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Draft report

Rapporteur: Mr. Rouven **Klein** (Germany)

Addendum

Programme questions: proposed programme budget for 2024

(Item 3 (a))

Programme 20

Human Rights

1. At its 16th meeting, on 9 June 2023, the Committee considered programme 20, Human Rights, of the proposed programme plan for 2024 and programme performance information for 2022 (A/78/6 (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.51/2023/9).

2. The United Nations Deputy High Commissioner for Human Rights introduced the programme and, together with another representative of the Secretary-General, responded to questions raised by the Committee during its consideration of the programme.

Discussion

3. Delegations thanked the High Commissioner for the presentation of the programme and expressed support for the work carried out under the programme and for the proposed programme plan for 2024.

4. The Office of the United Nations High Commissioner for Human Rights (OHCHR) was recognized by a delegation as the leading entity of the United Nations on human rights, and the comprehensive nature of its work was described as fundamental in promoting and protecting all human rights for everyone. A delegation expressed the view that the rights to subsistence and development were the primary human rights. Delegations expressed their support for the work of OHCHR in the context of the current challenges in the world, including growing insecurity, the climate crisis and the food crisis. A delegation emphasized the importance of promoting and protecting universal and indivisible human rights for all as set out in



the Universal Declaration of Human Rights, regardless of differences in legal systems, cultural heritage, traditions or religious backgrounds.

5. A delegation expressed appreciation for the continued emphasis on mainstreaming human rights throughout the United Nations system and around the world.

6. Delegations expressed appreciation for the more detailed information contained in the proposed programme and commended the efforts towards more transparency, including the practice of discussing the programme plan in Geneva, which was considered useful for building trust. A delegation raised a concern that the programme plan was available for review only a few days before its consideration by the Committee, and it was hoped that there would be more time to study future programme plans.

7. A delegation expressed appreciation for the comprehensiveness of the report. It was noted that OHCHR had been attentive to the comments made by members of the Committee the previous year and had substantially refined the programme to reflect the discussion of some of the key mandates and concepts, including the right to development and unilateral coercive measures. A delegation requested adherence to wording and language from acknowledged international instruments and refraining from referring to concepts that had not received universal recognition.

8. A delegation emphasized that the mandate of the Human Rights Council would be implemented effectively only with the consent of the country of concern, an approach enshrined in General Assembly resolution [60/251](#).

9. Delegations emphasized the importance of the inclusion of the references to unilateral coercive measures in the report. A delegation expressed concern that, despite recommendations adopted by the General Assembly, references to unilateral coercive measures had not been given more prominence in the report and sought further information on the matter. Another delegation emphasized that references to unilateral coercive measures were limited to a list of relevant resolutions and that the topic of the negative impact of unilateral coercive measures on human rights had not been sufficiently studied and required more attention from OHCHR. As regards the resolutions included, a delegation raised a question as to why Assembly resolutions [76/161](#) and [43/15](#), as well as Human Rights Council resolutions [37/21](#) and [45/5](#), on unilateral coercive measures, were not included in the report. Delegations raised questions concerning the status of a planned study on the impacts of unilateral coercive measures on human rights and whether OHCHR had any plans in 2023 or 2024 for any initiatives on that subject.

10. A delegation expressed support for the work of OHCHR in working to ensure accountability around the world, including through the work of human rights monitoring missions and commissions of inquiry set up by the Human Rights Council, and expressed the opinion that strong accountability was crucial to provide justice to victims and to deter more human rights violations in the future.

11. A delegation expressed the view that, as the third pillar of the United Nations, human rights were the cornerstone of peace, stability and sustainable development. Another delegation emphasized the contributions that the work of OHCHR had made in support of the 2030 Agenda for Sustainable Development.

12. A delegation underlined the importance of the work of OHCHR being guided by the principles of universality, objectivity, impartiality and indivisibility to the full realization of all human rights and expressed support for the independence of OHCHR, which was echoed by another delegation, which welcomed the impartiality and objectivity of the programme. A delegation expressed the contrary view, that the increase in the number of investigative mechanisms and special rapporteurs was

inconsistent with OHCHR having an unbiased and non-selective approach (para. 24.2). Another delegation expressed the hope that OHCHR would carry out its mandate in strict accordance with General Assembly and Human Rights Council resolutions and that OHCHR would work in accordance with the principles of objectivity, impartiality, non-selectivity and non-politicization. The delegation further articulated the need for OHCHR to stay committed to promoting dialogue among Member States on an equal footing and to bridging differences and expressed firm opposition to double standards and politicization of human rights issues.

13. Delegations made reference to 2023 being the seventy-fifth anniversary of the Universal Declaration of Human Rights. It was also emphasized that 2023 marked the thirtieth anniversary of the Vienna Declaration and Programme of Action, and a call was made to States Members of the United Nations to recommit to observing all human rights.

14. In relation to addressing the impact of the coronavirus disease (COVID-19) pandemic, a delegation raised a question on whether OHCHR had undertaken a review of the social and cultural impact on the programme. Another delegation expressed appreciation for the focus on addressing inequalities and discrimination as among the priority areas of the work of OHCHR in the post-pandemic environment and emphasized the importance of building on those efforts with special attention to the needs of developing countries.

15. A delegation also expressed appreciation that OHCHR engaged with a wide range of stakeholders in executing its mission, including civil society alongside Member States, other international and regional organizations and national human rights mechanisms while another delegation raised concerns regarding OHCHR's work with some non-governmental organizations (NGOs) that had political affiliations.

16. A delegation expressed support for the work of OHCHR: to counter discrimination on all grounds including race, sex, language or religion; to advance the rights of children and women; to raise awareness of human rights; to respond to the needs of the vulnerable for protection; and to address situations of international concern identified by the Human Rights Council and other relevant United Nations organs. Another delegation expressed appreciation for the work undertaken to follow up on the recommendations regarding the treaty bodies, and in particular regarding the Convention on the Elimination of All Forms of Discrimination Against Women.

17. Information was sought concerning activities aimed at the promotion and protection of human rights of older adults, as well as persons with disabilities, and the progress that has been achieved.

18. With regard to the right to development, a delegation emphasized that it did not recognize that right, and that commitments under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, inter alia, should not be contingent on the level of development or require debt forgiveness or resource transfer. Another delegation expressed the view that OHCHR should promote all kinds of human rights in a balanced manner, prioritize the aspirations of developing countries, focus more on economic, social and cultural rights and the right to development and help developing countries strengthen their capacity-building in human rights, based on the consent of the countries concerned. Another delegation expressed its support for the inclusion of references to the right to development in the report and expressed the view that that was an essential foundation for implementation of the Universal Declaration of Human Rights or any of the other international covenants.

19. A delegation sought information on how the programme plan reflected the fulfilment of economic, social and cultural rights among the most vulnerable groups,

including indigenous populations, lesbian, gay, bisexual, transgender, queer and intersex people and measures to protect the environment. Another delegation welcomed the reference to the inclusion of gender issues in OHCHR operational plans and deliverables and its results.

20. A delegation expressed the view that the result of evaluations that were not considered and endorsed by Member States should not be incorporated in the programme or set the direction of the programme.

21. A delegation expressed the view that, while virtual and hybrid formats had allowed the United Nations to operate effectively during the COVID-19 pandemic, since there had been a return to working in person, virtual and hybrid formats should only be auxiliary ways of working. A continuation of working in that way, including in the Human Rights Council, would have to be approved by the relevant governing bodies of the United Nations. Another delegation emphasized that not all countries had equal access to the hybrid or online platforms and expressed the view that those formats should not be considered to be fully inclusive.

22. In the context of the overall orientation, delegations welcomed the inclusion of various elements, including the references to the 2030 Agenda (para. 24.6), the organizational support for the universal periodic review (para. 24.7) and the reference to gender (para. 24.12). A delegation welcomed the inclusion of references to gender (para. 24.12) and disability inclusion (para. 24.13).

23. Concern was raised, however, regarding the inclusion of “there is political will on the part of States to work with the programme” as an external factor (para. 24.11 (a)), and the view was expressed that sovereign States were not an external factor for OHCHR.

24. With regard to paragraph 24.15, a question was raised by a delegation seeking clarification on the continued positive impact that using new technologies and increased virtual participation had had, in particular with regard to participation by delegations in the universal periodic reviews and the expanded scope for civil society participation in sessions of the Human Rights Council.

25. With regard to the legislative mandates in paragraph 24.16, a delegation sought clarification on the inclusion of resolutions not directly related to human rights, namely, General Assembly resolutions [67/1](#), [70/262](#) and [76/70](#) and Security Council resolutions [2282 \(2016\)](#) and [2558 \(2020\)](#).

26. With regard to subprogramme 1 (a), Human rights mainstreaming, a delegation expressed its appreciation for its contribution to the 2030 Agenda and the Sustainable Development Goals. Another delegation welcomed the planned results for the subprogramme to ensure that understanding, promotion and protection of human rights was integrated into the United Nations wider work. Other delegations expressed their concern as regards the mandate for the inclusion of the development of a framework to monitor civic space trends, presented as a performance measure for 2024 for result 1, and expressed the view that result 1 should be deleted. One of the delegations also expressed the view that capacity-building should be provided only upon request by Member States and key stakeholders without infringing on sovereignty and interfering in Member States’ internal affairs, with reference to result 2. Another delegation sought clarification relating to the performance measure for result 2, “Increased capacity of parliamentarians and national authorities”.

27. Delegations raised questions concerning the reference to an elements paper (para. 24.30), its content and the process of preparation of the paper and, in particular, questioned the nature of any consultations that had been held. A delegation sought clarification on the inclusion of the reference to a global network of actors under planned result 3 (table 24.5). As regards table 24.6, another delegation sought

clarification on the inclusion of strengthening national protection systems, areas of human rights protection and institution-building under the technical materials section, and the integration of human rights aspects into development, humanitarian, peace and security, governance and rule of law areas under the substantive deliverables section of the list of deliverables for the period 2022–2024 for the subprogramme.

28. With regard to subprogramme 1 (b), Right to development, a delegation recalled that all human rights were indivisible and interdependent, and in this regard proposed replacing the word “encourage” with the word “promote” in paragraph 24.35 (d). Another delegation sought clarification on why the performance measure for result 2 (figure 24.II) for 2024 was lower than the actual result for 2022.

29. With regard to subprogramme 1 (c), Research and analysis, delegations sought further information on the fellowship programme referenced in result 1 (figure 24.IV). A delegation sought clarity on the meaning of the performance measure for 2024 for result 2 (table 24.10). Another delegation questioned whether a specific activity or measure was planned for result 2.

30. With regard to subprogramme 2, Supporting human rights treaty bodies, a delegation welcomed the support that the subprogramme provided to human rights treaty bodies, and the active engagement with all actors (Member States, United Nations agencies, NGOs and others). With regard to planned result 1, another delegation expressed the view that a large number of treaty body sessions and personnel had been allocated to the processing of individual communications, which had seriously affected the work of the treaty bodies in considering State parties’ compliance reports and the current situation of the backlog of communications addressed through changes to procedures, standards and working methods, and therefore suggested that the result be deleted. Another delegation sought clarification concerning the performance target for 2024 for result 2 (figure 24.VII), and whether a more ambitious target could have been included. With regard to planned result 3 of the subprogramme, a delegation emphasized that the treaty bodies should use all six official languages, not only the working languages on the grounds of financial and technical difficulties. With regard to the substantive deliverables for the subprogramme (table 24.13), a delegation expressed the view that consultation, advice and advocacy should be provided only upon request by Member States, and the collection of relevant data should not exceed the mandate of the treaty bodies.

31. With regard to subprogramme 3, Advisory services, technical cooperation and field activities, a delegation expressed support for the provision of awareness-raising and training on human rights through mutually agreed advisory services and technical cooperation programmes in paragraph 24.76 and enhancement of national capacities to translate international human rights obligations into effective laws, regulations and policies, and meet the challenges to the full realization of human rights in paragraph 24.77. With regard to the planned result 1 for 2024, another delegation expressed the view that provision of data should be on a voluntary basis only and that therefore the result should be deleted. The same delegation also expressed the view that the deliverables of technical support and substantive and secretariat services for country-specific missions listed under consultation, advice and advocacy and the deliverables listed under databases and substantive digital materials were not mandated and should be deleted from table 24.15.

32. With regard to subprogramme 4, Supporting the Human Rights Council, its subsidiary bodies and mechanisms, a delegation emphasized the importance of the Human Rights Council as the main forum for cooperation, dialogue and consensus on human rights within the United Nations system and expressed support for measures to strengthen its work, while another delegation expressed the view that the universal periodic review mechanism was the main intergovernmental mechanism for

addressing human rights issues in all countries without exception. Another delegation expressed the view that the briefings by the Secretary of the Council to non-governmental organisations, included under consultation, advice and advocacy in table 24.17, were not mandated and should be deleted.

33. While matters relating to parts of the programme dealing with resources were not within the mandate of the Committee for Programme and Coordination, delegations expressed views and raised questions related to the resources, including extrabudgetary resources, of OHCHR.

Conclusions and recommendations

34. **The Committee recommended that the plenary or the relevant Main Committee or Main Committees of the General Assembly, in line with Assembly resolution 77/254, consider the programme plan for programme 20, Human rights, of the proposed programme budget for 2024 under the agenda item entitled “Programme planning” at the seventy-eighth session of the Assembly.**
