by the programme to countries, upon their request, to facilitate the translation and implementation of the Compact into their respective national plans.

17. Also with regard to the highlighted result for 2020 for subprogramme 1 (c), a delegation questioned the mandate of the programme with respect to human rights monitoring and requested that any such references be removed from the report. A delegation recalled paragraph 4 (f) of General Assembly resolution [48/141](#), in which the Assembly decided that the High Commissioner’s responsibilities included “to play an active role in removing the current obstacles and in meeting the challenges to the full realization of all human rights and in preventing the continuation of human rights violations throughout the world, as reflected in the Vienna Declaration and Programme of Action”. In that regard, it was observed that monitoring of human

rights was a necessary part of the work of the High Commissioner for the fulfilment of that responsibility.

18. With regard to the highlighted planned result for 2020 for subprogramme 2, Supporting human rights treaty bodies, notably the challenge and response, clarification was sought on the rate of only 17 per cent of all State parties that were fully compliant with their reporting obligations to the treaty bodies, and the planned corrective measures to improve compliance.

19. With regard to table 24.4, on deliverables for the period 2018–2020 under subprogramme 2, a question was raised regarding the decrease in parliamentary documentation and substantive services for meetings, reflected in the 2018 planned and 2018 actual figures, and an explanation was sought as to why the numbers planned for 2019 and 2020 were higher.

20. With regard to the highlighted planned result for 2020 for subprogramme 4, Supporting the Human Rights Council, its subsidiary bodies and mechanisms, a delegation was of the view that the programme did not have a mandate to influence the work of the human rights bodies, nor to strengthen or improve the working methods of the human rights mechanisms, which remained a prerogative of the States.

21. A delegation expressed its support for the planned conference management services to the Human Rights Council and the human rights treaty bodies and enquired about addressing the possible duplication of roles between the different mandate holders of the various human rights mechanisms. With regard to the performance measures for the highlighted planned result for 2020 under subprogramme 4, the delegation sought clarification as to what percentage of communications issued by two or more special procedures mandate holders was planned for 2020. The delegation also expressed its readiness to work with the programme on the 2020 review of the status of the treaty body system and the 2021 Human Rights Council reform.

22. With regard to the highlighted planned result for 2020 for the same subprogramme, a delegation expressed its reservations about the inclusion of country-specific mandates and special procedure mandate holders that did not have universal intergovernmental agreement and support. Another delegation expressed its support for all mandates of programme 20, including the country-specific ones.

23. With regard to the caption below the picture illustrating the highlighted result in 2018 for subprogramme 4, which describes parliaments as one of the branches of Government, a delegation requested that the word “Government” be replaced with “governance”.

24. A question was raised as to how the programme verified information pertaining to alleged violations of human rights received from external parties, such as non-governmental organizations. Information was sought as to how the programme planned to use the extrabudgetary resources raised in line with its legislative mandates and how it would ensure accountability and transparency in the use of such resources.

25. A delegation noted the inconsistent translation of the term “human rights” in the French version of the proposed programme budget for 2020 (“droits de la personne” and “droits de l’homme”) and called for terminology to be used consistently. A different delegation observed that, while both terms were used in French and in that instance did not create confusion, if agreed language existed it should have been used consistently in the translated reports of the Secretary-General.

26. A question was raised regarding the programme plan and whether it included travel to territories not controlled by the constitutional authorities of the respective State.