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UNITED NATIONS  
HUMAN RIGHTS  
OFFICE OF THE HIGH COMMISSIONER

MEMORANDUM INTERIEUR • INTEROFFICE MEMORANDUM



TO: Mr. Jan Eliasson,  
A: Deputy Secretary-General  
FROM: Ms. Flavia Pansieri  
DE: Deputy High Commissioner for Human Rights

DATE: 27 July 2013

REFERENCE:

SUBJECT: Report of the Secretary-General to the General Assembly on "The universal,  
OBJET: indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms" – For information

1. Please find attached, for your information, the annual report of the Secretary General on "the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms". This report is submitted to the 68<sup>th</sup> session of the General Assembly pursuant to its resolution 66/151 of 13 March 2012.
2. The report presents information about initiatives undertaken by Member States, the United Nations system, the United Nations human rights bodies and mechanisms as well as the Office of the High Commissioner for Human Rights to take into account the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights in their policies, activities and implementation of mandates.
3. The report does not raise any politically sensitive or controversial issues. Therefore, it is submitted for information only.

I thank you for your attention in this matter.

cc: Mr. Ivan Simonovic, Assistant Secretary-General, New York Office, OHCHR



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## General Assembly

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### **Sixty-eighth session**

Item 69 (b) of the provisional agenda\*

**Human rights questions, including  
alternative approaches for improving  
the effective enjoyment of human rights  
and fundamental freedoms**

### **The universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms**

### **Report of the Secretary-General**

#### *Summary*

The present report is submitted in response to General Assembly resolution 66/151, in which the Assembly requested the Secretary-General to submit to it at its sixty-eight session a report on the implementation of the resolution.

The report provides information about initiatives undertaken by Member States, the United Nations system, the United Nations human rights bodies and mechanisms as well as the Office of the High Commissioner for Human Rights to take into account the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights in their policies, activities and implementation of mandates.

\* A/68/150

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## **I. Introduction**

1. The General Assembly, in resolution 66/151, requested the Secretary-General to submit to the General Assembly at its sixty-eight session a report on the implementation of the resolution, concerning the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms.

2. Pursuant to this request, on 14 June 2013, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sent a Note Verbale to Member States and United Nations organizations requesting their contributions. By 16 July 2013, OHCHR had received responses from the Governments of Colombia, Guatemala, Honduras, Italy, Jordan and Qatar, as well as from the International Labour Organization (ILO) and the World Food Programme (WFP).<sup>1</sup>

## **II. Efforts by Member States**

### **Colombia**

[Original: English]

[15 July 2013]

3. The Government of Colombia stated that its 'National Human Rights and International Humanitarian Law System' (NHRS) is the main government tool for coordinating its activities and initiatives at national and

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<sup>1</sup> The texts of the original submissions are on file with the Secretariat and are available for consultation.

local levels in the areas of citizenship, culture and human rights education; civil and political rights; armed conflict; economic, social, cultural and environmental rights; justice; and equality, non-discrimination and respect of identities. Since the NHRS also includes core human rights principles enshrined in the Colombian Constitution and international human rights treaties, it contributes to the universality, interdependence and indivisibility of all human rights.

4. The main objectives of the NHRS include the strengthening of national institutions; organizing national and local State programmes that allow effective action; providing the structure for a NHRS Policy and promoting a rights-based approach to public policies; and promoting the follow-up to international human rights obligations.

5. Colombia explained that the NHRS illustrates its efforts and commitment towards a more coherent, participative, constructive and lasting Human Rights Policy based on the harmonization of government actions, dialogue and consultation with civil society, and cooperation with the international community, through the organization of departmental fora and a National Conference on Human Rights.

**Guatemala**

[Original: Spanish]

[4 July 2013]

6. The Government of Guatemala recognized the need for a holistic approach to human rights due to the multicultural, multilingual and multi-ethnic composition of its population. It highlighted efforts made towards the promotion of human rights for all without distinction of any kind, and to institutionalize the protection of human rights in its public policy, in order to strengthen good governance, democracy, peace and human development at the national level. In this regard, Guatemala acknowledged the importance of strengthening fundamental rights and freedoms, which are essential to ensure sustainable economic growth, development, eradication of poverty and hunger, peace, security and justice.

7. Guatemala noted the development and implementation of public policies and programmes at the national level to foster the promotion and protection of all rights.

8. Guatemala mentioned the existence of State organs responsible for ensuring compliance with constitutional rights, as well as specific bodies with precise human rights functions, such as the Commission for Human Rights of the Congress; the Human Rights Ombudsman and Commissioner of Congress; and the Secretary of Planning and Programming of the Presidency which regulates policies and prepares the national budget taking into account a human rights framework. In order to promote social inclusion in Guatemala, several Governmental Plans have been adopted to implement policies on democratic security and justice, economic development, and social and productive infrastructure.

9. Guatemala also noted the creation of a Presidential Commission for Human Rights responsible for the coordination of human rights policy and for monitoring with recommendations by United Nations human rights mechanisms.

**Honduras**

[Original: English]

[1 July 2013]

10. The Government of Honduras indicated that the adoption of its first “Public Policy and National Plan of Action on Human Rights” (PP&PNADH) in January 2013 is a key initiative to integrate human rights in its national policy and foster cooperation in the human rights arena. Based on the principles of universality, indivisibility, interdependence, and cross-cutting nature of human rights; the PP&PNADH aims at institutionalizing a human rights approach in the management of public affairs at all levels of the State apparatus to ensure the protection, respect and enjoyment of all human rights for everyone. In this regard, the PP&PNADH takes into account the specific needs of particular groups, including children, women, older persons, indigenous peoples, afro-descendants, migrants, LGBT, persons with disabilities, persons deprived of their liberty, and human rights defenders.

11. Honduras noted that the PP&PNADH identifies public policy actions in key areas to clarify State obligations vis-à-vis the realization of 17 human rights priorities, which include the rights to life, physical and mental



integrity, truth, participation, information, freedom of expression, education, health, food, work, water, housing, culture, among others. To ensure the promotion and protection of such rights, Honduras informed that State actions will focus on legislation, public policies, the establishment of a culture of human rights, accountability and transparency, fight against impunity and reparations, and building rights-holders capacity to claim their rights.

12. The Public Policy and National Plan of Action on Human Rights assigns responsibility for implementation to 90 public institutions, which are required to work in coordination to ensure a holistic approach to the realization of human rights. An Inter-institutional Committee was created to monitor the implementation of the PP&PNADH and to facilitate coordination among public institutions, as well as an Advisory Council to facilitate dialogue with civil society and academia. Honduras acknowledged the support received from the international community and the United Nations system in ensuring an integral approach to human rights.

**Italy**

[Original: English]

[2 July 2013]

13. The Government of Italy presented three recent national initiatives undertaken by the Ministry of Foreign Affairs in the areas of freedom of religion or belief, genocide prevention and the responsibility to protect, as illustrations of its effort to strengthen and to reaffirm the concepts of



universality, interdependence and indivisibility of all human rights. These endeavours demonstrate the linkage between freedom of religion and prevention of mass atrocities on one side, and other human rights - such as the right to education, freedom of expression, protection of minorities, and participation of civil society in decision-making processes – on the other.

14. A Ministerial level side-event and panel discussion on “Civil society and the education on human rights as a tool for promoting religious tolerance” held in September 2012 highlighted the role of civil society and the international community in promoting tolerance and religious dialogue, and in preventing and defusing conflicts due to religious differences, through human rights education.

15. A follow-up workshop on “Promoting religious freedoms and peaceful coexistence” in February 2013 focused on the fundamental role that media and academics play in informing and shaping public opinion, thus improving religious dialogue and tolerance.

16. A Conference on “Genocide prevention and the responsibility to protect: the UN early warning mechanism” held in June 2013 focused on the importance of the UN early warning mechanism as a tool to bridge the gap between repression and prevention of genocide and other crimes.

**Jordan**

[Original: Arabic]

[9 July 2013]

17. The Government of Jordan indicated that its Constitution includes guarantees reaffirming the interdependence and indivisibility of human rights. For instance it contains provisions ensuring equality before the law without discrimination; right to education; equal employment opportunities for all; freedom from abuse and exploitation for groups such as women, children, older persons, persons with disabilities; workers' rights including then right to form and join trade unions; and *non refoulement* of refugees. Jordan noted that it has also ratified several international human rights treaties, such as the ILO Forced Labour Convention, 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.

18. Furthermore, Jordan established specialized bodies tasked to monitor the implementation of its human rights commitments, such as the National Centre for Human Rights - an independent national human rights institution responsible for promoting and protecting human rights, handle complaints and monitor human rights violations; the Jordanian National Commission for Women, which supports the mainstreaming of a gender-equality perspective in all policy areas; and the National Council for Family Affairs, responsible for ensuring a better quality of life for Jordanian families.

**Qatar**

[Original: English]

[2 July 2013]

19. The Government of Qatar stressed the importance of promoting and protecting human rights at all levels, which is reflected through the ratification of several international human rights treaties, the integration of human rights in national policies and legislation, and the promotion of international cooperation in this field. Qatar noted that its Constitution highlights the principles of complementarity, interdependence and indivisibility of fundamental rights and freedoms, which includes the full range of civil, cultural, economic, political and social rights; while other national legislation on human rights also promotes gender equality.

20. Qatar noted the establishment of several governmental institutions mandated to promote the integration, interdependence and indivisibility of human rights as a further effort to strengthen the State apparatus, such as the Human Rights Office of the Ministry of Foreign Affairs, the Human Rights Department of the Ministry of Interior, as well as the Supreme Council for Foreign Affairs. Additionally, Qatar established the Qatar Foundation for the Child and Woman Protection, the Qatar Foundation for Combating Trafficking of Human Beings and the National Human Rights Committee.

21. By adopting its “National Vision 2030”, aimed at providing a high standard of living in all areas for all generations through sustainable development by 2030, Qatar adopted a framework within which to implement its “national development strategy”, which covers major human rights issues, such as education, health, environment, labour rights, empowerment of women, and children’s rights.

22. In the area of international cooperation, Qatar hosted several global conventions and forums related to human rights, development, democracy, and the promotion of a culture of peace, such as the Second Forum on Democracy and Political Reform in the Arab World.

### **III. Efforts by the United Nations system**

#### **International Labour Organization**

[Original: English]

[25 June 2013]

23. The International Labour Organization (ILO) places the right to work at the core of its activities, including the concept of decent work. The ILO at its highest policy and decision-making level has confirmed the significance of fundamental principles and rights at work as human rights, and their inseparable, interrelated and mutually reinforcing character.

24. Over decades, the ILO Declaration on Fundamental Principles and Rights at Work (1998) stressed the key role of ILO in assisting Member States to respect, promote and realize fundamental rights at work, then reaffirmed in the Declaration on Social Justice for a Fair Globalization of 2008.

25. The International Labour Conference held in June 2012 concluded by reaffirming: a) the universal and immutable nature of fundamental principles and rights at work; b) their particular significance as human rights and enabling conditions for the creation of decent jobs; c) the inseparable,



interrelated and mutually reinforcing character of each category of fundamental rights, and the consequent need for an integrated approach to their realization.

26. The Conference concluded that the full realization of fundamental principles and rights at work can be advanced by an environment of respect for human rights, democratic freedoms and the rule of law; an independent judiciary; transparent and effective governance; functioning public institutions; universally accessible systems of social protection and education; and effective social dialogue.

27. In 2012, the ILO Governing Body adopted a Plan of Action on fundamental principles and rights at work, setting out objectives and activities cutting across its work for the realization of these principles and rights in an integrated manner. The ILO also implemented programmes which focused on promoting the integration of fundamental rights at work, such as the International Programme on the Elimination of Child Labour.

28. Furthermore, the ILO noted that human rights mainstreaming was enhanced through the United Nations Development Group Human Rights Mainstreaming Mechanism (UNDG-HRM) to which it is party. The UNDG-HRM acknowledged, and included in its founding concept note that the ILO Fundamental Conventions and their supervisory bodies are part of the UN human rights framework, and therefore are complementary and mutually reinforcing to other UN provisions.



29. The ILO concluded that the current global unemployment crisis drew attention to the urgent need for employment generation strategies. However, due to the inextricable link between decent work and human rights, the former cannot be attained in the absence of the full enjoyment of, universal respect for and observance of all human rights and fundamental freedoms.

**World Food Programme**

[Original: English]

[27 June 2013]

30. The World Food Programme (WFP) informed of its recent strategic shift away from food aid to a varied set of food assistance interventions. This shift enhanced WFP's role as a direct provider of food assistance and as an enabler, supporting governments and individuals to find sustainable food security solutions. This change also made it possible to tailor interventions that met both the immediate food needs of vulnerable people and helped to empower crisis-affected people to ensure their own food security, as well as to support States to fulfill their obligations to work on the progressive achievement of human rights, including the right to food.

31. WFP noted that food assistance programming processes and complementary interventions took into account the linkages between food security and the promotion and protection of human rights—including their universal, indivisible, interdependent and mutually reinforcing nature—and ultimately supported a number of human rights, such as the right to life, education, social protection, and to the highest attainable standards of

health. When combined, they jointly contribute to the achievement of the right to food. WFP provided as example the “Purchase for Progress” (P4P) procurement initiative, designed to enhance smallholders’ and low-income farmers’ access to markets where they can sell their produce at competitive prices. The P4P initiative ultimately contributed to the right to food by fostering people’s capacity to produce, sell and access the food they need, hence supporting their self-reliance.

32. WFP technical support to governments helped to strengthen national social protection policies and programmes. In particular, efforts to establish and strengthen national school feeding programmes focused on country-ownership and building government capacity. In 2012, nearly 25 million children were supported through school feeding programmes, of which nearly half were girls. National school feeding programmes and other social protection programmes provide concrete instruments to increase levels of human capital and household income. This translated into increased opportunities to attain an adequate standard of living while contributing to the right to food.

33. WFP also took human rights into account through its operational approach to programming, by complying with the core Human Rights Based Approach principles, as reflected in its policies and programming tools. In 2012, WFP adopted a Humanitarian Protection Policy aimed at making food assistance safer and more dignified. The implementation of the policy complemented other UN efforts on the human-rights based approach to

programming, by ensuring staff awareness of human rights standards and principles, seeking ways to support right-holders and duty bearers, drawing attention to the needs and capacities of food insecure individuals and groups that are marginalized or discriminated against, and undertaking deeper analysis of the root causes of hunger.

34. As a member of the IASC and co-chair of the IASC task force on Accountability to Affected Populations (AAP), WFP made commitments to address AAP in its operations and business practices. WFP efforts to establish or strengthen complaints and feedback systems in Afghanistan, Philippines, Pakistan, Kenya and Mali, for example, contributed to a human rights based approach by ensuring that crisis-affected individuals had a means to hold assistance providers accountable for the quality, integrity and safety of their programmes.

#### **IV. Efforts by United Nations human rights bodies and mechanisms**

##### **A. Human rights treaty bodies**

35. The principles of universality, indivisibility and interdependence of human rights are the cornerstone of international human rights law. The nine core international human rights treaties form a system of protection and monitoring which cover the full range of civil, cultural, economic, political and social rights and the protection of specific groups. Through interrelated and interdependent operative provisions, these treaties embody an internationally accepted framework which safeguards rights in a manner that



is exemplary in underscoring the universality and indivisibility of human rights. The ten human rights treaty bodies stand at the heart of the international human rights protection system as engines translating universal norms into social justice and individual well-being. The human rights treaty bodies continue to be uniquely placed to ensure the universal, indivisible, interrelated, and mutually reinforcing nature of human rights in the implementation of their mandate. In pursuance of this, the Committees have concretely contributed to the programming, monitoring and fulfillment of rights universally and indivisibly.

36. In terms of fostering universality, human rights treaties such as the Convention on the Rights of the Child are close to universal ratification, with 193 States parties. All States have ratified at least one, and 80 per cent of States have ratified four or more, of the core human rights treaties, reflecting consent of States which creates legal obligations for them and giving concrete expression to universality.

37. Following the entry into force in May 2013 of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR), an individual complaint mechanism for victims of economic, social and cultural rights is now available, which brings the ICESCR in line with the International Covenant on Civil and Political Rights, which has had a similar Optional Protocol for the past 37 years. The Chair of the Committee on Economic, Social and Cultural Rights highlighted on this occasion that the entry into force of this instrument presents, *inter alia*, a

milestone for economic, social and cultural rights, as well as for the implementation of the normative architecture envisaged by the Universal Declaration of Human Rights. On many occasions, the Committee stressed the indivisibility and interrelatedness of rights, for example noting the impact that deprivation of economic, social and cultural rights can have on a broad range of other rights, which was also underlined in its Letter to States Parties in November 2012.

38. The committees, while working within their mandates actively engage with the multi-faceted nature of human rights. As an illustration, when undertaking field visits with a view to improving the treatment of persons deprived of their liberty, the Subcommittee on Prevention of Torture (SPT) considers the whole range of human rights, including the right to health, food, water, and legal assistance.

39. Furthermore, in her report on strengthening the human rights treaty body system launched in June 2012, the High Commissioner for Human Rights laid down a vision for the system grounded in the operationalization of the principles of the universality and the indivisibility of human rights as well as States' primary responsibility to ensure the implementation of these principles. One of the recommendations contained in her report encourages the establishment of standing national reporting and coordination mechanisms, aimed at facilitating timely reporting and improved coordination in follow-up to recommendations issued by international human rights bodies. Indeed, they should be able to deal with all United



Nations human rights mechanisms' requirements with a view to enhancing efficiency, coordination, coherence and synergies in national efforts to realize all human rights for all.

**B. Special procedures of the Human Rights Council**

40. The special procedures of the Human Rights Council system is a central element of the United Nations human rights machinery which covers all human rights in an integrated and balanced way. In their thematic and country-specific work, the current 49 mandate holders address a broad range of human rights issues ranging from the right to freedom of opinion and expression, human rights defenders to the right to food, slavery and discrimination against women. By giving a voice to the victims of human rights violations all around the world and early warning of such violations, they promote a universal approach to human rights.

41. Special Procedures take into consideration the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights when fulfilling their core activities, including in their country missions, thematic reports, communications and public information and media activities. It is common practice for several mandate holders to join their voices to raise critical human rights issues basing their assessment and their calls for action in a perspective that places all human rights on equal footing. For example, over 70% of all communications with Governments on specific allegations of human rights violations are jointly sent by various mandate holders. Allegation letters and urgent appeals often raise concerns

from a perspective of the universality, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms. Similarly, following the entry into force of the Optional Protocol to the ICESCR, a large group of mandate holders jointly stressed that it represented a major step in the protection and realization of economic, social and cultural rights, and a powerful affirmation that they are as important as civil and political rights, and fundamentally interrelated and interdependent with them.

42. Several mandate holders called for the post-2015 development agenda to fully integrate all human rights and to guarantee that equality, non-discrimination, participation and accountability are consistently taken into account in all development measures. The experts emphasized the importance of reliable, disaggregated data for setting and monitoring targets on inequality, social protection and other areas, highlighting the need to account for gender, age, disability and demographic factors, as well as including criteria such as access to basic rights and services, in addition to income inequality.

43. The following examples illustrate an increasing practice by mandate holders to reaffirm the universality, indivisible and interdependent nature of human rights in their thematic reports. In her report to the 23rd session of the Council, the Special Rapporteur on the Independence of Judges and Lawyers underlined the importance of legal aid and access to justice for people living in poverty, for the marginalized and excluded, and for people

with special needs. She noted that forced evictions are examples of situation in which access to justice is essential.

44. The Special Rapporteur on the rights to freedom of peaceful assembly and of association stressed that these rights "serve as a vehicle for the exercise of many other civil, cultural, economic, political and social rights... [and that] such interdependence and interrelatedness with other rights make them a valuable indicator of a State's respect for the enjoyment of many other human rights".<sup>2</sup>

45. The Special Rapporteur on extreme poverty and human rights presented the final draft of the Guiding Principles on Extreme poverty and human rights<sup>3</sup> to the HRC in September 2012. The Principles recognize the interdependence and indivisibility of all human rights, and highlight that each country must take steps, to the maximum of their available resources, to progressively realize the enjoyment of the economic, social and cultural rights of those that live in extreme poverty. They also call on States to ensure that people living in poverty overcome the specific obstacles to be able to enjoy their civil and political rights in conditions of equality with the rest of the population.

46. In his first report to the Human Rights Council, the Independent Expert on human rights and environment identifies the need to clarify the human rights obligations linked to the enjoyment of a safe, clean, healthy

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<sup>2</sup> A/HRC/20/27, para. 12.



and sustainable environment. He underlines the importance of addressing substantive issues such as those regarding to transboundary and global environmental harm, and climate change, while also noted that the implementation of other rights is vital to environmental policymaking, such as the rights to freedom of expression and association, to receive information and participate in decision-making processes, and to effective legal remedies.

47. The Working Group on Enforced or Involuntary Disappearances stated in its General Comment on children and enforced disappearance that, “in the case of enforced disappearances of the children’s parents, many of the child rights, including economic, social and cultural ones, are affected. In many occasions, children are prevented from exercising their rights due to the legal uncertainty created by the absence of the disappeared parent. This uncertainty has many legal consequences, including effects on: the right to identity, the guardianship of underage children, the right to social allowances and management of property of the disappeared person. In those circumstances, many obstacles are created to children with regard to the enjoyment of their rights, including their right to education, health, social security and property”.<sup>4</sup>

### **C. Universal Periodic Review**

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<sup>3</sup> A/HRC/21/39.

<sup>4</sup> A/HRC/WGEID/98/1, para. 7.

48. The principle of universality of human rights, as reaffirmed in the Vienna Declaration and Programme of Action (VDPA), came to life with the establishment of the Universal Periodic Review (UPR). This intergovernmental peer review process –which features universality of States and rights, periodicity, equal treatment and cooperation– aims at ensuring the periodic consideration and assessment of the human rights situation in every UN Member State. All States are therefore treated in the same manner and the same rules and modalities apply to all.

49. The first cycle of the UPR, completed in March 2012, saw 100% participation from all 193 Member States, often represented at ministerial level, who engaged in the interactive dialogue with their peers, thus demonstrating the importance they gave to the UPR process. The discussion covered all civil, cultural, economic, political and social rights, as well as the right to development; hence giving equal importance and visibility to all rights and highlighted their interrelated nature. The UPR process also generated cross-fertilization with treaty bodies and special procedures: standing invitations or invitations to specific mandate holders were issued by States in the lead up, during, or after the review. Also, ratification of human rights treaties often coincided with the review, as did withdrawal of reservations and submission of outstanding treaty reports. With more than 20,000 recommendations addressing the full spectrum of human rights made in the first cycle, many of which reiterated or mirrored standing recommendations by treaty bodies, special procedures or other UN human



rights bodies, they contributed to strengthening the interrelatedness of rights.

50. The UPR has been an opportunity for States to undertake a national assessment of the human rights situation and review their national agenda and policies, evaluate challenges and constraints, identify capacity and resources gaps, and to reiterate their commitment to the universality, indivisibility and interrelatedness of human rights. For civil society actors, it strengthened their role and influence, and enabled them to share human rights analysis, define priority areas of concern, and coordinate their reporting and engagement with national authorities and the UPR process.

51. These experiences shed light on the fact that good practices, achievements and challenges were common to all States regardless of their region, political system and religious and cultural background. Finally, the UPR mechanism provided opportunities for all – States, national human rights institutions, civil societies, UN entities, regional organizations, bilateral and multilateral actors - to explore how best to foster national and international dialogue and cooperation to promote and protect the universality, interdependence, indivisibility and interrelatedness of all human rights.

## **V. Efforts by the Office of the UN High Commissioner for Human Rights**

52. The Vienna Declaration and Programme of Action, adopted by consensus by representatives of 171 States during the World Conference on

Human Rights held in Vienna in 1993, provided the principle and the vision of a universal, interrelated and interdependent constellation of human rights and freedoms, which encompasses economic and social rights as well as the right to development. Since then, the right to development has been reaffirmed time and again in numerous resolutions of the General Assembly and the Human Rights Council and included in major political declarations.

53. In order to commemorate the 20th anniversary of the World Conference, a Vienna+20 Conference was organized in June 2013 by the Austrian Federal Ministry of European and International Affairs, in cooperation with the Office of the High Commissioner for Human Rights (OHCHR) and other organizations, to examine how the achievements of the VDPA could be best used today to further strengthen the international human rights system.

54. In her keynote speech at the Vienna+20 Conference, the United Nations High Commissioner for Human Rights defined the VDPA as “one of the strongest human rights documents of the past hundred years. It crystalized the underlying principles that human rights are universal, indivisible, interdependent and interrelated, and firmly entrenched the notion of universality by committing States to the promotion and protection of all human rights for all people regardless of their political, economic, and cultural systems.”

55. That all human rights are universal, indivisible and interdependent and interrelated (art. 5 VDPA) is a guiding principle for OHCHR in the

implementation of its mandate. As the leading UN entity on human rights, OHCHR is mandated to promote and protect the effective enjoyment by all of all civil, cultural, economic, political and social rights.<sup>5</sup> General Assembly resolution 48/141 also defines that the High Commissioner “shall be guided by the recognition that all human rights - civil, cultural, economic, political and social - are universal, indivisible, interdependent and interrelated and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms”.

56. The OHCHR Management Plan 2012-13, as well as previous documents of this kind, articulated OHCHR’s overall direction in implementing this human rights mandate. In the past four years, OHCHR has sharpened its strategic direction by focusing its work on six thematic priorities which encompass human rights challenges such as discrimination; impunity, rule of law and democratic society; poverty and economic, social and cultural rights; violence and insecurity; strengthening international human rights mechanisms; together with the growing challenge of ensuring human rights in the context of migration. The choice of these thematic priorities reflected due attention to the universality, indivisibility and interdependence of all human rights and fundamental freedoms.

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<sup>5</sup> A/RES/48/141.



57. As part of its mandate to promote the indivisibility, interdependence and interrelatedness of all human rights, OHCHR strongly supported the integration of all human rights, including the right to development, and their gender dimensions, in international cooperation and national development policies and economic and social programmes. OHCHR promoted the integration of human rights in development and poverty reduction activities with a focus on the poorest and most marginalized groups of society. It also sought to ensure the realization of economic, social and cultural rights and the achievement of sustainable and equitable development outcomes. This work is guided by the principles of universality, indivisibility and interdependence of all human rights and fundamental freedoms enshrined in the UDHR, and reaffirmed in the VDPA and the Declaration on the Right to Development.

58. Below is a non-exhaustive list of examples of the engagement of the High Commissioner and OHCHR to promote and protect the universality, indivisibility, interdependence and mutually reinforcing nature of all human rights and fundamental freedoms in key functions undertaken both at field and headquarters levels.

**A. Advocacy**

59. In her statement before the European Parliament in Brussels on the occasion of a celebratory event for the 60th anniversary of the UDHR, the High Commissioner argued that "the principles underpinning the 1948



Universal Declaration can be found in virtually all cultures and traditions." She furthermore underscored the fact that: "A global culture of human rights is predicated on the universality of human rights and their connection with security and development and welfare for all. We should never accept the argument that some rights fit the traditions of certain cultures, but are antithetical to other customs. All human rights are indivisible, entitled to all."

60. In 2010, at the request of the Human Rights Council, OHCHR organised a seminar on traditional values and human rights. In her opening statement, the High Commissioner stated: "There are traditions of hate, just as there are traditions of tolerance, traditions of repression just as there are traditions of liberation, and traditions of deprivation and exclusion just as there are traditions of social justice. Our task, that of the 192 countries represented by the UN Charter, is to come down squarely and unequivocally, on the side of those in every society who promote and defend human rights. And so, in today's seminar, we focus on the traditional values underpinning human rights. In doing so, we reject those who would seek to juxtapose traditional values against human rights in a tired and dubious old rhetorical device that long sought to erode the universal authority—and universal appeal—of human rights. Indeed, while the Vienna Declaration recognizes that the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it reaffirms that it is the duty of all States, regardless

of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.”

61. At the field level, in Guinea Bissau OHCHR supported a national NGO in the organisation of an International Islamic Conference for the Abandonment of Female Genital Mutilation (FGM) held in October 2012, which led to a “Declaration of Imams of Guinea Bissau on the Abandonment of FGM”. The participation of international Islamic Professors from other African countries was crucial for the sensitization of the national Islamic community and local communities and to withdraw arguments in favour of FGM.

62. While the Millennium Development Goals (MDGs) raised the profile of various aspects of human development such as poverty, maternal and child mortality and access to water and sanitation as international concerns, they have been criticised for their failure to address the issues of inequality and discrimination and to include civil and political rights. Following OHCHR’s advocacy, the 2010 MDGs Summit and Rio+20 outcome documents contained a broader catalogue of human rights provisions, including: the need to respect, protect, and promote all human rights and fundamental freedoms for all without discrimination; calls for the rule of law, democracy, good governance, accountability and; a call for a participatory process to develop new Sustainable Development Goals respectful of human rights principles. Since Rio+20, OHCHR has been active in following up on these commitments, through research,

publications, advocacy, leading and contributing to the UN Development Group (UNDG) global thematic consultations, providing support to the Open Working Group on Sustainable Development Goals, and engaging with Member States to promote the human rights-based post-2015 development agenda.

63. In June 2013, the High Commissioner's circulated an open letter to Member States, highlighting that a new development agenda must be a universal and balanced framework, encompassing all human rights and the right to development, implemented through a rights-based approach, with a strong emphasis on participation, accountability, equality and non-discrimination, empowerment, and the rule of law, and include benchmarks for policy and institutional reform at the international level.

**B. Policy advice**

64. OHCHR's work on land and human rights illustrates how OHCHR promotes the indivisibility and interrelatedness of human rights through analysis and policy advice. In relation to standard-setting at global level, OHCHR participated in the inter-governmental negotiation on the Voluntary Guidelines on the responsible governance of tenure of land, fisheries and forests (adopted in 2012 by the Committee on World Food Security) and provided technical advice and advocated for integration of various civil, cultural, economic, political and social rights, into the guidelines. The guidelines integrated the principles of non-discrimination, rule of law, and participation; the right to food, adequate housing, information, justice and to



an effective remedy; the rights of indigenous peoples, human rights defenders, refugees and IDPs; as well as the UN Guiding Principles on Business and Human Rights.

65. At the field level, in Cambodia OHCHR worked with the Government, civil society, communities, individuals, business enterprises, professional associations, and development actors to strengthen the legal framework protecting land use and ownership, and housing rights. OHCHR continued to provide technical assistance to governments, civil society and other national stakeholders, at their request, to make the necessary changes to national legislation and policies to integrate human rights standards in national development plans, policies and budget processes, and realize economic, social and cultural rights.

**C. Legislative reform and institution building**

66. OHCHR's substantive research, technical advice and practical learning tools helped to raise awareness and build the capacities of national actors to align national policies and programmes with human rights standards.

67. In several countries in South America, OHCHR supported the process of adoption of new legislation related to the rights of indigenous peoples. For instance, it provided comments on a draft decree on the regulation of consultation processes with indigenous peoples in Chile.



68. In Tunisia, OHCHR supported to the constitution-making process, advised on compliance of the draft constitution with international standards and facilitated participation of civil society to the process. In cooperation with other UN agencies and civil society, OHCHR advised and supported the Ministry of Human Rights and Transitional Justice and civil society in establishing a transitional justice mechanism in conformity with international standards and norms leading to a draft law promoting truth, accountability, reparations and guarantees of non-recurrence for victims of violations.

69. At the invitation of the Ministry of Environment of Cambodia, OHCHR supported the consultation process for a draft law on environmental impact assessment, and commented on the harmonization of the draft law with international standards on transparency, public participation and access to information, gender, the responsibility of business enterprises, free, prior and informed consent, resettlement, grievance mechanisms and dispute resolution processes.

70. Acknowledging the interrelatedness and the cross-cutting nature of rights affected by caste discrimination, in Nepal OHCHR focused on access to justice for persons affected by caste-based discrimination and untouchability, including through technical assistance in the drafting of the Caste-based Discrimination and Untouchability Act, adopted in 2011. The work in Nepal paved the way to a broader engagement in South Asia, through work with UNCTs and civil society actors.

71. In Sierra Leone, OHCHR supported the implementation of the Disability Act 2011 as well as the establishment and operationalization of the National Commission for Persons with Disabilities, to ensure active participation of persons with disabilities in the 2012 elections. It also contributed to the process that led to the establishment of the Technical Committee on Disabilities and provided technical support to the Minister of Social Welfare, Gender and Children Affairs.

**D. Capacity building**

72. Capacity building is a key area where OHCHR made considerable efforts to enhance the knowledge and skills of government officials, civil society, media, national institutions, police and security forces, and other actors to overcome challenges threatening universality and indivisibility of human rights.

73. Through the follow-up to the Universal Periodic Review and more broadly the comprehensive approach of including recommendations from treaty bodies and special procedures in its country activities, OHCHR consistently supported the universality of human rights at the country level. For example, during 2011-2012 in order to assist Member States within the Europe and Central Asia region, OHCHR organised three sub-regional workshops in Serbia, Georgia and Kyrgyzstan with representatives from 19 Member States to share good practices and lessons on how to address and implement recommendations by UN human rights mechanisms in a

coordinated and holistic manner, and thus promote the indivisibility of human rights.

74. In Ecuador, OHCHR provided technical support to 120 public planning officials of the National Secretariat for Development and Planning (SENPLADES) on how to integrate a human rights perspective in the formulation of public policies. OHCHR also supported SENPLADES in applying OHCHR's human rights indicators framework when developing structural indicators for all human rights, in line with key UPR recommendations.

75. Following the issuance of the Secretary-General Guidance Note on the United Nations Approach to Transitional Justice, which highlights the importance of an approach to transitional justice that takes into account the root causes of conflict and addresses the violations in a comprehensive and integrated manner, in 2010 OHCHR organized an Expert Workshop on "Experiences of Transitional Justice Processes in Dealing with Violations of Economic, Social and Cultural Rights". Furthermore, OHCHR is currently developing a Special Issue on this topic which explores the ways in which transitional justice processes have addressed economic, social and cultural rights violations, as well as the links that exist between root causes, economic, social and cultural rights violations, and transitional justice.



**E. Mainstreaming**

76. OHCHR worked to advance the integration of all human rights into the policies, programmes and activities of the United Nations system as a whole, including at the country level, and strengthened institutional partnerships within the UN system. Advocacy efforts were made through OHCHR's active participation in the work of all interagency coordination mechanisms under the Secretary-General's Chief Executive Board (CEB), High-Level Committee on Programmes (HLCP), UN Development Group (UNDG), Executive Committees on Humanitarian Affairs, on Economic and Social Affairs, and on Peace and Security, which cover all human rights issues in all parts of the world.

77. In the area of development, a dedicated coordination and support mechanism on human rights mainstreaming (UNDG-HRM) led by OHCHR was established in 2009. The UNDG-HRM provides an avenue for more effective and coordinated support to Resident Coordinators and UN country teams across the globe. The UNDG-HRM made important progress in promoting system-wide policy coherence, joint advocacy and knowledge sharing on human rights in many parts of the world. For example, the UNDG-HRM developed coordinated human rights inputs for inter-governmental processes relating to the Rio+20 conference, the General Assembly's Quadrennial Comprehensive Policy Review resolution, and the post-2015 development agenda. Upcoming work in this context includes the development of new global Human Rights Guidance for Resident



Coordinators and a learning support initiative for leadership of Resident Coordinators and UN Country Teams in the area of economic, social and cultural as well as civil and political rights.

78. OHCHR also focused on mainstreaming the rights of persons with disabilities under the mandate of the Convention on the Rights of Persons with Disabilities. As disability is a cross-cutting issue that involves all aspects of life of persons with disabilities, OHCHR worked toward ensuring that persons with disabilities enjoy the full range of civil, cultural, economic, social and political rights on an equal basis with others. Its interventions at the national, regional or international level covered a variety of issues, from accessibility to austerity measures, from individual to collective rights, as well as the intersection between persons with disabilities and gender, lesbian, gay, bisexual and transgender persons (LGBT), children, old persons, or migrants.

79. In its work on migration, OHCHR seeks to promote all human rights for migrants, regardless of their nationality or immigration status. OHCHR played a leading role in promoting a human rights-based approach to migration within the advocacy role and work programme of the inter-agency Global Migration Group, and co-Chairs the Working Group on Human Rights, Gender and Migration with UN Women and UNICEF.

**F. Monitoring and investigations**

80. Human rights monitoring, fact-finding and investigation is a core aspect of the protection mandate of OHCHR and a function of most of its human rights field presences. As such, it is a key tool to identify violations, patterns, causes and possible solutions to diverse human rights concerns and crises. For instance, during 2013 in Cambodia, OHCHR monitored 74 land disputes between affected communities, authorities and businesses in both rural and urban areas, about half of which related to economic and other land concessions, including on indigenous land. In addition to documenting specific cases, OHCHR's facilitated dialogue among disputed parties, monitored court proceedings, and provided legal and procedural advice.

81. In Guatemala, during 2012 OHCHR carried out 70 monitoring missions, met with authorities, civil society organizations, victims and their families, and followed-up on allegations of human rights violations concerning labour rights; rights of indigenous peoples; insecurity and social conflict; deprivation of liberty; persons with disabilities; due process and judicial guarantees; access to land; violence against women; and attacks on human rights defenders, among others.

82. In Timor Leste, OHCHR released a thematic report on the right to food at the end of 2008, after conducting field monitoring through interviews with local communities, vendors, consumers and local authorities, and monitored the implementation of a rice subsidy policy. OHCHR assessed availability, accessibility and relevant national policies

and strategies, as well as the institutional framework to implement them, in connection with the right to food and other rights.

83. In recent years, International commissions of inquiry (COIs) and fact-finding missions have been increasingly established by the Human Rights Council (HRC), the Secretary-General or the High Commissioner to respond to situations of violations of international human rights law, international humanitarian law and other international crimes. To date, OHCHR has supported the work of more than 30 such investigative bodies. For instance, during 2012, OHCHR contributed to the establishment of four commissions of inquiry and one fact-finding mission mandated by the HRC. Among these, the Fact-Finding Mission to investigate the effects of the Israeli settlement activities on the rights of Palestinian people focused on the implications of such settlements on a the rights to self-determination, non-discrimination, movement, equality, due process, fair trial, liberty and security of persons, expression, access places of worship, education, water, adequate standard of living, property, access to natural resources and effective remedy of the Palestinian people. Similarly, the COI on Syria documented not only violations to the right to life, liberty and personal security, but also restrictions to freedoms of expression, association and peaceful assembly, and basic economic, social and cultural rights. A customized version of the OHCHR Human Rights Case Database, which enables to capture violations of a broad range of rights, played a pivotal role in supporting the investigations conducted by the COIs.



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**G. Education and training**

84. In the area of human rights education and training (HRET), OHCHR promotes universality, indivisibility and interrelatedness of all human rights. In HRET activities and materials, these characteristics of human rights are dealt with, with a focus which depends on the audience. Collaboration with experts and practitioners from all continents takes place to ensure international validation of those materials before publication. The OHCHR website hosts more than 400 translations of the UDHR in languages representing peoples from all over the world. For this OHCHR project, the UDHR has been awarded the Guinness World Record for the most translated - indeed, the most "universal" - document in the world.

85. In the past five years, OHCHR has trained the national human rights institutions of Djibouti, Ecuador, Ethiopia, Tanzania and Timor Leste on human rights monitoring skills to document and report on violations of civil, cultural, economic, political and social rights. In Sierra Leone, OHCHR trained 146 traditional leaders on the impact of sexual and gender based violence (SGBV) to increase their knowledge on this issue, to strengthen their ability to respond to community needs in addressing violations, and to raise awareness on the consequences of SGBV on other rights. In Guatemala, OHCHR conducted two training courses to enhance the knowledge of staff from the Ministry of Energy and Mining on the nine international human rights treaties and the rights of indigenous peoples,



particularly regarding the obligation of States to consult with indigenous peoples in policies and projects that directly affect them.

#### **H. Publications**

86. OHCHR has a portfolio of approximately 160 printed titles, each available in multiple official languages, covering the whole range of civil, cultural, economic, political and social rights. Examples of some recent publications which stress the importance of the universality, interdependence and mutually reinforcing nature of all human rights are the Fact Sheets on the right to food (published jointly with FAO) and the right to water (published jointly with WHO and UN-Habitat); the Guide for Business: How to Develop a Human Rights Policy (published jointly with the UN Global Compact); Human Rights and Gender Equality in Health Sector Strategies: How to Assess Policy Coherence (published jointly with WHO and Sida); Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law .

87. OHCHR is currently revising its Manual on Human Rights Monitoring and finalizing a publication on the economic, social and cultural rights of migrants in an irregular situation, which highlights the importance of ensuring the access of such migrants to such fundamental rights as health and education, and notes in this context the indivisibility of civil, cultural, economic, political and social rights.

## **VI. Conclusions**

88. Today, there is global recognition of the principles of indivisibility, interdependence and universality of all human rights, and much progress has been achieved in various parts of the world in this regard.

89. The present report shows that efforts have been made by member States, the United Nations system, the United Nations human rights mechanisms and the Office of the High Commissioner for Human Rights to promote and implement the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights through the incorporation of human rights into national policies and legislation, international cooperation, mainstreaming activities and in the implementation of mandates.

90. However, despite these efforts, current global challenges, such as climate change and the economic and financial crisis, highlight the urgent need for States, who bear the primary responsibility to ensure the promotion and protection of human rights, and other actors take further action to strengthen the implementation of such principles and to enable the full enjoyment of all human rights for everyone.

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