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经济、社会、文化权利  
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纳入妇女人权和性别公平观  
特定群体和个人  
人权领域的咨询服务和技术合作  
联合国开发计划署提交的书面陈述 \*

秘书处的说明

本附件中的文件是联合国开发计划署(开发计划署)就与人权委员会第五十八届会议通过的有关决议开展的有关活动编写的综合报告，供提交委员会第五十八届会议。

本报告是第一份这类的文件，并是开发计划署计划开始向委员会各届会议提交的系列文件的第一份。

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\* 附件不译，原文照发。

## Annex

# **REPORT OF THE UNITED NATIONS DEVELOPMENT PROGRAMME TO THE 59<sup>TH</sup> SESSION OF THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS**

## **INTRODUCTION**

1. The United Nations Development Programme (UNDP) is the UN's global development network. With a field presence in over 160 countries, UNDP advocates for change and connects developing countries to knowledge, experience and resources that they need to build a better life for their people.
2. At the UN Millennium Summit, world leaders resolved to implement the Millennium Declaration and to achieve the Millennium Development Goals (MDGs), including the overarching goal of reducing by half, by the year 2015, the proportion of the world's people whose income is less than one dollar a day.
3. UNDP's network links and coordinates global and national efforts to reach the MDGs. Our focus is on helping developing countries find and share solutions to the challenges of:
  - Democratic governance;
  - Poverty reduction;
  - Crisis prevention and recovery;
  - Energy and environment;
  - Information and communications technology; and
  - HIV/AIDS

UNDP also helps developing countries attract and use development aid effectively. In all UNDP activities, the protection and fulfillment of human rights and the empowerment of women are promoted.

4. The present report, the first of its kind, inaugurates a series of annual reports that UNDP intends henceforth to submit to every session of the Commission on Human Rights, and thus to inform the international community about its activities in the field of human rights. Each year, the report will present highlights of UNDP activities in this field over the reporting period. However, it will focus, above all, on the organization's activities connected with relevant resolutions adopted by the Commission at its preceding session.
5. For further information, please contact Gita Welch, Principal Adviser, UNDP/BDP, at [gita.welch@undp.org](mailto:gita.welch@undp.org), or Simon Munzu, Human Rights Adviser, UNDP/BDP, at [simon.munzu@undp.org](mailto:simon.munzu@undp.org).

## I. KEY UNDP ACTIVITIES IN THE FIELD OF HUMAN RIGHTS

6. UNDP's involvement in the area of human rights has grown considerably over the years. Under its 1998 policy of *Integrating human rights with sustainable human development*, the organization has increased its human rights activities and expanded its cooperation with the Office of the UN High Commissioner for Human Rights (OHCHR). A Memorandum of Understanding between UNDP and OHCHR, concluded in 1998, has consolidated and strengthened this cooperation, setting an extensive agenda for interaction between the two agencies at both the headquarters and field levels. Since 1998, human rights have emerged as a key area of policy and programme support among UNDP country offices, with about 50 of them reporting activities in this field in 2000-2001. Activities fall in the following four main areas.

*i) Supporting national efforts to respect, promote, protect and fulfill human rights*

7. Through its global network of country offices, UNDP supports efforts to:
  - a) raise human rights awareness;
  - b) provide human rights training;
  - c) develop national human rights policy and programme frameworks;
  - d) strengthen the human rights capacity of relevant government departments; and
  - e) establish and assure the effectiveness of oversight, monitoring and accountability bodies such as national human rights commissions, ombudsman offices and public defender offices.
8. With a view to raising human rights awareness, UNDP has supported the production and nationwide dissemination of human rights documents and materials in local languages, the realization of radio, television and drama productions on human rights themes and the conduct of human rights media and NGO campaigns in several countries, including Belarus, Bolivia, Cambodia, Ecuador, Georgia, Guinea-Bissau, Madagascar, Peru, Tanzania, Togo, Vanuatu and Yemen.
9. In Bangladesh, Brazil, Cambodia, Colombia, Egypt, Ethiopia, Georgia, Guinea-Bissau, Ivory Coast, Jordan, Madagascar, Moldova, Morocco, Paraguay, Peru, the Philippines, Rwanda and Yemen, UNDP supported human rights training workshops and seminars for special groups such as women, children, the disabled, persons living with HIV/AIDS, government officials, the staff of CSOs and NGOs, the police, public prosecutors, defence lawyers, judges, military personnel, prison service personnel, teachers, journalists and religious leaders.

10. The development of national human rights policy and programme frameworks, mainly through the formulation of national human rights action plans, was supported by UNDP in Benin, Georgia, Ivory Coast, Jordan, Lithuania, Mauritania, Moldova, Mongolia, Nepal and Paraguay.
11. In several countries, UNDP has supported the institutional development of relevant government departments such as the Ministry of Justice as well as of local human rights NGOs, and the establishment and functioning of oversight, monitoring and accountability bodies such as national human rights commissions, ombudsman offices and public defender offices. These countries include Bolivia, Ecuador, Ethiopia, Georgia, Ghana, Guinea, Honduras, Kazakhstan, Lebanon, Lithuania, Madagascar, Mauritania, Mongolia, Nepal, Niger, Peru, the Philippines, Romania, the Russian Federation, Togo, Uganda, Vanuatu and Venezuela.

*ii) Strengthening the international human rights system*

12. In May 2001, UNDP took part in a one-day international consultation on economic, social and cultural rights in the development activities of international institutions organized by the Committee on Economic, Social and Cultural Rights. In the same year, it participated in an informal inter-agency meeting on cooperation between UN agencies and UN Human Rights Treaty Bodies. In 2002, UNDP attended the 58<sup>th</sup> Session of the Commission on Human Rights, to which it submitted three written statements, and participated in the 14<sup>th</sup> meeting of Chairpersons of UN human rights treaty bodies. It also participates, regularly, in the work of the Sub-Commission, the open-ended Working Group on the Right to Development, and the Working Group on a draft declaration on the right of indigenous peoples.
13. At country level, UNDP contributes in various ways to strengthening the UN-led international system for the promotion, protection and fulfillment of human rights. UNDP country offices in Jordan, Kazakhstan, Madagascar, the Philippines and Turkey advocated, recommended and/or secured the ratification of international human rights instruments, the withdrawal of inconsistent reservations to ratified instruments and the effective implementation of instruments to which these States were a party. In Brazil, East Timor, Guinea-Bissau and Zambia, UNDP supported not only the translation into local languages, but also the dissemination, of relevant international human rights instruments. The UNDP country office in Venezuela organized a seminar on universal and inter-American human rights protection systems in 2002.
14. UNDP Country Offices in Cambodia, the Ivory Coast, Kenya, Nigeria, Sri Lanka, Togo, Uruguay and Yemen financially supported the participation of national delegations to various sessions of the Commission on Human Rights and other regional and international human rights conferences, including the

2001 Durban World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

*iii) Promoting the application of a human rights-based approach to development*

15. Significant progress has been made over the past years in mainstreaming human rights in UNDP development activities. UNDP is committed to promoting the effective application of a human rights-based approach to development. To this end, it seeks to foster understanding of this approach not only among its programme staff but also among their counterparts in national and international development institutions and agencies. UNDP also strives to strengthen the capacity of its programme staff and their national and international development agency counterparts to address human rights issues in the course of assessment and analysis of development situations and of the design, implementation, monitoring and evaluation of development programmes and projects.
16. In this connection, UNDP has produced, in collaboration with OHCHR, a two-volume *Training Manual on Human Rights and Sustainable Human Development*, developed some human rights training materials specifically for a particular region, as in the case of the Asia and Pacific region, or for a particular country, as in the case of the Philippines. It collaborated with other agencies of the UN system to develop a human rights training module for UN Country Teams that focuses on the integration of human rights in the CCA/UNDAF processes. Furthermore, UNDP's Virtual Development Academy (VDA) developed a module on 'human rights in development' for the organization's middle managers, while the induction programme for UNDP Junior Professional Officers (JPOs) now has human rights as one of its major components.
17. UNDP has completed a first round of regional and sub-regional human rights training workshops for Resident Representatives and country office governance/human rights focal points, as well as human rights training workshops for staff in a few country offices, such as Cambodia, Ivory Coast, Lebanon, the Philippines and Thailand.
18. To stimulate and facilitate the exchange of information among them on policy issues, cutting-edge thinking, available documentation, practical experiences, best practices and lessons learned relating to the integration of human rights with human development, and to enhance their capacity to integrate human rights into development activities, UNDP programme staff at headquarters, in the organization's sub-regional resource facilities (SURFs) and in its country offices have been organized into a 'Human Rights Policy Network' and a 'Human Rights Community of Practice'. 'Human Rights Talk' (HURITALK) was set up as an electronic human rights discussion forum through which

members of the UNDP 'Human Rights Policy Network' and "Human Rights Community of Practice" interact with human rights theorists, practitioners, advocates and activists from UN agencies such as OHCHR and UNICEF, bilateral cooperation agencies such as CIDA, DFID, SIDA and NORAD, international and national CSOs and NGOs, and academic and research institutions. At present, it has about 240 members.

19. At regional level, UNDP has encouraged and supported the creation of regional human rights policy networks and communities of practice such as the 'Asia-Pacific Rights and Justice Network' that operates an electronic discussion forum for its members. It has also encouraged the formulation, and supported the implementation, of regional governance programmes that include a human rights-based approach to development, such as the PARAGON and GOLD programmes in Asia and the Pacific and the POGAR programme in the Arab States region.

*iv) Policy development and practice guidance*

20. The UNDP Human Development Reports (HDR) 2000, on "*Human Rights and Human Development*" and 2002, on "*Deepening democracy in a fragmented world*", vividly capture the evolving understanding of the linkages between human rights and sustainable human development.
21. The *Human Development Report 2000* demonstrates that human rights are not a reward of development. Rather, they are critical to achieving it. Only with political freedoms- the right for all men and women to participate equally in society- can people genuinely take advantage of economic freedoms. Only when people feel they have a stake and a voice will they throw themselves wholeheartedly into development. Rights make human beings better economic actors. However, it is clearly not enough for countries to grant economic and social rights in theory only. Good health, like jobs, cannot be legislated. They require an economy strong enough to provide them, and that in turn requires people who are economically engaged. People will work because they enjoy the fruits of their labour: fair pay, education and health care for their families, and so forth. They will build the wealth that allows them to be compensated. But if the rewards of their labour are denied them, they will lose their motivation. So, economic and social rights are both the incentive for, and the reward of, a strong economy. That is why a broad vision of human rights must be entrenched to achieve sustainable human development.
22. The *HDR 2002* took this acknowledgement further by stressing that politics is as important as economics. Sustained poverty reduction requires equitable growth - but it also requires that poor people have political power. The best way to achieve that in a manner consistent with human development objectives is by building strong and deep forms of democratic governance at all levels of society. This means ensuring that institutions and power are structured and

distributed in a way that gives real voice and space to poor people and creates mechanisms through which the powerful - whether political leaders, corporations or other influential actors - can be held accountable for their actions.

23. At the national level, the deepening of democracy requires strengthening the democratic state institutions that form the necessary foundation for achieving any broader objectives. And at the international level, it highlights the urgency of forging a much more democratic space in which international institutions and transnational coalitions operate with the highest degree of transparency and give developing countries both a seat at the table and a voice in decisions that affect them.
24. UNDP strengthens the capacity of its staff to integrate human rights into development through the formulation of appropriate policies and the provision of the necessary practical guidance. In this regard, products which have been recently completed or on which work is on-going include: a general human rights policy note; a practice note on poverty reduction and human rights; guidelines for human rights-based review of UNDP programmes; a policy note on human rights and decentralization; a policy note on human rights and the environment; a discussion paper on land rights and development; and a discussion paper on minorities in development. These issues are studied, and appropriate policy and practice guidance notes are developed, in collaboration with other actors, including NGOs such as the Centre on Housing Rights and Evictions (COHRE) and the Minority Rights Group International (MRG).

## **II. COOPERATION WITH THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS**

### *UNDP/OHCHR Memorandum of Understanding (MOU)*

25. In force since March 1998, the UNDP/OHCHR memorandum of understanding (MOU) serves as the framework for collaboration between the two agencies in the field of human rights. Its principal objective is to advance cooperation between them in this field. It is reviewed periodically by a Joint Task Force co-chaired by senior managers from the two organizations. The Joint Task Force meets in Geneva, with the participation of New York-based UNDP staff as may be necessary. At its last meeting in November 2002, the two parties noted with satisfaction the high level of cooperation between them at headquarters and in the field in many areas of human rights work.

## *Joint Programmes*

### Human Rights Strengthening Programme (HURIST)

26. HURIST, a joint programme of UNDP and OHCHR, is supporting the implementation of UNDP's policy of mainstreaming human rights and applying a human rights-based approach to development programming. Operational since 1999, it is now active in more than 30 countries. Among other achievements, HURIST has so far been responsible for advances in linking human rights with poverty reduction and decentralization in the work of UNDP, for the development of methodologies for human rights-based review of UNDP programmes and for supporting the formulation of National Human Rights Action Plans in Cape Verde, Lithuania, Mauritania, Moldova, Mongolia, and Nepal.
27. Through a strong partnership with UNV, HURIST is strengthening the human rights capacity of 17 UNDP country offices (Benin, Bolivia, Cambodia, Congo, Ecuador, Fiji, Honduras, Kazakhstan, Malawi, Mali, Mozambique, Nepal, Niger, Nigeria, Philippines, Somalia and Yemen) through the assignment to each of them of one United Nations Volunteer (UNV) human rights specialist.
28. Funding for the HURIST programme has been provided in varying amounts by the governments of Canada, Finland, Germany, Ireland, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom, and by the Ford Foundation.

### Assisting Communities Together (ACT) Project

29. This project was launched by OHCHR in 1998 on the occasion of the 50<sup>th</sup> anniversary of the UDHR. It supports, through micro-grants (of about US\$2,000 each), grassroots activities in the field of human rights that are carried out by community-based organizations or individuals. Since the project's inception, UNDP has collaborated with OHCHR to implement it in about 30 countries. The success of the first two phases of the project (1998-1999, 2000-2001) led several UNDP country offices to commit additional funds to it. In 2002 UNDP country offices provided substantial financial support to the implementation of Phase III of the project, thus enabling a considerable expansion of its scope.

### OHCHR Regional Office in Southern Africa

30. This regional office is jointly financed by OHCHR and UNDP's Regional Bureau for Africa. It has, notably, provided human rights training for UN Country Teams (UNCTs) in the Southern Africa sub-region, in countries such as Malawi, Mozambique, South Africa and Zambia.



#### *Other Recent Joint Activities*

31. UNDP participated in June 2002 in an expert seminar organized by OHCHR to discuss a first draft of OHCHR's *Guidelines for the integration of human rights into poverty reduction strategies*.
32. UNDP's Regional Bureau for Asia and the Pacific, its Sub-regional Resource Facility (SURF) based in Nepal and HURIST jointly organized a regional meeting on applying a human rights-based approach to development programming in the Asia-Pacific region in Phnom Penh, Cambodia, in July 2002.
33. OHCHR participated in a one-day consultation on UNDP's draft practice note on human rights and poverty reduction held in New York in November 2002. It used that opportunity to hold a further discussion on its 'Draft Guidelines on a Human Rights Approach to Poverty Reduction Strategies'.
34. UNDP SURFs in Africa collaborated with the Activities and Programmes Branch of OHCHR to organize a human rights training workshop for Southern Africa UNCTs in Johannesburg in November 2002 and another for Central and East Africa UNCTs in Addis Ababa in January 2003.
35. OHCHR, UNDP and UNICEF are leading on-going preparations for an inter-agency workshop on 'Implementing a human rights-based approach to development in the context of UN reform', to be held in New York in May 2003.

### **III. UNDP ACTIVITIES IN RELATION TO RESOLUTIONS OF THE COMMISSION ON HUMAN RIGHTS**

#### ***1. Human rights and extreme poverty (CHR res. 2002/30)***

36. This resolution noted with interest the statement adopted by the Committee on Economic, Social and Cultural Rights on 4 May 2001 aimed at encouraging the integration of human rights into poverty eradication policies. In this connection, UNDP has taken note of the development of OHCHR's 'Draft Guidelines on a Human Rights Approach to Poverty Reduction Strategies'. As noted earlier, UNDP participated in June 2002 in an expert seminar organized by OHCHR to discuss a first draft of these Guidelines and organized a consultation of its own in New York in November 2002 that offered OHCHR a further opportunity to discuss the Guidelines with a group of human rights and development experts, specialists and practitioners.

37. Parallel with the OHCHR 'Draft Guidelines on a Human Rights Approach to Poverty Reduction Strategies', UNDP will issue in March 2003 its 'Practice Note on Poverty Reduction and Human Rights'. Addressed primarily to UNDP programme staff and their counterparts in partner institutions and agencies, the Practice Note outlines a framework for human rights integration in poverty reduction and provides practical steps to guide UNDP programming in this field. It aims to improve programming modalities in UNDP with a view to realizing human rights through the reduction of poverty.

**2. *Enjoyment of the highest attainable standard of physical and mental health, access to medication in the context of pandemics such as HIV/AIDS and protection of human rights in the context of HIV/AIDS (CHR res. 2002/31, 2002/32 and 2002/51)***

38. UNDP is committed to supporting the efforts of developing countries to secure for their people the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. In this connection, it welcomes the appointment by the Commission at its 58<sup>th</sup> Session of a Special Rapporteur whose mandate will focus on the above-mentioned right. UNDP will welcome the opportunity to have a regular dialogue with the Special Rapporteur, and to discuss with him possible areas of cooperation in the field of health.

39. One of the *Millennium Development Goals* (MDGs) aims at reducing HIV prevalence in persons aged 15-24 by 25% in the worst affected countries by 2005, and globally by 2010. Given the devastation of the epidemic, failure to reach this particular goal will greatly undermine, if not render impossible, the attainment of all the other millennium development goals. For example, UNDP estimates that in Burkina Faso, Rwanda and Uganda, the proportion of people living in absolute poverty will increase from 45% today to 51% in 2015 as a result of HIV/AIDS, instead of falling to 22.5% as per the internationally agreed target. School enrolment in the Central African Republic and Swaziland has already fallen by 20-36% due to AIDS orphans dropping out of school, extinguishing any hope of attaining universal primary education in these countries by 2015.

40. In the face of the challenge presented by the epidemic, UNDP made HIV/AIDS one of its top corporate priorities in 2000 and integrated its work on HIV/AIDS into its broader efforts to support effective democratic governance and poverty reduction. As one of eight co-sponsors of UNAIDS, UNDP contributes to the overall response of the UN system, assisting countries to take action against the epidemic. Within its corporate strategy on HIV/AIDS, UNDP offers five types of services to developing countries:

- *advocacy and policy dialogue*: promoting leadership at all levels, coalition building among a wide range of stakeholders well beyond the health sector, and national policy dialogue on the challenges and issues of importance to an effective response;

- *capacity development*: assistance and policy advice to help governments strengthen their capacity to plan, fund, manage and implement national and decentralized responses to the epidemic;
- *mainstreaming*: policy guidance on integrating HIV/AIDS priorities into the core of national and sub-national development planning, domestic resource allocation processes, poverty reduction strategies, and sector plans, as well as strategies to manage the socio-economic impact of HIV/AIDS;
- *human rights*: promoting a gender-sensitive and human rights approach that includes the introduction of anti-discrimination laws to protect people living with HIV/AIDS and reverse gender inequities that fuel the epidemic;
- *information and multi-media technology*: promoting the development of national capacity to implement broad public information campaigns on HIV/AIDS using innovative multi-media technology.

41. UNDP is at present actively working on HIV/AIDS in 75 countries, up from 55 in 2000 and 32 in 1999. The organization places great emphasis on connecting these 75 countries into a network of activities, experiences and best practices – promoting South-South and East-East cooperation among governments, CSOs and the private sector. Twenty-nine of the 75 countries are in Africa, to date the most seriously affected region; 16 are in Eastern Europe and the CIS, the region with the world's fastest rate of growth of the epidemic; the rest are divided among the Arab States (three countries), Asia and the Pacific (12 countries), and Latin America and the Caribbean (15 countries). Forty-eight countries are receiving support from UNDP in the area of advocacy and policy dialogue. They include Burkina Faso, Gambia, Honduras and Mauritania. In 62 countries, among them Armenia, Botswana, Burkina Faso, Cambodia, Ethiopia, Fiji, Kiribati, Malawi, South Africa, Swaziland, Tonga, Ukraine and Uzbekistan, UNDP is supporting a wide range of capacity development initiatives. Twenty-four countries, such as Burkina Faso, Burundi, Cameroon, Ethiopia, Madagascar, Malawi and Tanzania, are being supported in their mainstreaming efforts; while 31 others, among them Bangladesh, Belize, Botswana, Madagascar, Myanmar, Peru, Romania and Turkmenistan, are benefiting from UNDP services in the area of multi-media information dissemination and awareness raising. In countries such as Bangladesh, Benin, Botswana, Haiti, Honduras, Madagascar, Mauritania, Mozambique and Poland, UNDP has supported aspects of human rights protection in the context of HIV/AIDS, for example, by promoting the passing of legislation to prevent discrimination against people living with HIV/AIDS, the integration of HIV/AIDS issues in national human rights action plans and providing training that would enable national counterparts to address HIV/AIDS issues in preparing State reports for submission to the various human rights treaty bodies.

42. A central aspect of UNDP's work is to help countries develop capacity to access and absorb international funding from a wide variety of sources. In a number of

countries, UNDP is helping to formulate results-oriented and fundable HIV/AIDS plans and to organize roundtable meetings where resource needs are discussed and donor pledges are made. In many other countries, UNDP is helping to strengthen financial and managerial capacity of national AIDS programmes, stronger inter-ministerial coordination, and mechanisms for effective and decentralized channeling of funding. This work is of crucial importance in creating an environment in which mechanisms such as the *Global Fund to Fight AIDS, Tuberculosis and Malaria* can make a difference.

43. UNDP acknowledges that access to medication in the context of pandemics such as HIV/AIDS is fundamental for achieving the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. Having due regard to the on-going debate on intellectual property rights, including the Declaration on the Agreement on Trade-related Aspects of International Property Rights (TRIPS Agreement) and Public Health adopted in November 2001, UNDP is currently examining various options for supporting the efforts of States to secure sufficient quantities of pharmaceuticals and medical technologies used to treat pandemics such as HIV/AIDS or the most common opportunistic infections that accompany them. Support would be provided, also, to assure the accessibility to, and affordability for, all of such pharmaceuticals or medical technologies.

### **3. Promotion and consolidation of democracy (CHR res. 2002/34 and 2002/46)**

44. UNDP recognizes the importance of good governance in the promotion of human rights and democracy and works closely with other partners, including NGOs, to facilitate the exchange of lessons learned and best practices for promoting and consolidating democracy. Its activities in the field of democratic governance aim at supporting the strengthening of legislatures as institutions of governance; electoral processes; access to justice; the promotion, protection and fulfillment of human rights; decentralization and local governance; efficient public administration; accountability, transparency and anti-corruption; urban development; and civil society participation. They also explore linkages between governance and conflict as well as between governance and gender.
45. The promotion of democratic governance through advocacy and policy dialogue with the government, broad-based civil society participation and human rights-based approaches to development programming and implementation was supported by UNDP in Bosnia and Herzegovina, Cambodia, Djibouti, Ghana, Lebanon, Madagascar, Nigeria, Philippines, Swaziland, Sierra Leone, Togo and Yemen. In Argentina and Bolivia, efforts were made to expand citizen participation in the municipal governments of large cities.
46. UNDP contributed to developing and strengthening the capacity of the government of Yemen to organize and deliver participatory, free and fair elections in 2003 and to consolidating democracy in the Philippines, notably

through support to electoral and judicial reform and reform of anti-corruption institutions. The UNDP country office in Cambodia supported capacity development initiatives by sponsoring the participation of Cambodian government officials, representatives of CSOs and Members of the Parliament in regional and international meetings on anti-corruption, transparency, democratic governance etc. In collaboration with international actors, UNDP assisted in setting up a framework for working on issues of democratic governance and transparency, including combating corruption, in Palestine.

47. In some conflict and post-conflict countries, UNDP promoted peace-building and a return to democracy. Civic and human rights training was provided through a UNDP-supported project to the army in the Ivory Coast, while partnerships for democratic development were nurtured in Sierra Leone through broad-based dialogue. In the Republic of Congo, efforts to consolidate peace were supported through projects for strengthening justice, the rule of law and mechanisms for the promotion and protection of human rights.

***4. Administration of justice, particularly juvenile justice; independence and impartiality of the judiciary, jurors and assessors; independence of lawyers (CHR res. 2002/43 and 2002/47)***

48. UNDP's justice sector programme is concerned with strengthening the independence, impartiality and fairness of judges and other judicial personnel, and promoting legal literacy, legal aid, pro-poor laws and civic participation in legal and judicial reform. It recognizes the importance of informal and extra-judicial dispute and conflict resolution procedures that, quite often, are the only ones accessible to the majority of the poor. In many parts of the world, UNDP country offices are supporting national efforts to: incorporate NGOs into justice sector reform programmes and strengthen the active participation of civil society in justice sector reform; simplify and streamline legal systems and processes; strengthen national public defence systems and improve legal aid for the poor; provide legal information for judges, lawyers, prosecutors and public defenders; increase the availability of legal information to the public; promote alternative dispute and conflict resolution techniques; and reform informal justice mechanisms.
49. In countries such as Brazil, Cambodia, Guatemala, Haiti, Honduras, Paraguay, Peru, Rwanda and Venezuela, UNDP provided technical assistance to support the training of judges, lawyers, prosecutors, social workers, immigration and police officers and other justice professionals. In some instances, this included anti-racist, multicultural, gender-sensitive and human rights training.
50. In Vietnam, UNDP is working together with the World Bank and the Asian Development Bank to support the government in the formulation and implementation of the Legal System Development Strategy to the year 2010. In the Solomon Islands province of Isabel, UNDP is cooperating with the

government to enhance the ability of the local courts, the Council of Chiefs and the police to dispense justice and resolve disputes according to law and custom; it is supporting national efforts to train local and traditional court judges, professionalize the police and create legal rights awareness among disadvantaged groups in society. In November 2002, UNDP and the Government of Timor-Leste undertook a joint mission to evaluate, and assess the needs of, that country's justice system with a view to developing the framework for a three- to five-year programme of technical assistance to build the capacity of judicial institutions at all levels.

51. UNDP has just formulated a five-year (2003-2007) project to modernize the justice sector in Yemen, to enhance court performance and reduce case delay, to train staff in the administration and operation of the new system and procedures and to upgrade the judiciary's access to legal knowledge and materials in key areas critical to the country's development. A UNDP-supported e-governance initiative to modernize the law courts of Dubai in the United Arab Emirates, to improve their efficiency and to enhance transparency in their operations has proven very successful and generated interest in other countries of the Arab region. The Dubai Law Courts formed part of a regional governance programme study on software applications in law courts in the Arab region. UNDP is supporting a major access to justice project in Lebanon and formulating a programme of assistance to the Algerian Ministry of Justice with components on law enforcement, social integration and reinsertion of prisoners and improved access to justice for the poor.
52. Few UNDP programmes, projects and activities focus specifically on juvenile justice. Nevertheless, some of them do impact on children in conflict with the law. Most on-going human rights promotion and judicial training initiatives include the promotion of the Convention on the Rights of the Child and the training of judges and prosecutors specialized in juvenile matters. In Yemen, UNDP coordinated the start of a 2001/2002 joint Supreme National Committee for Human Rights/Office of the High Commissioner for Human Rights technical assistance project on juvenile justice. The project focused on building the capacity of juvenile courts through training on juvenile justice and the Convention on the Rights of the Child, raising the awareness of parliamentarians and training officials who deal with children in conflict with the law.
53. Through the Justice and Security Sector Reform programme of its Bureau for Crisis Prevention and Recovery (BCPR), UNDP has supported justice sector initiatives in several crisis and post-conflict societies. These include: the development of a management support department for the Kosovo Police Services; evaluation of judicial operations and formulation of programmes to address pre-trial detention problems and reform of the penal code in Haiti; assessment of police service, evaluation of the corrections system and implementation of the Commission for Reception, Truth and Reconciliation in

Timor-Leste; establishment of judicial mechanisms in local communities and development and strengthening of judicial capacity in Sierra Leone; and development of a new justice system in conformity with international human rights standards in Afghanistan.

**5. *Freedom of opinion and expression* (CHR res. 2002/48)**

54. UNDP sees Information and Communications Technology (ICT) as a powerful tool for participating in global markets, promoting political accountability, improving the delivery of basic services and enhancing local development opportunities. To ensure that many people in developing countries - especially the poor – are not left behind in the use of this new tool, UNDP helps countries draw on expertise and best practices from around the world to develop strategies that expand access to ICT and harness it for development. It maintains the ‘Networking and Information Technology Observatory – Issues for Developing Countries’, an ICT-for-development service that it updates daily. UNDP promotes e-governance as a tool for transparency and good governance that is expected to facilitate citizen participation in, and influencing of, decision making in the country. Working in over 160 countries, UNDP also relies on ICT solutions to make the most effective use of its own global network. Countries in which UNDP currently supports ICT initiatives in cooperation with governments and civil society include: Bangladesh, Nepal, Syria, Uzbekistan and Venezuela.
55. ICT empowers people by giving them easier access to information and promoting freedom of opinion and expression. Freedom of opinion and expression is also supported through the training of journalists and the strengthening of public and private mass media. India, Moldova, Mongolia and Ukraine are among the countries in which UNDP is currently supporting initiatives in favour of freedom of opinion and expression.

**6. *Women* (CHR res. 2002/49, 2002/50, 2002/51, 2002/52 and 2002/58)**

56. Gender discrimination, gender inequalities in access to resources and opportunities, violence against women, the denial of basic services to women, women’s paltry representation in politics and business, and the power imbalances that characterize personal relationships between men and women hamper the progress not only of women, but of society at large. The international community made strong commitments for women’s equality and empowerment at the world summits and global conferences of the 1990s. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Beijing Platform for Action and the Millennium Development Goals (MDGs) all set forth noble goals whose realization calls for specific policy reforms and operational programmes that make a difference for women, and poor women in particular.

57. Gender equality is a core principle for UNDP. The organization is committed to working with programme countries to translate the internationally agreed gender agenda into real achievements. In this regard, it simultaneously follows two complementary approaches to achieving gender equality: mainstreaming gender and promoting women's empowerment. UNDP's agenda for gender equality follows a three-pronged approach:

- capacity development - both in-country and in-house - to integrate gender concerns in the six practice areas;
- policy advice that is both pro-poor and pro-women; and
- support to stand-alone operational interventions for gender equality in collaboration with UNIFEM.

Specific entry points for UNDP include gender-disaggregated MDG monitoring at the country level; gender-sensitive budgeting; reducing the incidence of HIV among vulnerable women; incorporating gender dimensions into macro-economic policies and trade negotiations; and linking women's empowerment to democratic governance, decentralization and civil society participation. Capacity development includes sensitization, training, knowledge sharing, networking and twinning.

58. Ninety UNDP country offices (representing about 60% of the total) reported gender specific programmes in 2001, compared with 75 in 2000, with specific interventions related to women's empowerment featuring most prominently. The UNDP regional programme for Europe and the CIS is producing 'Legislative Review Guidelines' to facilitate a gender analysis of existing and future legislation in countries of Eastern Europe and the CIS. In Uzbekistan, UNDP and the OSCE supported initiatives to promote the adoption of an 'Equal Rights and Opportunities Law' as recommended by the CEDAW Committee. The UNDP office in Haiti supported a permanent campaign on violence against women. In Cambodia, UNDP provided advisory services for the drafting of a law on violence against women. It also assisted the processes of consultation with civil society and members of the National Assembly within the framework of support to the improvement of the overall capacities of the Ministry of Women's and Veteran's Affairs.

59. In collaboration with other members of the Donor Action Group, the UNDP office in Egypt is supporting a project, implemented in cooperation with the National Council for Childhood and Motherhood, that aims at strengthening advocacy against the practice of female genital mutilation, empowering girls at risk, enhancing awareness of the rights of the girl child with particular focus on female genital mutilation and its effect on the well-being of girls, and the right of girls to participate in decisions that affect their lives.

60. Training workshops to raise awareness about the CEDAW and the status of women have been supported by UNDP in many countries, including Cambodia and Egypt. In the Philippines, UNDP supported the production of the 1997 Philippines Human Development Report on the theme of 'Gender equality and



women's participation', thereby drawing attention to the status of women in social, economic and political participation. In Georgia, the UNDP Gender in Development project conducted training of women as voters and candidates in the context of the 2002 local elections as well as follow-up workshops for women newly elected into local councils; these workshops provided the women councillors with training on gender issues and an opportunity for them to establish a network of newly elected women.

61. As part of its human rights approach, UNDP has integrated gender in issues of conflict prevention and recovery through its training and advocacy programmes. In early 2001, a training workshop was conducted for staff on gender issues in conflict prevention and recovery. This served as a basis for a draft policy paper on building a gender perspective into post-conflict recovery. In October 2002, UNDP produced a training module on "Gender Approaches in Conflict and Post-Conflict Situations." Two training sessions were subsequently organized at the request of the Italian Government for military personnel preparing for peacekeeping duties. In October 2002, UNDP hosted a workshop on Gender and the Transition to Post-Conflict Recovery to outline a concerted strategy for mainstreaming gender throughout its work on crisis prevention and recovery and to capture lessons learned in field operations.

#### ***7. Internally displaced persons (CHR res. 2002/56)***

62. UNDP is concerned about the growing number of persons in all regions of the world who are forced by the ravages of armed conflict, natural disasters and political disturbances to flee, abandon their homes and live the precarious lives of 'internally displaced persons' within the confines of their own States, without adequate protection and assistance. Within the limits of its resources, and with due regard to its mandate, UNDP has sought, through its Bureau for Crisis Prevention and Recovery (BCPR) and its country offices, to protect, assist and promote the human rights of internally displaced persons. A number of projects have been developed in this regard.
63. To facilitate the transition from crisis to sustainable recovery, UNDP focuses on increasing the capacity of communities to absorb internally displaced persons and returning refugees, and the ability of individuals to adapt to their new situation. In Sudan, UNDP currently supports the reintegration of IDPs in the larger context of human development for the vulnerable. In Northwest Somalia, UNDP and UNHCR are jointly implementing, as part of a wider IGAD regional initiative, a programme for reintegration of returning refugees and IDPs. In Angola and Bosnia, UNDP supported the framing of appropriate programme interventions to strengthen local governance and to enhance service delivery to returning IDPs in order to facilitate their sustainable reintegration. In Eritrea, a recent mid-term evaluation revealed that the Post-War Eritrea Recovery Programme has been successful in assuring the sustainable reintegration of the affected population. Other UNDP projects to support internally displaced

communities in the reconstitution of their dignity and coexistence with their host communities have been implemented in Colombia, Georgia, Liberia, the Philippines and Rwanda. In Honduras, UNDP facilitated a dialogue between the Armed Forces and families of missing people as well as human rights organizations representing these families, in an effort to establish the truth and reach some closure on the cases of missing persons.

#### **8. Minorities (CHR res. 2002/57)**

64. The issue of minorities is prevalent in virtually all the countries in which UNDP works. Given the importance of this issue, and its impact on human development, UNDP is currently collaborating with the NGO, Minority Rights Group International (MRG), to develop a discussion paper that should lead to the eventual adoption by UNDP of its corporate policy on minorities in development. Meanwhile, in countries such as Georgia and Macedonia, UNDP-supported projects address the rights of people belonging to national, ethnic, religious and linguistic minorities. In 2003, UNDP published a report entitled *The Roma in Central and Eastern Europe: Avoiding the Dependency Trap*, available on <http://www.undp.org/rbec/publications>. This report examines issues of Roma integration and sustainable income generation in Central and Eastern Europe and advocates a new approach, based on the human development paradigm, to these issues.

#### **9. Indigenous peoples (CHR res. 2002/63 and 2002/65)**

65. UNDP's engagement with indigenous peoples and their organizations is influenced by its corporate mandate, development cooperation processes and agreements to which it has subscribed, and the aspirations of indigenous peoples themselves. In the context of the International Decade of the World's Indigenous People (1995-2004), and building on previous initiatives that included its 1994 publication, *Conserving Indigenous Knowledge: Integrating Two Systems of Innovation*, UNDP issued a policy guidance note in August 2001 entitled: *UNDP and Indigenous Peoples: A Policy of Engagement*. The objective of this policy guidance note is to provide UNDP staff with a framework to guide their work in building sustainable partnerships with indigenous peoples. Rooted in the goals and targets set by world leaders at the UN Millennium Summit in September 2000, it is underpinned by the international human rights framework and a full recognition of indigenous peoples' rights and of their vital role in, and contribution to, development.
66. Since the inauguration in 1993 of the United Nations International Year of Indigenous People, many of UNDP's global, regional and national (small grant) programmes have focused on poverty eradication, environmental conservation, conflict prevention and resolution, and cultural revitalization in indigenous peoples' communities. At the global level, UNDP supported the Indigenous Knowledge Programme (IKP) (1996-1999) aimed at promoting indigenous

knowledge and protecting indigenous intellectual property through targeted capacity building and direct support for projects formulated and implemented by indigenous peoples' organizations (IPOs). The *Equator Initiative* supported by UNDP seeks to promote a worldwide movement to reduce poverty along with the conservation, sustainable use and equitable sharing of benefits from biodiversity. Indigenous peoples' community initiatives were among the 27 that recently received the *Equator Initiative Awards* in recognition of their extraordinary achievement in reducing poverty through the conservation and sustainable use of biodiversity in the Equatorial belt.

67. At the regional level, UNDP's Highland Peoples' Programme (HPP) in Southeast Asia covered four countries in the Mekong sub-region: Thailand, Cambodia, Lao PDR and Vietnam where at least 11 million indigenous people live. Working closely with indigenous peoples' organizations (IPOs), it focused on poverty reduction by applying a participatory, decentralized, and localized bottom-up approach to the development of an area with indigenous peoples. It established exchange mechanisms and procedures to encourage dialogue and the sharing of experiences and information between multi-stakeholders, notably government and IPOs, regarding highland peoples' development at regional, national, and local levels. The achievements of the HPP will be built upon in a new Asia-Pacific regional programme to strengthen policy dialogue on indigenous and tribal peoples' rights and sustainable development.
68. Much of UNDP support at the country level to indigenous peoples is channelled through small grant programmes. The grants tend to be of small amounts ranging from US\$5,000 to US\$100,000. These programmes, such as the Global Environment Facility Small Grants Programme (GEF/SGP), seek to promote consensus building and participatory decision-making processes. They are designed and implemented in a decentralized manner, participatory management structures being an integral component. In Latin America, UNDP offices in countries such as Bolivia, Brazil, Colombia, Guatemala, Mexico, Paraguay and Venezuela are implementing projects in support of indigenous peoples' rights. Activities include: the training of justice system actors such as public defenders, prosecutors and judges; raising awareness and strengthening legislation on the rights of indigenous people; establishment of institutions for the promotion and protection of indigenous women's rights; and awareness raising on human rights treaties and norms, with emphasis on the rights of women and indigenous peoples.
69. In May 2000, UNDP established a Civil Society Organizations Advisory Committee composed of 14 civil society leaders who provide strategic advice to the Administrator and senior management on key policy advocacy initiatives. The Executive Director of an IPO is a member of the CSO Advisory Committee. This provides a valuable forum for raising indigenous peoples' concerns. UNDP has supported two members of the Committee to undertake the

production of a series of case studies documenting indigenous peoples' role in preventing and resolving conflict.

70. Within the UN, UNDP works closely with other UN agencies on indigenous peoples' issues. It is a member of the Interagency Support Group for the Permanent Forum on Indigenous Issues, and actively participated in the first session of the Permanent Forum on Indigenous Issues at which, among other activities, it organized a panel discussion on the subject of 'Indigenous Peoples and Development: The Importance of Prior Informed Consent'. UNDP also actively participates in the Working Group on Indigenous Populations.

#### **10. Right to development (CHR res. 2002/69)**

71. By adopting the MDGs, world leaders put development at the heart of the global agenda. UNDP takes a broad view of development as encompassing not just economic growth, but the multi-dimensional improvement of the quality of life for every man, woman and child everywhere in the world. The clustering of UNDP activities at global and country levels around six 'practice areas' is an acknowledgement of this multifaceted nature of development. UNDP development activities focus on democratic governance, poverty reduction, crisis prevention and recovery, energy and environment, information and communications technology and HIV/AIDS. In each of these six practice areas, UNDP advocates for the protection of human rights and the empowerment of women.
72. UNDP also engages in extensive advocacy work. The annual *Human Development Report* commissioned by UNDP focuses the global debate on key development issues, providing new measurement tools, innovative analysis and, often, controversial policy proposals. It is guided by the belief that development is, ultimately, "a process of enlarging people's choices", not just raising national incomes. The independent team of experts who write the Report draw on a worldwide network of leaders from academia, government and civil society who contribute data, ideas, and best practices. Developing countries and their international partners use the Report to gauge results and shape new policies. The global Report's analytical framework and inclusive approach carry over into regional, national and local human development reports, also supported by UNDP. So far, more than 420 National Human Development Reports have been published in 135 countries. These Reports are created by national experts and intellectuals who draw on UNDP's global network for advice and inspiration; their success shows how quality research and advocacy can spur policy debates, draw political attention to pressing issues, and help countries build their own development solutions.
73. UNDP is committed to making a significant contribution to the international efforts towards the achievement of the MDGs. As Chair of the UN Development Group, UNDP's Administrator has been charged by the Secretary-

General to coordinate the MDG campaign and country-level monitoring activities. In this regard, UNDP is working in four key areas:

- practical assistance in support of country priorities through the integration of the MDGs into all aspects of the UN system's work at the country level;
- collaborating, as appropriate, with the rest of the UN system, the OECD/DAC, the World Bank and the IMF to support the production of country MDG Reports as a means of monitoring each developing country's progress towards achievement of the MDGs;
- implementation of the UN's Millennium Project to generate new research ideas among scholars from developing and developed countries working with UN experts;
- working with the UN system and international and civil society partners to drive a series of advocacy and awareness-raising Millennium Campaigns within countries, based on national strategies and needs.

74. Given the importance of development cooperation and aid coordination for poverty reduction, UNDP is supporting national and global efforts to improve aid coordination through existing institutional arrangements such as the United Nations Development Assistance Framework (UNDAF), round table activities, and multi-donor forums. This support focuses particularly on:

- linking aid and donor efforts to the MDG targets;
- encouraging donor governments to meet the internationally agreed target of 0.7 percent of GNP to be deployed for development assistance;
- improving the effectiveness of aid to reach vulnerable groups;
- ensuring that aid targets poverty and social investments;
- fostering local ownership of resources; and
- maintaining dialogue processes with Governments to ensure the internalization of Round Table Processes.

75. In February 2003, UNDP provided US\$1.9 million funding support to NEPAD to enable NEPAD to set up its advisory panel, put together a technical support facility and build capacity within its steering committee to enhance its work. UNDP Cambodia is collaborating in an initiative led by the Independent Expert on the Right to Development and the Harvard Public Health School to conduct a case study to develop best practices to implement the right to development focusing on the right to education, the right to health and food security. The initiative is hosted by a local research institute (Cambodian Institute for Cooperation and Peace) which presented a first draft of the research study in September 2002.

**11. Racism, racial discrimination, xenophobia and related intolerance (CHR res. 2002/68)**

76. Human development, the simple idea that drives the work of UNDP throughout the world, derives from the vision that every individual everywhere – man or

woman, girl or boy – must have the opportunity to fulfill his or her potential and the power to choose how he or she lives. Racism, racial discrimination, xenophobia and related intolerance are a huge obstacle to the achievement of this vision. We are therefore resolved, in UNDP, to combat them. The manner in which we do so is determined by our mandate and our competences. Much of the work we do globally and at country level is intended, ultimately, to cut the complex combination of political, economic, social and cultural knots that hold down people on such grounds as descent, national or ethnic origin, sex, language, religion, political or other opinion, social origin, property, birth or other status.

77. In this connection, UNDP is willing to support States to widely disseminate and follow-up the Durban Declaration and Programme of Action and to formulate and implement policies and plans of action to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations. Support of this kind is already being provided by some UNDP country offices, as in Nigeria and Uruguay. As indicated earlier, UNDP country offices do, in their policy dialogue with governments, advocate accession to, or ratification of, the major human rights treaties, as well as the withdrawal of all reservations contrary to the objects and purposes of these treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination.
78. UNDP welcomes the establishment within OHCHR of the Anti-Discrimination Unit, the establishment by the Commission on Human Rights of the Working Group of Experts on People of African Descent and the appointment by the Secretary-General of five independent eminent experts to follow the implementation of the Durban Declaration and Programme of Action. UNDP is committed to working with each of these mechanisms to promote the implementation of relevant provisions of the Durban Declaration and Programme of Action.

## ***12. UN Decade for human rights education (CHR res. 2002/74)***

79. The Plan of Action for the UN Decade for human rights education defines the purpose of human rights education as training, dissemination and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes. UNDP is persuaded that human rights awareness empowers individuals to assert their rights and realize their full human potential. It contributes to the elimination of gender-based discrimination and promotes democratic governance and development approaches geared towards the fulfillment of the dignity of men and women of all ages, including the poor, the weak, the vulnerable, the marginalized and the disadvantaged in society.

80. UNDP has, therefore, consistently supported national efforts to raise human rights awareness through human rights education and training, as indicated at paragraphs 6 to 10, above. With the same objective in view, UNDP has developed human rights training materials, alone or in collaboration with other UN agencies, provided human rights training for its own staff and collaborated with OHCHR to implement the ACT project, as mentioned above.
81. For lasting results, human rights education is best assured in a community context where ordinary citizens and their local leaders come together to learn and reflect on their rights and jointly agree on actions that influence decisions of importance to the life of the community. To promote this approach to human rights education, the international human rights NGO network, the People's Movement (formerly Decade) for Human Rights Education (PDHRE), has developed the concept of 'Human Rights Cities' and a pedagogy for human rights education that makes the latter a tool for social and economic transformation. With funding from the UN Foundation, UNDP collaborated with PDHRE in the development of a major community-based programme to support 10 existing human rights cities, create 20 new ones and train community leaders to promote social and economic transformation on the basis of human rights. The programme has had to be scaled down due to insufficient resources to support its implementation.

**13. *Human rights and the environment as part of sustainable development (CHR res. 2002/75)***

82. As part of the follow up to the World Summit on Sustainable Development, UNDP has joined the "Partnership for Principle 10" of the Rio Declaration. Principle 10 partners have committed to exploring ways of promoting more effective environmental governance by encouraging greater access to environmental information, more effective participation of affected people in environment decision-making and improved access to justice in the context of environmental rights and interests.
83. The main focus of UNDP's energy and environment projects and programmes is poverty reduction and sustainable development, with particular emphasis on the promotion of access of the poor to energy services, to clean water and to sanitation services, and support to livelihoods that lead to sustainable land management and to the conservation and sustainable use of biological diversity. By placing individuals and communities in which they live at the heart of their strategies, these projects and programmes reflect a human rights-based approach to development both in their substantive objectives and in the processes and institutions they promote for the pursuit of those objectives. Through the HURIST programme, UNDP and OHCHR have commissioned a study that would make the link between human rights and environmental interventions

more explicit and assess the latest developments in the theory and practice of human rights-based approaches to environment-related development assistance.

84. The following are some examples of UNDP's dual approach to promoting substantive and procedural rights in its energy and environment programmes and projects. The Cross Borders Project (East Africa) and the Bangassou Project (Central African Republic) have developed decentralized capacities that bring local government and local communities together in the co-management of community and state forests. To increase the rights of local people to benefit from traditional knowledge, the Morocco High Atlas project is reviving traditional range management systems for greater biodiversity conservation, while the Zimbabwe Traditional Medicinal Plants project is building upon substantial knowledge in medicinal plants held by traditional healers and traders to ensure both biodiversity conservation and wider access by poor people to health care. In Nepal, the Maldives as well as Russia's Kamchatka Peninsula, UNDP is promoting community-based protected area management of forestry resources, coral reef resources and salmon resources, respectively, in ways that give people increased control over local resources to the benefit of the environment and local economies. Within the Partnership for Local Governance Programme, UNDP Cambodia has supported activities for natural resource management. In particular, the community-based Natural Resource Management project in Ratanakiri has been working on land conflict prevention and resolution. The two-fold purpose of this project is: to extend land rights and indigenous rights and reinforce land and resources conflict resolution mechanisms; and to develop land use planning with the enactment of appropriate rules and regulations. The Provincial Governor was expected, by the end of 2002, to hand over local natural resources management to the communes of Soam Thom, La Oun Kren, Yeak Laom, O Sinle, Lumkot, Kak, Laminh and Ting Chak. In a trans-boundary context, UNDP is working with Hungary and Slovenia to build Environmental Citizenship to support trans-boundary pollution reduction in the Danube.
85. It is regrettable that, in so many developing countries that experience armed conflict, the environment is often degraded and rendered extremely hazardous by belligerents who wantonly plant anti-personnel and other mines on land that sustains the livelihoods of millions of innocent civilians. Through the mine action of its Bureau for Crisis Prevention and Recovery, UNDP seeks in these countries to recreate an environment in which people can exercise their human rights, live safely, assure their economic and social well-being and otherwise address their needs free from the constraints imposed by landmines. In collaboration with its UN mine action partners – particularly the UN Mine Action Service, UNICEF and the UN Office for Project Services – and national and international non-governmental organizations, UNDP currently supports mine action programmes in the following 20 countries: Afghanistan, Albania, Angola, Azerbaijan, Bosnia & Herzegovina, Cambodia, Chad, Croatia, Eritrea,



Ethiopia, Guinea-Bissau, Iran, Laos, Lebanon, Mozambique, Somalia, Sri Lanka, Thailand, Ukraine, and Yemen.

**14. *Good governance to promote human rights (CHR res. 2002/76)***

86. The inter-connection between good governance, human rights and sustainable human development has been repeatedly affirmed by the international community in a series of declarations and other global conference documents. By resolution 2002/76 of 25 April 2002, the Commission on Human Rights requested the High Commissioner, working jointly with UNDP, "to convene a seminar ... on the issue of practical approaches and activities that have been effective in strengthening good governance practices for the promotion of human rights at the national level".
87. OHCHR and UNDP have jointly developed a concept paper on the proposed seminar that is expected to take place in the first semester of 2003. One intended output will be the compilation of best practices and experiences in good governance for the promotion of human rights that could be consulted by interested States when necessary. It is expected that, in conformity with Commission on Human Rights resolution 2002/76, the High Commissioner will invite States, national human rights institutions, relevant organs and bodies of the United Nations, other relevant international bodies and relevant national and international NGOs to attend the seminar.

**15. *National human rights institutions (CHR res. 2002/83)***

88. National institutions play a vital role in the promotion and protection of human rights and fundamental freedoms and in raising public awareness of these rights and freedoms. They take various forms from one country to another: national human rights commissions; ombudsman offices; human rights offices; public defender offices; standing committees on human rights; human rights committees; parliamentary human rights commissions, etc. Over the past four years, UNDP has supported the creation and functioning of national human rights institutions in at least 32 countries in all regions of the world.
89. In collaboration with OHCHR, UNDP has recently commissioned the production of a discussion paper on national human rights institutions that is expected to lead to the adoption by UNDP of its corporate policy on national human rights institutions.

**16. *Human rights and thematic procedures (CHR res. 2002/84)***

90. UNDP acknowledges the important role played by thematic procedures in monitoring the promotion, protection and fulfillment of internationally

recognized human rights. As part of its contribution towards strengthening the UN-led international human rights system, UNDP is committed to cooperating with the various thematic procedures, within the limits of its mandate, to facilitate their work and enhance the accomplishment of their mission. In this connection, during sessions of the Working Group on Indigenous Populations and of the Permanent Forum on Indigenous Issues, UNDP met informally with the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people to discuss various aspects of its engagement with indigenous peoples and their organizations.

91. UNDP country offices routinely disseminate reports and other documents that they receive for distribution from special procedures. They also provide other forms of support to the latter. For example, in Brazil, UNDP provided planning and logistical support to the visit of the Special Rapporteur on Torture in September 2000 and of the Special Rapporteur on the Right to Food in March 2002. It also assisted in the translation into Portuguese of the report of the Special Rapporteur on Torture and its posting on the web in April 2001. Planning, backstopping and logistical support was provided by the Philippines country office to the Secretary-General's Special Representative for internally displaced persons and the Special Rapporteur on the human rights of migrants. The UNDP country office in Cambodia relied on State and 'shadow' reports to treaty bodies, the concluding observations of treaty bodies and the reports of the Special Representative of the Secretary-General for Cambodia to gain a better understanding of that country's human rights situation and to cooperate in addressing its root causes through its development programme interventions.

#### ***17. Reporting obligations (CHR res. 2002/85)***

92. UNDP is committed to cooperating with States, national NGOs and other national actors in support of national efforts to meet reporting obligations under UN and regional human rights instruments. For example, a major component of UNDP's Regional Gender Programme for Asia and the Pacific is designed to support the strengthening of the capacity of governments and civil society organizations in the region to systematically monitor progress, and report, on implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In particular, the programme facilitates NGO inputs into the CEDAW Committee review process by financing the travel of NGO representatives to New York to present their 'shadow' report to the Committee and to dialogue with its members. In recent years, UNDP country offices have provided advisory, financial and technical support to the fulfillment of reporting obligations under international human rights instruments, especially the CEDAW and the Convention on the Rights of the Child (CRC), in countries such as Albania, Cambodia, Guinea-Bissau, Ivory Coast, Niger, Sri Lanka, Togo and Yemen. For example, in Cambodia, UNDP and OHCHR have provided various forms of support to the Cambodian National Council for Women (CNCW) which was mandated by Royal Decree in

2001 to coordinate the writing of the country's CEDAW report for submission in 2003, the first to be submitted since Cambodia became a party to the CEDAW in 1992.

***18. International cooperation, advisory services and technical cooperation in the field of human rights (CHR res. 2002/86 and 2002/87)***

93. UNDP acknowledges that the enhancement of international cooperation in the field of human rights is essential for the effective promotion and protection of all human rights. It actively seeks to reinforce its cooperation with all other UN and non-UN actors in this field with a view to strengthening, rationalizing and streamlining the activities of the various actors and, to the extent possible, avoiding duplication. In this connection, UNDP is committed, within the limits of its mandate and available resources, and acting alone or in cooperation with other stakeholders as may seem appropriate, to providing advisory services as well as technical and financial assistance with a view to developing and strengthening national capacities and institutions for the promotion, protection and fulfillment of human rights. Most of the activities described in sections I and II of this report, and many of those mentioned in section III, are practical examples of UNDP's fulfillment of its commitment to international cooperation and providing advisory and technical support in the field of human rights.

***19. Assistance to Somalia in the field of human rights (CHR res. 2002/88)***

94. Notwithstanding the difficult conditions prevailing in Somalia and the massive challenges encountered in the effort to reconstruct and develop the country under those conditions, UNDP has maintained its effective presence in Somalia. In doing this it recognizes, in the words of UN Commission on Human Rights resolution 2002/88, that "humanitarian and development assistance is of paramount importance in contributing to the alleviation of poverty, promoting a more peaceful, equitable and democratic society in Somalia and supporting sustainable improvement of the livelihood of the Somali people and their improved access to basic public and social services, as well as the establishment of good governance".

95. UNDP's humanitarian and development assistance in Somalia extends to relief, rehabilitation and reconstruction (strengthening civil society, governance and the rule of law), HIV/AIDS, demobilization of the militia, disarmament, small arms control, mine action and human rights. In the field of human rights, since 1993, UNDP has provided successive independent experts on the situation of human rights in Somalia with logistical support as well as substantial briefing during their annual visits to Somalia and Nairobi.

96. OHCHR established a field presence in Somalia in October 1999 through a resident 'Senior Human Rights Adviser'. Since then, UNDP has provided the Senior Human Rights Adviser with office space, communication facilities and

other administrative services and associated him actively in its programmatic work. With the support of, and in close collaboration with, the UNDP country office in Somalia, the Senior Human Rights Adviser contributed to the formulation of the UNDP Rule of Law in Somalia (ROLS) Programme; coordinated the preparation of a UN report on 'Past Human Rights Abuses in Somalia', partially financed by UNDP and Sweden; worked with the Resident and Humanitarian Coordinator on the mainstreaming of human rights into the interventions of the UN Country Team; and backstopped the independent expert on the situation of human rights in Somalia.

97. With direct assistance from UNDP, the Senior Human Rights Adviser undertook various activities over the past year, including the following: translation of four OHCHR law-enforcement training manuals; conduct of a needs assessment study in northwestern Somalia (Somaliland) and the Bay and Bakool regions; organization of two-day workshops for civil society groups, in Hargeisa and Baidoa, as part of the consultation process for the reformulation of the ROLS Programme; provision of substantive input into, and critique of, the inter-agency Joint Action Recovery Plan (JARP) for Somalia in which human rights and gender were included as one thematic area with a separate strategy of implementation; support to two Somali human rights NGOs to mobilize funding for training workshops.
98. In the course of 2002, UNDP and OHCHR advocated the inclusion of women in the police force of Somaliland and UNDP financed and built new women's quarters within the "Police Training School" of Mandera in Somaliland. The Somaliland Police is now committed to recruiting at least 30 women for the new training course scheduled to start in early 2003. In June 2002, the Somalia Aid Coordination Body, an umbrella forum that brings together UN agencies, donors and international NGOs, agreed to establish a human rights and gender working group, chaired by OHCHR, to oversee the mainstreaming of human rights and gender concerns in the interventions of all its constituent members.

## **20. *Situation of human rights in Cambodia (CHR res. 2002/89)***

99. UNDP supports the promotion and protection of human rights in Cambodia through: advocacy and raising awareness about a human rights-based approach to development among stakeholders such as parliamentarians, government officials, CSOs and NGOs; developing capacities and strengthening the role of national institutions such as the legislature and the judiciary; strengthening the capacity of the National Elections Committee (NEC) to organize free and fair elections; and advancing the Secretary-General's human rights agenda in the work of the UNCT.
100. The process of mainstreaming human rights in Cambodia began in 2000 with a series of introductory and induction workshops to enhance UN staff understanding of the human rights-based approach and their capacity to apply it

to their programme activities. The UNCT identified priority issues and development challenges for Cambodia, such as poverty, HIV/AIDS and gender, from a human rights perspective and adopted strategies such as Education for All, Health for All, HIV/AIDS and food security that reflect human rights. In collaboration with a local partner, the Cambodian Institute for Human Rights, a human rights 'Training of Trainers Module' was developed to provide human rights-based development training to partner institutions within the country that would enable them to mainstream and integrate human rights and development concepts into their various programmes.

101. UNDP has provided advisory services to the Royal Government of Cambodia (RGC) to reform the electoral management environment in the country. This includes reinforcing the RGC's responsibility to ensure an election free of violence and intimidation and improving the capacity of the National Election Committee to conduct an inclusive, free and fair election process.
102. With the aim of strengthening the parliamentary institution in Cambodia, UNDP developed a preparatory assistance project to support the participation of the National Assembly and Senate in international and regional events; to reinforce the oversight function of the legislature by exposing MPs to international standards and development agenda; to encourage and support the parliament to pursue its role in promoting and protecting human rights; and to design a capacity development programme for both houses of Parliament. Three workshops on the role of Parliament in international human rights and development cooperation, in developing national systems for the promotion and protection of human rights and in monitoring the implementation of development commitments and human rights obligations were organized for members of the National Assembly and senators. Four members of the National Assembly and three senators were sponsored to attend international and regional conferences on poverty reduction, human rights and development, legislative transparency and accountability, environment, etc. Awareness raising and the promotion of human rights among parliamentarians were further enhanced through the sharing of relevant reports, declarations and other documents with members of the National Assembly and Senate and highlighting their relevance within the Cambodian context.
103. In line with its Country Cooperation Framework (CCF) for 2000-2005, UNDP is committed in Cambodia to enhancing the fair administration of, and greater access to, justice. Judicial reform and strengthening the capacity of the judicial system have been supported primarily through: the judicial mentor programme (1996-2002), implemented in collaboration with the Cambodia office of OHCHR; and national workshops for judges and prosecutors on critical issues related to the ongoing legal and judicial reform process. Under the judicial mentor programme, the mentors regularly monitored the prison conditions and reported their findings to OHCHR and the SRSG on the situation of human rights in Cambodia. They encouraged and facilitated consultation among various stakeholders at national, provincial and local levels with a view

to alleviating excessive pre-trial detention, overcrowding and lack of hygiene in prisons. Negotiations are currently underway for the formulation and implementation of a preparatory assistance project to: promote a national consensus /participatory forum to further the process of legal and judicial reform began by the Royal Government of Cambodia; 'jump start' critical capacity development activities focused on a core group of magistrates; and formulate a project to support the overall national efforts in reforming the legal and judicial systems.

104. To support the implementation of an effective, efficient and transparent land registration system and the resolution of problems relating to land, such as land grabbing, forced evictions and further displacement, UNDP-Cambodia in partnership with UN-Habitat is assisting the Ministry of Land Management, Urban Planning and Construction in the formulation and pilot implementation of an urban housing policy. The policy will address the rights of urban poor to adequate housing and security in line with the relevant MDGs and the national vision for poverty reduction. In addition, UNDP and UN-Habitat have supported the Municipality of Phnom Penh in promoting the rights of slum dwellers and fire victims. Recently, the rights of dwellers were recognized by public authorities; the government is issuing land titles to them in respect of the land that they occupy.
105. With regard to assistance to removal of anti-personnel landmines, to victims of these mines and to the implementation of mine-awareness programmes, UNDP has been one of the key partners of the Cambodian Government in national mine action programmes that started during the UNTAC era in 1992. With close to three decades of internal and international war and the widespread use of land mines and extensive aerial bombings in the period leading up to the 1991 Paris Peace Accord, Cambodia continues to be one of the worst affected countries in the world with close to an average of 75 casualties per month for the period January to September 2002. It is estimated that 54,453 people were killed or maimed by landmines from 1979 to September 2002.
106. UNDP's support to the sector includes capacity development for the Cambodian Mine Action and Victim Assistance Authority (CMAA), which is responsible for the co-ordination, planning and regulation of the sector. UNDP also supports the Cambodian Mine Action Centre (CMAC), the country's largest mine action operator with around 2,500 staff providing clearance, mine awareness, training and education services in the sector. UNDP provides advisory services in management, co-ordination and planning, and knowledge networking to share international best practices in collaboration with UNMAS and other agencies. Furthermore, UNDP plays an important role in partnership building, resource mobilisation and safeguarding sound corporate governance practices in the sector. Since 1993, close to US\$70 million has been channelled through the UNDP Trust Fund to support CMAC's operations.

107. The Government of Cambodia has pursued small arms reduction programmes effectively, and has received support from the European Community and the Government of Japan. The latter has provided support through the UNDP- supported national SEILA Programme as well as bilaterally. A new law on small weapons is being debated by the legislature. UNDP is contemplating the possibility of providing capacity development support to the National Commission on Weapons Reduction, and of supporting efforts aimed at the enhancement of regional co-operation to control the flow of illicit small arms.

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