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Report of the United Nations High Commissioner for Human Rights

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Note

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Summary

This report provides information on the activities of the Office of the United Nations High Commissioner for Human Rights over the past year. It supplements the reports submitted earlier this year to the Commission on Human Rights (E/2003/73) and the Economic and Social Council (E/CN.4/2003/14).

This report groups the activities of the Office under the following headings: the normative foundations: the human rights treaties; human rights and peace; human rights and development; human rights and justice; human rights and conflicts; human rights problems: gross violations of human rights; new challenges — bioethics and the role of the corporate sector in upholding human rights.

The thrust of the report is that human rights activities are central to the achievement of the purposes of the United Nations. Having regard to the present difficult international situation, with problems of terrorism, conflicts and poverty, and of legality, the report is mindful of the role of human rights activities in the future of the United Nations.

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I. Introduction

1. This report is submitted pursuant to General Assembly resolution 48/141, establishing the post of the United Nations High Commissioner for Human Rights. It provides information on the activities of the Office of the High Commissioner (OHCHR) over the past year and supplements the reports submitted earlier this year to the Commission on Human Rights (E/2003/73) and the Economic and Social Council (E/CN.4/2003/14).

2. The function of the High Commissioner for Human Rights is to act for the promotion and protection of all human rights worldwide. The functions of the General Assembly under the Charter of the United Nations in that regard are to consider developments in the field of human rights and make recommendations for their observance worldwide. The present report has these two perspectives in mind in presenting information on the activities of the Office over the past year.

3. In a letter dated 23 May 2003, the Secretary-General of the United Nations advised the President of the General Assembly that in the absence of the High Commissioner, who was assigned to duties as the Secretary-General's Special Representative for Iraq for four months, beginning 1 June 2003, the Deputy High Commissioner for Human Rights, Bertrand G. Ramcharan, would perform the functions of High Commissioner as Officer-in-Charge of OHCHR. Subsequently, the High Commissioner for Human Rights, Sergio Vieira de Mello, was killed in a terrorist attack on the United Nations headquarters in Baghdad on 19 August. This report is therefore submitted by Bertrand G. Ramcharan as the Acting High Commissioner.

4. The thrust of the report is that human rights activities are central to the achievement of the purposes of the United Nations. Having regard to the present difficult international situation, with problems of terrorism, conflicts and poverty, and of legality, the report is mindful of the role of human rights activities in the future of the United Nations.

II. The normative foundations: the human rights treaties

5. The Charter of the United Nations and the Universal Declaration of Human Rights have placed human rights in the framework of principles and obligations shaping relations within the international community. In his 1997 report "Renewing the United Nations: a programme for reform" (A/51/950 and addenda), the Secretary-General identified human rights as a cross-cutting issue and integrated it throughout the main structures of the Secretariat. In his 2002 report "Strengthening of the United Nations: an agenda for further change" (A/57/387 and Corr.1), the Secretary-General reiterated that the promotion and protection of human rights were "a bedrock requirement for the realization of the Charter's vision of a just and peaceful world". Today, human rights provide a common normative underpinning and a benchmark for United Nations efforts in the areas of peace, humanitarian assistance, sustainable development, and social and economic progress.

6. Universal ratification and implementation of the core human rights treaties is central to the Secretary-General's concept of the strengthening of national systems for the promotion and protection of human rights, recommended in his second report on reform. The process of treaty implementation, and in particular the preparation of

States parties' reports, follow-up measures to recommendations of treaty bodies and responses to individual complaints, is a critical mechanism for encouraging legislative, policy and programmatic change at the national level. Supporting the work of the human rights treaty bodies is a significant part of the activities of OHCHR.

7. The human rights treaty bodies, through general comments/recommendations on treaty provisions, concluding observations on States parties' reports and decisions adopted in respect of individual complaints, help identify, explain and elaborate upon the legal obligations which Governments assume by ratifying or acceding to human rights treaties. The reporting and follow-up process also provides a framework for accountability. The preparation and examination of States parties' reports allow for examination of governmental policies at the national level and encourage the participation of various sectors of society in the formulation, evaluation and review of the reports. Through their recommendations, treaty bodies identify specific human rights concerns and help to set priorities at the national level, thus facilitating joint action by Governments, United Nations agencies, non-governmental organizations (NGOs) and other partners.

8. There has been steady progress towards the ultimate goal of universal ratification of the principal human rights instruments, their substantive protocols and optional complaints procedures. Today, almost every Member State is party to three or more international human rights treaties. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families entered into force on 1 July 2003, and the General Assembly at its fifty-seventh session adopted the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, establishing a system of regular visits by national bodies to detention places and a subcommittee of the Committee against Torture composed of international experts.

Review of the treaty body system

9. The process of review of the treaty body system, prompted by the Secretary-General's second reform report, has highlighted that the reporting system is positive and successful, contributing to the creation of constituencies at the national level to promote the implementation of human rights. Increasingly, the work of the treaty bodies provides direct input to the development of new laws, policies and programmes adopted at the national level. Similarly, national and regional courts refer with greater frequency to the jurisprudence developed by treaty bodies in the context of individual complaints procedures, as well as other treaty body recommendations. Likewise, partners operating at the national level, including United Nations agencies, regional organizations, parliaments and civil society, have stepped up their involvement in the treaty implementation process. National human rights institutions are also seeking a larger role in the treaty reporting system and its follow-up. OHCHR is placing increasing emphasis on supporting such activities and initiatives at the national level. For instance, regional workshops on the implementation of international human rights instruments were held in Tegucigalpa (May/June 2003) and in Gaborone (June 2003). Government officials, United Nations country teams, national human rights institutions and NGOs participated in these events.

10. A number of meetings on enhancing the work of the treaty body system have been convened in 2003, including an informal brainstorming meeting held in Malbun, Liechtenstein, from 4 to 7 May 2003; a second inter-committee meeting; several meetings of treaty bodies with States parties; and the fifteenth meeting of the chairpersons of the human rights treaty bodies. To help alleviate the reporting burden of States parties, eliminate repetition in reports submitted under different treaties and allow committees to better target their deliberations are among the chief objectives of these endeavours. The secretariat has been requested to prepare draft guidelines for an expanded core document, used by all the treaty bodies, as well as harmonized guidelines to govern reporting to each of them. The core document, regularly updated, will embrace substantive issues common to more than one treaty and will be followed up by focused periodic reports under each treaty body. This initiative forms part of a continuing process of encouraging coordination and cooperation between the treaty bodies.

11. Emphasis has been placed on the adoption of concrete and operational recommendations by treaty bodies to encourage and facilitate their implementation. Some treaty bodies have begun implementing a follow-up procedure and the results are encouraging. Follow-up to the recommendations of treaty bodies has also increasingly become part of the work of OHCHR, which during the year has convened a number of workshops on human rights and development, focusing on follow-up, for United Nations country teams. The Office also plans activities based on the model of the innovative workshop held in Quito in August 2002 on follow-up to the concluding observations of the Human Rights Committee.

III. Human rights, peace and cooperation

12. The maintenance of international peace and security, and international cooperation in promoting and encouraging respect for human rights are set, on an equal basis, as purposes of the United Nations in its Charter. The Universal Declaration of Human Rights further spells out the link between human rights and peace. History, since the adoption of these documents, has confirmed that when human rights are disregarded, international and domestic peace are threatened; that strategies to achieve and maintain peace, and to prevent conflict, must include mechanisms to promote and protect human rights; and that human rights are best protected under peaceful conditions. While denial and grave violations of human rights constitute a major threat to peace, international human rights norms provide a blueprint for conflict prevention and sustainable peace.

13. At the domestic level, a solid infrastructure ensuring that the human rights of all are protected can go a long way towards preserving peace and to ensure that disputes are managed peacefully. Essential elements of such an infrastructure include a constitutional and legal framework guaranteeing human rights for all, including the protection of minorities; an independent and impartial judiciary able to dispense justice based on the law and human rights and, punish perpetrators of violations while enjoying the confidence of the people; national human rights institutions to channel complaints, identify problems and suggest reforms; active and independent non-governmental organizations to monitor State institutions and give voice to the disadvantaged; mechanisms to ensure the participation of women, minorities, indigenous people and the poor in public life and decision-making processes; democratically elected parliaments able to oversee the conduct of

Governments; professional law enforcement agencies; fair social and economic policies; and an accountable executive. At the international level, a renewed emphasis on peaceful resolution of conflicts, the systematic use of human rights as parameters for the definition of peace settlements as well as for the formulation of development, economic and financial policies and assistance programmes, and increased cooperation for the development of human rights structures are key elements of an integrated strategy for sustainable peace.

14. Human rights education is a powerful tool for creating the environment and conditions under which peace can be sustained. "Since wars begin in the minds of men, it is in the minds of men that defences of peace must be constructed" (Constitution of the United Nations Educational, Scientific and Cultural Organization). Changing attitudes and values is essential to creating a culture where tolerance and respect for the other, rather than violence, prevail.

15. Through its activities, both at a policy formulation and an operational level, OHCHR is seeking to contribute to the creation of strong protection systems in the field of human rights. Over the past year, the Office has implemented programmes and activities in more than 40 countries, with the aim of building or strengthening national human rights capacities and infrastructures and contributing to removing obstacles to peace.

National human rights institutions

16. The Office continued to devote significant efforts to the development and strengthening of national human rights institutions. A number of seminars and workshops have been conducted to provide government officials with information on the structure and functioning of such bodies, and to exchange experiences. The Office has been supporting networking among national institutions at the regional and international levels. Assistance in establishing or strengthening national human rights institutions has been offered, often in collaboration with the United Nations Development Programme (UNDP), to some 30 countries. Another priority has been the development of sound national administration of justice systems, including in cooperation with other United Nations agencies.

17. The Office assists requesting countries in developing or revising legislation to ensure consistency with international human rights standards, including constitutional law, criminal and civil procedures codes, prison regulations, laws on trafficking and domestic violence, laws on the judiciary, and others that might have an impact on the realization of human rights. Particular attention is paid to ensuring civil society and public participation in the law-making process.

18. The Office works closely with NGOs to strengthen their capacity to promote and protect human rights at the national level. It provides training and technical assistance and supports specific projects, especially in the area of human rights education and outreach to communities.

Human rights education

19. Under the United Nations Decade for Human Rights Education 1995-2004, of which the High Commissioner is Coordinator, the Office has been supporting national and local initiatives and strengthening partnerships between governmental and non-governmental actors. It has supported efforts to develop national plans of

action for human rights education and other capacity-building programmes at the national, subregional and regional levels. Through the ACT (Assisting Communities Together) project, implemented in cooperation with UNDP, it has assisted grass-roots human rights education initiatives. It has also increasingly developed strategic cooperation with other United Nations agencies, in particular UNESCO.

Non-discrimination

20. The rise of racism and xenophobia in several countries is a matter of serious concern, and an impediment to peace and human rights. The Office is engaged in a number of activities to promote awareness about racial discrimination, assist in developing strategies to fight it, and implement the Durban Declaration and Programme of Action. It has organized workshops and meetings on issues such as affirmative action for people of African descent in Latin America and the Caribbean, equality and non-discrimination in the workplace and educational measures to combat racism, as well as regional seminars on carrying forward the process of implementing the Durban Declaration and Programme of Action. It is working on publications on best practices in combating racial discrimination, on combating racism and fostering tolerance (with UNESCO), and on HIV/AIDS-related stigma and discrimination (with the World Health Organization (WHO) and the Joint United Nations Programme on HIV/AIDS (UNAIDS)). It is also seeking to integrate activities to combat racism, racial discrimination, xenophobia and related intolerance into human rights education programmes and the work of national human rights institutions through small-scale grants programmes. At the request of Member States, the Office facilitates the adoption of national action plans against racism.

21. The Office supports the work of the Working Group on Minorities and the Working Group on Indigenous Populations of the Sub-Commission for the Promotion and Protection of Human Rights both of which provide forums for discussion and sharing experience and information among representatives of the respective groups, facilitate dialogue between Governments and promote training. Several projects in this respect, in cooperation with the Working Groups, are carried out by OHCHR in Africa, Asia, Europe, and Latin America and Caribbean.

Field work

22. OHCHR has established field presences in 40 countries worldwide in order to support the creation of strong human rights national protection systems. It carries out its activities increasingly through partners, including those within the United Nations country teams. In a number of countries, especially those emerging from conflict, the Office has also established presences that, inter alia, are mandated by the competent legislative organs to monitor the human rights situation, bring individual cases or patterns of violations to the attention of government authorities and assist victims in seeking redress.

23. OHCHR has pursued the precedent-setting work of interfacing United Nations emergency humanitarian assistance with human rights for post-conflict Iraq. In March 2003 OHCHR seconded staff to the United Nations Office of the Humanitarian Coordinator for Iraq (UNOHCI) to develop a protection policy framework together with United Nations humanitarian agencies and other international organizations. Following the cessation of hostilities in May 2003, five

human rights officers were deployed in UNOHCI area offices throughout the country. In addition to consultations on legal reform and transitional justice, the human rights officers were undertaking capacity-building work with NGOs, the judiciary, public prosecutors and the Iraqi Governing Council. Initial work on the establishment of a human rights documentation and training centre in Baghdad had commenced. OHCHR began the translation into Arabic, and the reproduction, of human rights training materials for distribution in Iraq. An explicit human rights mandate has been entrusted to the United Nations by the Security-Council in resolution 1483 (2003) and, subsequently, the Council, in resolution 1500 (2003), established the United Nations Assistance Mission in Iraq (UNAMI). This included the establishment of the Human Rights and Rule of Law Office within UNAMI.

24. On 19 August 2003, a devastating terrorist attack against United Nations headquarters in Baghdad claimed the life of the Special Representative of the Secretary-General, and many other United Nations staff and Iraqi civilians. In the aftermath of the tragedy, United Nations activities have had to be reduced on security grounds. OHCHR remains committed to supporting the people of Iraq in their quest for human rights, to contributing to the elaboration of national laws and the establishment of Iraqi national and local institutions to promote and protect human rights, and to developing programmes of human rights education and information-sharing.

IV. Human rights and development

25. Over the years there has been steady interaction between the spheres of human rights and human development. It is now widely recognized that human rights and human development share a common purpose: to secure the freedom, well-being and dignity of all people everywhere. This has been reaffirmed by the Vienna Declaration and Programme of Action, which underlines that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing. The very notion of development is no longer understood as only economic growth, raising national incomes or technology-transfer issues. It is also construed as enhancing people's capabilities, including empowerment of the most deprived. The recognition by the international community of the indivisibility of economic, social and cultural rights, on the one hand, and civil and political rights on the other makes the whole body of human rights an indispensable tool, a foundation and a measure of sustainable development and empowerment of people.

26. The enhanced links between the United Nations human rights programme and the development and humanitarian areas informs and inspires assistance to countries, at their request, in their efforts to develop national human rights promotion and protection systems. This goal has been set in the Secretary-General's second report, the subject of General Assembly resolution 57/300. The United Nations should increase its capacities, in particular through cooperation at the country level, to pursue this goal.

27. The right to development, as declared by the General Assembly, makes the human person the central subject of development and its active participant and beneficiary. It captures the relevance of human rights to sustainable development, underlining their interdependence. The Millennium Declaration reiterates this

linkage. Its Millennium Development Goals set specific commitments in addressing basic development challenges. The international human rights framework is essential for achieving the Goals. Human rights provide a compelling normative underpinning for the formulation of national and international development policies towards achieving the Goals. It is compelling because human rights standards have the potential to empower people, guide policy makers, identify benchmarks of progress, and establish clear responsibilities and accountability. As a consequence, the United Nations human rights mechanisms, in particular the treaty bodies and special procedures of the Commission on Human Rights contribute to the implementation of the Goals. The latest annual report of the High Commissioner to the Economic and Social Council focused on the human rights work for the implementation of Goals.

Millennium Declaration

28. The Millennium Declaration recognizes poverty reduction as the overarching development goal. Approaching poverty as a deprivation issue, one should look behind national averages in order to identify the most destitute and vulnerable. An example of activities undertaken by OHCHR in this area is the draft guidelines on a human rights approach to poverty reduction strategies (focus on the individual as a rights holder, participation of poor people in the decision-making and monitoring process, non-discrimination and equality, accountability, explicit linkage to national and international human rights norms and standards; see <http://www.unhchr.ch/development/poverty.html>). They have been prepared with a view to assisting practitioners in bridging the gap between normative (human rights) and economic development approaches in relation to poverty reduction. The guidelines are now being piloted in some countries through OHCHR field offices and United Nations country teams, including in Bosnia and Herzegovina, Serbia and Montenegro, Mongolia and Cambodia. The Sub-Commission on the Promotion and Protection of Human Rights has established an ad hoc working group to prepare a working paper on the need to develop guiding principles on the implementation of existing human rights norms and standards in the fight against extreme poverty (resolution 2002/13). OHCHR is lending its support to this effort.

29. Most OHCHR technical cooperation activities at country level aimed at creating or strengthening national human rights protection systems are conducted in partnership with UNDP (including co-financing of project activities) and other development agencies and programmes of the United Nations. Increasingly, OHCHR is deploying human rights advisers within United Nations country teams at the request of resident coordinators, in order to assist in integrating human rights into development processes.

HURIST

30. The joint OHCHR-UNDP Human Rights Institutional Strengthening (HURIST) project, which aims to mainstream human rights in the work of UNDP, has undertaken pilot programming activities in anti-poverty projects and in the informal labour sector. Draft guidelines for human rights-based reviews of UNDP country programmes have been finalized, as well as a draft UNDP policy note on human rights and poverty reduction. OHCHR and UNDP are further developing good practice notes and programming guidelines in four areas: governing

institutions, indigenous peoples, human rights-based performance assessment and the impact of trade liberalization and investment on human rights.

31. Another initiative concerns the relationship between good governance and human rights. At the request of the Commission on Human Rights (resolution 2003/65), OHCHR, working jointly with UNDP, is collecting examples of good governance practices. These practices will be examined at a seminar planned for 2004 with the objective of demonstrating and contributing to a better understanding of the relationship between good governance practices and respect for human rights.

32. OHCHR is also in the process of organizing a second expert seminar to examine further the interdependence between democracy and human rights. Following on the first seminar (2002), which explored several practical links between democracy and human rights (see OHCHR web site), the Commission on Human Rights called upon OHCHR to organize a second seminar with the topic of “democracy and the rule of law” (resolution 2003/36).

Right to development

33. Research support has been provided to the independent expert on the right to development, focusing on specific country studies and the impact of international economic and financial issues on the enjoyment of the right to development, including the question, and the impact, of the transfer of technology. Following the request of the Commission on Human Rights (resolution 2003/83), OHCHR is preparing a two-day high-level seminar to review and identify effective strategies for mainstreaming the right to development in the policies and operational activities of the major international organizations/institutions.

34. The fourth session of the Working Group on the Right to Development was held from 3 to 14 February 2003 to monitor and review progress made in the promotion and implementation of the right to development as elaborated in the Declaration on the Right to Development. The Working Group focused, inter alia, on the framework for development cooperation and the right to development proposed by the independent expert (E/CN.4/2002/WG.18/6) and his preliminary study on the impact of international economic and financial issues on the enjoyment of human rights (E/CN.4/2003/WG.18/2). At the request of the Commission on Human Rights (resolution 2003/83), the Sub-Commission on the Promotion and Protection of Human Rights has initiated work on a concept document establishing options for the implementation of the right to development and the feasibility of, inter alia, an international legal standard of a binding nature, guidelines on the implementation of the right to development and principles for development partnership. OHCHR will provide support for this effort.

HIV/AIDS

35. One of the objectives of OHCHR is to enhance the implementation of economic, social and cultural rights. An example in the context of the linkages between health, development and human rights is provided by the Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37, annex I), a joint product of OHCHR and UNAIDS, offering assistance to States and other actors in designing policies, programmes and practices to ensure respect for the human rights of persons affected by HIV/AIDS. In 2002, OHCHR and UNAIDS revised guideline 6 (www.unhchr.ch/hiv/g6) on access to prevention, treatment, care and support in the

context of HIV/AIDS. OHCHR supports the work of the human rights treaty bodies, including the development of interpretive texts such as general comment No. 3 on HIV/AIDS and the rights of the child adopted by the Committee on the Rights of the Child in 2003. Support is also offered to the Special Rapporteur on the right to health and other special rapporteurs and independent experts in their endeavours to address HIV/AIDS-related human rights. OHCHR is also in the process of gathering case studies that highlight how HIV/AIDS-related human rights can be addressed at the national level. A handbook on national institutions and economic, social and cultural rights is being finalized and one concerning national institutions and HIV/AIDS is under preparation.

Economic and social rights

36. The mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living established by the Commission on Human Rights addresses different aspects of the “housing poor” problem, 1 billion people being denied one of the basic components of the right to an adequate standard of living as outlined in the Universal Declaration of Human Rights. While offering analytical and other support to the Special Rapporteur, in 2002, OHCHR established, together with the United Nations Centre for Human Settlements Programme (UN-Habitat), a joint United Nations Housing Rights Programme to assist States, local authorities, national human rights institutions and civil society in five areas of focus: (a) advocacy, outreach and learning from partners; (b) support for United Nations human rights mechanisms on housing rights, including treaty bodies and special procedures of the Commission on Human Rights; (c) monitoring and evaluation of the progress in realizing housing rights; (d) research and analysis on issues relating to housing rights; and (e) capacity-building and training for the monitoring and implementation of housing rights. A number of cities have pioneered innovative approaches to housing and human settlements that are in line with human rights norms and principles, such as participatory budgeting (see E/CN.4/2003/5). OHCHR will continue to work with UN-Habitat, as requested by the Commission in its resolution 2003/27, to compile indicative ideas and practices that can be consulted by States.

37. The right-to-food perspective in achieving food security or in the provision of food assistance emphasizes the short- and long-term needs of people and ensures that activities are carried out in full respect for their dignity. In response to the Rome Declaration and Plan of Action and the Declaration of the World Food Summit: five years later in November 2002, the Food and Agriculture Organization of the United Nations (FAO) established an intergovernmental working group with the task of elaborating, with the participation of stakeholders, a set of voluntary guidelines to assist States in their efforts to achieve the progressive realization of the right to adequate food in the context of national food security. OHCHR cooperates with FAO in providing substantive and secretariat support to the working group and offers assistance to the mandate of the Special Rapporteur on the right to food established by the Commission on Human Rights.

Human trafficking

38. Human trafficking is one of the most serious challenges on the international human rights agenda today. It represents the denial of fundamental rights and security of the person, essential for a life with dignity. The OHCHR anti-trafficking

programme is based upon a two-pronged strategic approach aiming at the elimination of trafficking in persons, particularly women and children. While continuing to focus on protection of, and assistance to, victims of trafficking, the programme seeks to strengthen the linkages between trafficking and development issues as a contribution to prevention strategies. Recognizing that any such strategy must address the root causes of the problem, the trafficking programme makes connections with issues of underdevelopment that create vulnerability at the economic and social levels. In July 2002, the High Commissioner for Human Rights issued the *Recommended Principles and Guidelines on Human Rights and Human Trafficking* (E/2002/68/Add.1). By coordinating the Intergovernmental Organizations (IGO) Contact Group on Trafficking, OHCHR will strengthen its partnership with the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Labour Organization (ILO), the International Office for Migration (IOM), the United Nations Children's Fund (UNICEF), WHO and the NGO Caucus on Trafficking, as well as on ways to disseminate and implement the guidelines. Through OHCHR support to the Advisory Council of Jurists of the Asia Pacific Forum of National Human Rights Institutions, the Council has been able to provide advice to its members on trafficking in the Asian-Pacific region.

Gender

39. The elimination of gender discrimination provides a powerful example of a human rights obligation that is explicitly reflected in the Millennium Development Goals. Elimination of discrimination against women has not only been identified as a goal in itself, but it is also acknowledged as a crucial strategy for the achievement of most of the other Millennium Development Goals (such as the ones defined with regard to education, infant and maternal mortality, etc.). OHCHR works on the elimination of gender discrimination in many of its areas of activity. In 2003, OHCHR has been participating actively in the work of three of the task forces established by the Inter-Agency Network on Women and Gender Equality (on Women, Peace and Security, on Gender and the Millennium Development Goals, and on Gender and Trade). It also continues its efforts to increase attention to women's rights throughout its activities and those of the human rights mechanisms it supports, including through its adoption in 2002 of a gender mainstreaming strategy. Current efforts focus in particular on the work of the Special Rapporteur on violence against women, on inter-agency efforts to promote implementation of Security Council resolution 1325 (2000), on addressing the intersection of racial and gender discrimination, and on discrimination faced by women in the enjoyment of the right to education and the right to housing. In its resolution 2003/27, for example, the Commission asked the Special Rapporteur on adequate housing to prepare a study on women and housing, to be submitted to the Commission at its sixty-first session. As part of the OHCHR-Division for the Advancement of Women joint work programme, a meeting on sex discrimination will be convened to bring together national human rights institutions from all over the world.

40. Following the aforementioned General Assembly resolution 57/300, the United Nations Development Group and the Executive Committee on Humanitarian Affairs, in cooperation with OHCHR, have developed a plan of action to implement recommendation 2 of the Secretary-General's second reform report. The goal of this plan is to enhance the capacity of the United Nations, in particular United Nations country teams, to provide technical cooperation, at the request of Governments, with

a view to developing national systems for the promotion and protection of human rights. The plan has a time frame of three years.

41. In March 2002, a workshop, facilitated by UNDP, gathered experts and United Nations staff from the field to discuss the needs of the United Nations country teams for support and the capacity of OHCHR to respond to those needs. The workshop adopted a series of recommendations concerning the rights-based approach, revision of the common country assessment/United Nations Development Assistance Framework (CCA/UNDAF) guidelines and the contribution of OHCHR to the work of country teams. The Staff College and OHCHR have developed a project to provide learning opportunities for country teams as they engage in the preparation of CCA/UNDAF. OHCHR is also organizing with the Staff College a series of workshops to familiarize its own staff with human development issues and the United Nations reform, contributing to better interaction with their counterparts working in the development field. In December 2002, OHCHR geographic desk officers as well as staff supporting the work of treaty bodies participated in such a training workshop.

V. Human rights and justice

Rule of law

42. The rule of law, including access to justice, is essential for peace-building and sustainable development. However, neither the rule of law nor the administration of justice can be reduced to their institutional or procedural dimensions only. What gives them substance and a set of underpinning values are human rights and their basic principles, such as, first and foremost, freedom, equality and non-discrimination.

43. The basic role of the rule of law has been recognized in several recent policy documents and decisions of the legislative bodies of the United Nations. Transitional justice, including establishing the truth about the violent past, addressing past human rights violations, holding perpetrators accountable and seeking reconciliation, is increasingly seen as an essential foundation of the recovery from conflict and sustainable peace. It has been widely recognized that strong administration of justice based on independence of the judiciary, a stable and thus predictable legal order, non-discriminatory and easy access to legal remedies, and protection of individuals against those in power, be it legal, political or economic, to mention only some of the constitutive elements of the rule of law, exist not only to protect individuals or groups; they are also indispensable if the country hopes to develop economically, participate in trade and attract solid investments.

44. The General Assembly has assigned to OHCHR the role of systemwide focal point for human rights, democracy and the rule of law. The late High Commissioner identified the rule of law as his priority area. Accordingly, the OHCHR technical cooperation programme has also focused on constitutional and legal reform, strengthening the judiciary, training law enforcement officials, and assisting national human rights institutions and civil society. With a view to making these activities more effective, OHCHR develops close cooperation with agencies and programmes working at the national level and is increasingly acting through the United Nations country teams. In particular, close cooperation has been developed in this regard with the Rule of Law Team of the Department of Peacekeeping Operations, the

Department of Political Affairs of the Secretariat and UNDP. OHCHR also undertakes research and reporting on rule of law mandates for the General Assembly, the Commission on Human Rights and the Sub-Commission and provides support to treaty bodies in the development of interpretive jurisprudence and general comments on crucial rule of law issues. OHCHR has strengthened its own in-house capacities in the field of justice and the rule of law through the establishment of a Rule of Law and Democracy Team which undertakes research and analysis, organizes expert seminars on related topics and supports OHCHR activities at the country level in the administration of justice and rule of law sectors.

Transitional justice

45. OHCHR is increasingly involved in assistance to transitional justice projects. It was emphasized in legislative documents that OHCHR should play an important role in providing technical and financial support to the work of States that have decided to clarify gross violations of human rights and international humanitarian law and compensate the victims. In Peru, The Truth and Reconciliation Commission (TRC) was established with a view to verifying the circumstances, facts and responsibilities of the terrorist violence and the violations of human rights that occurred between May 1980 and November 2000 — imputable both to terrorist organizations and State agents — and proposing initiatives to consolidate peace and harmonious relationships among all Peruvians. The OHCHR programme of assistance to TRC started in April 2002 and was extended until July 2003. It has focused on investigation, systemization of information and promotion work through workshops and seminars. On 28 August, TRC made its conclusions and recommendations public.

46. In Timor-Leste, OHCHR and the Human Rights Unit of the United Nations Mission of Support to East Timor (UNMISSET) have continued to support the work of the Commission on Reception, Truth and Reconciliation (CAVR). This support has taken the form of advising the Commission's senior management on developing and implementing the Commission's programmes. Continuous assistance to CAVR by OHCHR and the Human Rights Unit has been important for its vital task of seeking the truth, conducting reconciliation hearings and producing a report about the past. Most of the people of Timor-Leste feel it is extremely important for them to know the truth about what happened, both in terms of their personal situations and the community and society in general.

47. On 30 June and 1 July 2003, in Baghdad, OHCHR co-organized, with the Office of the Special Representative of the Secretary-General for Iraq, the Expert Consultation on International Principles to Support Justice for Past Human Rights Violations Committed in Iraq. The first of its kind in Iraq, the meeting brought together international experts in the field of transitional justice together with Iraqi legal professionals from throughout the country. The participants discussed guiding principles and the available options to support transitional justice in Iraq, and concluded with a discussion on follow-up steps to be taken.

Training

48. It has been the experience of OHCHR that assistance to professional groups from within the administration of justice area is particularly important. Twenty-five advocates from 11 Arab countries participated in a regional workshop held in Rabat

on the role of the defence in a fair trial. The workshop was organized by the Moroccan National Human Rights Documentation, Information and Training Centre, with the support of OHCHR. Officers of the European Union Police Mission in Bosnia and Herzegovina were trained on trafficking and human rights. Twenty-three Palestinian prison officials were trained on human rights and prisons at a course in Ramallah in May, organized in coordination with the Directorate of the Reform and Rehabilitation Centers, supported by the United Nations Special Coordinator in the Occupied Territories. OHCHR has also been coordinating with the Judicial School in Guatemala to prepare a guide of indigenous peoples' rights with a selected number of national case studies.

49. In 2003, important training materials regarding the rule of law have been sent for printing (they are already available on the OHCHR web site), including "Human Rights in the Administration of Justice — A Manual on Human Rights for Judges, Prosecutors and Lawyers" prepared by OHCHR and the International Bar Association, as well as training packages on "Human Rights and the Police" and, in cooperation with Penal Reform International, on "Human Rights and Prison Administration". In the framework of the HURIST project "Integrating human rights with sustainable human development", a curriculum for law schools in Mongolia is being developed. The OHCHR Honiara Office (Solomon Islands) continued to provide Human Rights Practical Assistance Kits to the Public Solicitor's Office and police stations.

50. OHCHR has supported the Advisory Council of Jurists of the Asia Pacific Forum of National Human Rights Institutions. This advisory body to national institutions within the Asian-Pacific Region provided in 2002 a legal opinion on trafficking within the region and will present one related to terrorism and human rights as part of its 2003 work programme. A round table of national human rights institutions will be held in Denmark to exchange best practices among the institutions regarding their work in the administration of justice.

VI. Human rights and conflicts

51. Conflicts in recent years have illustrated the urgent need for international initiatives to provide protection to the civilian population, especially in situations where the national authorities are unable to maintain the rule of law. However, this work needs to go beyond ceasefire agreements to include post-conflict efforts by the international community to assist war-torn societies in restoring and developing the rule of law and the institutions necessary for the protection of human rights. Otherwise, agreements reached are fragile and usually short-lived.

52. Particular attention has been given in this context to the following elements:

(a) The role that the mechanisms of the United Nations human rights programme play in preventing and resolving conflict situations. It is now widely acknowledged that information about human rights violations is essential for effective early-warning mechanisms and an important indicator of potential political and humanitarian crises. This information comes in particular from treaty bodies and special rapporteurs. Following the early-warning procedures established by the Committee on the Elimination of Racial Discrimination in 1993, other treaty bodies took steps to react to alarming information reaching them during the intervals between sessions. Investigative procedures established under the Convention on the

Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the preventive mechanism provided for by the Optional Protocol to the latter, may significantly enhance the preventive potential of treaty bodies. Special procedures, their country visits, extensive inflow of information and analysis are also important means of identifying and resolving conflicts;

(b) Experience gathered by human rights field presences, administered by OHCHR or the Department of Peacekeeping Operations or the Department of Political Affairs, confirming that their observations can offer helpful insights for United Nations work in conflict prevention. Human rights field monitoring sometimes helps decrease conflict-instigating human rights violations;

(c) The High Commissioner's dialogue with Governments and civil society, which has, on several occasions, had an increasing impact on measures undertaken to address emerging or ongoing conflict situations. The actual importance of this dialogue is a consequence of both the authority associated with the High Commissioner's action and the work of the human rights mechanisms in reviewing and analysing human rights developments;

(d) Technical cooperation, which can help prevent potential conflicts and restore peace by contributing to the proficiency of relevant professions and the strength of institutions established at the national level to protect human rights, and by promoting knowledge of human rights.

53. In follow-up to recommendations made by the Panel on United Nations Peace Operations (see A/55/305-S/2000/809), OHCHR has taken several important steps towards strengthening its own capacities to plan and develop the human rights elements of United Nations-led peace initiatives in a coherent and systematic manner. At present, much of the work done by OHCHR in this field is focused on (a) the effective integration of human rights in the formulation of United Nations prevention strategies, including early warning; (b) the contribution to the formulation of peace agreements in a way consistent with international human rights and humanitarian law; and (c) ensuring the sustainability of United Nations peace-building efforts through capacity development inspired by a rights-based approach.

54. The improved cooperation and coordination among the relevant United Nations departments and entities has contributed to a more systemic approach to human rights work in United Nations peace operations. Additional resources allocated to OHCHR, and the signing of a revised memorandum of understanding between OHCHR and the Department of Peacekeeping Operations, have also enhanced the ability of OHCHR to take on its responsibilities in this field in a more systematic and effective way.

Human rights in peace missions

55. During the reporting period, the Office has been active in briefing the Security Council regarding human rights developments in countries where serious violations of human rights and international humanitarian law have taken place. Working within the context of United Nations peace missions, and interacting fully with the Department of Peacekeeping Operations and the Department of Political Affairs, OHCHR has continued to provide support to the human rights components of numerous peace operations by:

(a) Planning and emergency preparedness. OHCHR is contributing to the planning and setting up of human rights components of peace operations. To this end, it is also enhancing its capacity to gather information, assess needs and rapidly deploy necessary staff, including in integrated mission task forces. OHCHR is also providing continuous human rights input into United Nations conflict-prevention efforts and the Executive Committee on Peace and Security;

(b) Analysing lessons learned. As part of its programming OHCHR is also analysing experiences of the human rights dimension of past peace operations and drawing lessons applicable to future planning. It is collecting and adapting training materials, as well as developing guidelines, including a basic set of methodological tools on human rights and related areas of intervention (rule of law and transitional justice arrangements). This work is carried out in close cooperation with relevant partners within and outside the United Nations system.

56. At present, OHCHR has a significant involvement in peacekeeping operations in the Democratic Republic of the Congo, where the Office supports the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). The necessary assistance is being made available to support institutions of transitional justice, developing a stronger national protection system and eventually restoring the rule of law. OHCHR also provides significant human rights support to United Nations peace operations in Burundi.

57. In Afghanistan and Timor-Leste, human rights activities are fully integrated within the United Nations Assistance Mission in Afghanistan (UNAMA) and in the United Nations Mission of Support in East Timor (UNMISSET), whose mandate includes human rights promotion and protection. In the cases of Iraq and Liberia, early deployment of human rights personnel to the field made it possible to integrate human rights into the humanitarian assistance work and to ensure that the delivery of humanitarian assistance is carried out in a rights-based manner. In Côte d'Ivoire, human rights officers are continuing to work with the United Nations Mission (MINUCI) and with the United Nations country team in helping to address the humanitarian and human rights consequences of the conflict.

58. In Ethiopia/Eritrea, the integration of the human rights factor in the peace process enables the United Nations Mission in Eritrea and Ethiopia (UNMEE) to monitor the human rights situation relating to the conflict between the two countries. This has included monitoring of the treatment by Ethiopia and Eritrea of each other's nationals and the rights of vulnerable groups and communities living in sensitive border areas.

59. OHCHR human rights officers in Cambodia and Colombia are making important contributions in these two countries.

60. Finally, during the reporting period, increased coordination and cooperation under the auspices of the Humanitarian Coordinator and Resident Coordinator system has allowed for closer cooperation between OHCHR and the United Nations humanitarian and development organizations in post-conflict situations. A more coordinated approach will also ensure continuity and follow-up to United Nations peace efforts by the humanitarian and development agencies, notably in Angola, Sri Lanka, Côte d'Ivoire and Guatemala.

VII. Human rights problems: gross violations of human rights

Special procedures

61. The Economic and Social Council in its resolution 1235 (XLII) of 6 June 1967 empowered the Commission on Human Rights to “make a thorough study of situations which reveal a consistent pattern of violations of human rights”. Shortly afterwards, the Commission on Human Rights established the first geographic mandate, related to apartheid, and, at the beginning of the 1980s, the first thematic mandate, related to involuntary disappearances. Today, 35 special procedures mandates of the Commission on Human Rights, served by individual experts acting in their personal capacity, are seen as the pillars of the United Nations human rights protection system. They focus on specific thematic issues or geographic areas and report back to the Commission on their findings. Given their independence and their specific human rights protection mandate, the special procedures are a crucial source of authoritative human rights information, analysis and assessment for the United Nations organs and bodies and for the larger human rights constituency. They also play an important role in assisting Governments and civil society, offering impartial comparative expertise and facilitating dialogue among the actors at the national level. Several steps have been taken recently to strengthen this system.

62. The special procedures have developed a range of modalities of action to achieve the goals of their mandates. With the consent of the Government, special procedures undertake country visits in order to reach a better understanding of human rights situations and problems relating to their mandates. The ultimate aim of such visits is to enhance the national human rights promotion and protection capacities. During their missions mandate holders seek to engage in a constructive dialogue with Governments, United Nations bodies, international agencies, non-governmental organizations and other relevant actors. In addition, special procedures communicate with Governments when they receive information alleging actual or impending individual human rights violations or general situations of concern. These communications, together with Governments’ responses, are reflected in summary form in reports submitted to every session of the Commission and have an important protection impact. During the reporting period, special procedures have issued over 700 urgent appeals to 120 Governments seeking the protection of persons or groups in need. A considerable number of letters of allegation concerning individual cases or general situations have also been sent by special procedures to Governments. Some 40 countries have been visited by mandate holders in the framework of their fact-finding activities.

63. The special procedures also play a crucial role with regard to early warning and preventive action. Through their very broad information networks, they are usually among the first in a position to recognize an impending human rights crisis and recommend remedial or preventive action. When needed, they can quickly alert the relevant United Nations bodies, including the Security Council and the General Assembly.

64. A number of positive developments should be noted with regard to the interaction between the Commission and the special procedures mandate holders. This year, at its fifty-ninth session, the Commission decided to provide the special procedures with space and time commensurate with their pivotal role in the United Nations human rights system. Accordingly, it was agreed that each relevant agenda

item would commence with the introduction by the special procedures of their reports, followed by an opportunity for States to hold an interactive dialogue, starting with, but not limited to, those States visited by mandate holders and the subject of a specific mission report submitted to the Commission. This led to more intensive interaction and thus to strengthening of the input by special procedures to the work of the Commission. Efforts to make the reports available in a timely manner, including by making full use of the OHCHR web site, allowed delegations the time to review the reports and discuss the recommendations with their capitals and therefore contributed to a more fruitful dialogue.

65. Recently, Governments have begun to issue standing invitations to all thematic special procedures. This initiative has been widely viewed as a step towards closer cooperation with the mechanisms of the Commission, indicating a high level of appreciation for their contribution. It is a welcome fact that the number of countries that have decided to extend a standing invitation is growing continuously. Eight additional Governments issuing standing invitations during the first half of 2003 have brought their total number to 48.

66. In the follow-up to the second reform report of the Secretary-General and the report of the Office of Internal Oversight Services (A/57/488), OHCHR has established a Special Procedures Branch with a view to enhancing support to the special procedures.

Special sessions of the Commission on Human Rights

67. The Commission on Human Rights has been authorized by the Economic and Social Council, in its resolution 1990/48, to meet exceptionally between its regular sessions, provided that a majority of the members of the Commission so agreed, mindful of the need for the Commission to deal with urgent and acute human rights situations in the most expeditious way. Special sessions were held in Geneva on: the situation of human rights in the territories of the former Yugoslavia (13-14 August 1992); the situation of human rights in the territories of the former Yugoslavia (30 November-1 December 1992); the situation of human rights in Rwanda (24-25 May 1994); the situation in East Timor (23-27 September 1999); and grave and massive violations of the human rights of the Palestinian people by Israel (7-19 October 2000).

Reporting by the High Commissioner

68. In addition to reports by the treaty bodies and the special procedures of the Commission on Human Rights, the High Commissioner, at the request of competent bodies or on his own initiative, may report on alleged grave human rights situations. During the reporting period, the Deputy High Commissioner reported to the Security Council on his mission to Côte d'Ivoire to gather first-hand information on the human rights situation resulting from the internal conflict. The Acting High Commissioner also reported to the Commission on Human Rights between its sessions on human rights violations in Liberia before the change of Government (E/CN.4/2003/5).

Inquiries into human rights violations

69. Combating impunity in cases of human rights violations on a mass scale is perceived both as a fundamental matter of justice and the way to deter further

violations. The United Nations human rights programme has tools for inquiring into human rights violations, thus helping to hold perpetrators accountable. In the past, the Commission on Human Rights, the Secretary-General or the High Commissioner has established commissions of inquiry or other types of investigation teams. Reports resulting from these examinations were made available to the competent bodies of the United Nations for further consideration. In the reporting period, OHCHR carried out inquiries into the mass graves in Afghanistan and, in cooperation with MONUC, in the Democratic Republic of the Congo.

VIII. New challenges: terrorism, bioethics, the private sector

Terrorism

70. Terrorism is undoubtedly one of the scourges of the modern world and is the cause of extensive loss of life and limb. It has been the subject of condemnation in the Security Council, the General Assembly and the Commission on Human Rights. It has also been condemned generally and in specific instances in different statements of the High Commissioner and the Acting High Commissioner.

71. OHCHR has given particular attention over the past year to coordinating our activities against terrorism with those of partners, to the preparation of a digest of jurisprudence on basic principles of human rights applicable in counter-terrorism policies, and to the organization of a conference of international, regional and non-governmental organizations.

Bioethics

72. The issue of scientific and technological developments and their impact on human rights has received increasing attention in recent years. Advances in biotechnology such as the mapping of the human genome have prompted essential questions from the point of view of human dignity and human rights. For example, areas such as reproductive human cloning, benefit-sharing and patenting of genetic material, and the impact of biotechnological development on gender discrimination require careful consideration from the perspective of the rights and obligations imposed by international human rights law.

73. The Universal Declaration on the Human Genome and Human Rights, adopted by UNESCO in 1997, provides a vital backdrop to the current discussions on biotechnology and human rights. Notwithstanding their complexity, the Declaration states unequivocally that “no research or research applications concerning the human genome, in particular in the fields of biology, genetics and medicine, should prevail over respect for human rights, fundamental freedoms and human dignity of individuals ...” (art. 10).

74. The human rights approach provides the essential normative and axiological framework, common for all actors involved and protecting the most vulnerable, and for all those seeking to realize their human rights. Moreover, a rights-based approach protects the legitimate interests of those seeking to benefit from technological advancements. A human rights-based approach should also help to prevent new discrimination patterns, this time relating to genetic characteristics. Article 6 of the Declaration prohibits such discrimination explicitly. It has special relevance in the context of employment and insurance.

75. The Commission on Human Rights has considered the human rights issues relating to advances in biotechnology for a number of years. Most recently, in its resolution 2003/69 the Commission, recalling the right of everyone to enjoy the benefits of scientific progress, drew the attention of Governments to the importance of research on the human genome and its applications for the improvement of the health of individuals and mankind as a whole. At the same time, it highlighted the need to safeguard human dignity and human rights, as well as to protect the confidentiality of genetic data. At the request of the Commission, the Sub-Commission on the Promotion and Protection of Human Rights also has reviewed the issue and, at its fifty-fifth session, recommended the appointment of a special rapporteur to undertake a study on human rights and the human genome (resolution 2003/4). The special rapporteur would submit an initial report to the Sub-Commission at its fifty-sixth session and a final report to the Commission at its sixty-first session.

76. OHCHR has focused on the human rights dimensions of recent advances in biotechnology in the light of the work of the Commission and the Sub-Commission, and in follow-up to the Universal Declaration on the Human Genome and Human Rights. In 2002, the Office convened an expert group on human rights and biotechnology to identify priority areas relating to human rights and biotechnology, including the human rights implications of reproductive human cloning. The conclusions of the expert group were posted on the OHCHR web site. OHCHR will continue to work in close consultation with other United Nations agencies, including UNESCO and WHO, with a view to improving coordination on these questions.

The corporate sector

77. Another important new challenge to human rights originates from the increasing power and influence of the corporate sector — a key aspect of globalization. While States are the primary duty bearers of human rights, bound by international legal commitments, it has become increasingly clear that the actions of the private sector, which is not subject to such legal constraints and duties, can significantly affect the enjoyment of human rights, in some situations to a greater extent than States. For example, a 2001 decision of the African Commission on Human and Peoples' Rights (communication No. 155/96) demonstrates how the actions of oil companies contributed to violations of human rights as a result of oil spills that led to the contamination of water, soil and air as well as the destruction of crops and the livelihoods of the people. In positive terms, private sector activities provide an important opportunity to increase investment and economic growth which can lead to poverty reduction and improved enjoyment of human rights. The private sector also has its own potential to be an important vehicle for the promotion of human rights through its impact on the behaviour of workers, suppliers, consumers and the communities in which it operates.

78. As the primary duty bearers of human rights, States have a duty to ensure that third parties, such as the private sector, respect human rights. However, as the private sector has increased its size, power and global reach, fulfilling this duty has become more and more complicated and challenging for States, particularly poorer States. For example, in 1999, total annual sales of most of the top 20 transnational corporations were greater than the gross domestic products of each of the States registering low human development in the same year (see E/CN.4/Sub.2/2002/12). At the same time, the increasing liberalization of investment through bilateral investment agreements and regional trade agreements has reinforced investors' rights vis-à-vis States without

strengthening investors' responsibilities towards individuals and groups (see E/CN.4/Sub.2/2003/9, paras. 37-40).

79. The Secretary-General's Global Compact provides an opportunity to meet some of the aforementioned challenges. It is an extensive worldwide network of stakeholders from business, labour, civil society and the United Nations, working collaboratively at the global and local levels to facilitate the voluntary implementation of international standards on human rights, labour and the environment by participating companies.

80. The Sub-Commission on the Promotion and Protection of Human Rights has also been examining the question of holding the private sector responsible for its actions affecting human rights. At its fifty-fifth session in August 2003, it adopted Norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights (E/CN.4/Sub.2/2003/12/Rev.2). The Norms, while recognizing that States are the primary duty bearers, provide a first step in the direction of clarifying the scope of the private sector's direct responsibility for respecting human rights. They also advocate monitoring the activities of the private sector.

81. OHCHR has undertaken several activities throughout 2003 to respond to the challenge of human rights and the private sector. It continues, as one of the implementing agencies, to contribute to the work on the Global Compact, including the preparation with partners of training materials, targeted at the private sector, on how to implement the human rights principles of the Global Compact. The High Commissioner also submitted a report on "Human rights, trade and investment" (E/CN.4/Sub.2/2003/9) to the Sub-Commission this year which examined, inter alia, the strengthening of investors' rights through the processes of investment liberalization and recommended that the legal responsibility of investors towards individuals and groups be clarified as a necessary element of the economic liberalization process.

IX. Conclusion

82. **The present report has presented concrete information on the activities of OHCHR and related parts of the United Nations human rights programme to help in the tangible implementation of human rights, to help protect people at risk, and to address new challenges thrown up by contemporary international society. They show OHCHR as a principled agency, cooperating with a broad range of partners in the wider human rights movement to help realize the Charter's vision of a world of peace and justice grounded in respect for human rights and economic and social progress.**