



THE PRESIDENT
OF THE
GENERAL ASSEMBLY

5 August 2016

Excellency,

It is my pleasure to enclose herewith the summary of the High-Level Thematic Debate on Human Rights, which took place on 10-11 July, 2016.

The summary contains key points identified by member states in the plenary segment as well as the views shared by participants during the three interactive segments.

It is my hope that the Debate will have served to inspire a reflection by all stakeholders as to the actions needed to keep human rights at the centre of the global agenda.

I take this opportunity to again express my sincere gratitude to all who participated in the High-Level Thematic Debate, as well as those who supported in various other ways.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in dark ink, appearing to read 'Mogens Lykketoft', written in a cursive style.

Mogens Lykketoft

All Permanent Representatives and
Permanent Observers to the United Nations
New York

UN@70: Human Rights at the centre of the global agenda
High-Level Thematic Debate of the UN General Assembly

New York, 12-13 July 2016

Informal Summary¹

As part of his overall efforts to foster 'A new Commitment to Action', President Mogens Lykketoft held a High Level Thematic Debate (HLTD) on 12-13 July at UN Headquarters, entitled, 'UN@70: Human Rights at the centre of the global agenda'.

Taking place in the context of the 50th anniversary of the international human rights covenants, the 30th anniversary of the Declaration on the Right to Development and the process to select and appoint the next UN Secretary-General, this HLTD sought to:

- reinforce the foundations needed for the enjoyment of human rights
- identify how action to realize human rights can contribute to progress on peace and security and sustainable development and vice-versa
- highlight ways to strengthen the United Nations' role and effectiveness in this area

The debate began with an opening segment involving the UN Secretary General Ban Ki-moon, the President of the General Assembly, Mr Mogens Lykketoft, Her Majesty Queen Mathilde of Belgium and Ms. Agnes Leina Ntikaampi of the Illaramatak Community Concerns (Kenya). It was followed by a plenary debate with Ministerial participation and three interactive dialogues.

18 representatives at ministerial level, a large number of senior government officials, Permanent Representatives to the UN, independent human rights experts as well as senior representatives from civil society and the private sector participated in the event.

Declared candidates seeking to become the next Secretary-General of the United Nations were also invited to attend, as a means of broadening their awareness of the challenges ahead in this area. In the margins of the debate, 10 of the 12 candidates participated in a Global Townhall organized by the President in partnership with Al Jazeera Media Network.

A. Key points emerging from the Plenary debate:

- Given current challenges relating to poverty eradication, climate change, inequality, violent extremism, terrorism, conflict and a global refugee and humanitarian crisis, a "redoubling" of efforts is required to make human rights commitments a reality and to place human rights at the very core of global efforts to secure peace, security, justice and sustainable development
- The linkage between adherence to human rights and greater **peace and security** was highlighted throughout. Maintaining human rights standards in the context of countering violent extremism is particularly important. The connection between human rights implementation and conflict prevention, particularly in light of the recent UN reviews in the area of peace and security, was also underscored as was the role of monitoring human rights abuses as a tool for early warning.

¹ The summary does not necessarily express the views of the President of the General Assembly. It is a compilation of messages by participants in the Event, summarized in an informal format. It does not attempt to be exhaustive, nor does it reflect necessarily the views of all member States or other participants.

- Human rights have been included at the heart of the 17 **Sustainable Development Goals** and are captured in the 2030 Agenda's mantra to "leave no one behind." It is critical that there be no "cherry picking" of certain goals over others and that steps are taken to incorporate the agenda into national legislation, policies and action plans. There was also a suggestion that the UPR be revised to include reporting on progress of SDGs implementation; and that the High Level Political Forum create space for the human rights dimensions of the SDGs to be discussed.
- Many Member States took the opportunity to highlight their **national efforts** to implement human rights commitments, including through national human rights commissions and offices of ombudspersons, specialized legislation, or national action plans. Others underscored their State's roles in supporting particular UN efforts in the promotion of human rights, their membership of the Security Council and/or Human Rights Council, and the election of their national candidates to the Treaty-based Bodies.
- Some Member States questioned the apparent **selective application** of certain rights vis a vis certain States; the perception of a double standard; the application of human rights as a tool in foreign policy, and the politicization of the Human Rights Council.
- There were a number of affirmations of support for the **Human Rights Council** and its mechanisms, especially the **UPR**, with many Member States' highlighting the recommendations that their governments had accepted and providing examples of their implementation. There was a call for the concretization of new recommendations for the third round of the UPR without the repetition of existing and unfulfilled recommendations. Funding gaps were identified in terms of the capacity of the mechanisms to support Member States and the ability to implement the recommendations at the national level.
- Many Member States expressed appreciation for the work of **Special Procedures**, identified the importance of standing invitations and highlighted visits that had taken place in their country. Others took exception with some of the issues taken up by special rapporteurs and felt that funding for the mechanism should be more transparent. Multiple Member States noted the progress achieved with the June 2016 resolution (HRC/32/L.2/Rev.1) creating the new special procedures mandate on sexual orientation and gender identity.
- There were also numerous calls for the implementation of standards in the **core human rights treaties** (notably CEDAW), as well as their optional protocols. Several Member States mentioned the need for the **Security Council** to better incorporate human rights issues and to cooperate with the Human Rights Council. There were also expressions of concern for both the politicization of the Council as well as its polarization over key issues.
- Many Member States underscored the important work of **OHCHR**, and the need for it to be strengthened with greater human and financial resources. Many mentioned their cooperation with the Office or mentioned that they had invited the High Commissioner to visit. Some noted their support for OHCHR's Change Initiative.
- A number of member states affirmed support for the **UN Human Rights Up Front initiative** while some States reiterated the need to further the "responsibility to protect" agenda.

B. Interactive Segments

The following issues were highlighted by speakers, discussants and others during the three interactive segments.

1. *Combating discrimination and inequalities*

- The historical struggle against discrimination related as it was to colonialism, racism and other practices, continues around the world today. The evolving nature of discriminatory practices together with growing levels of intolerance and the dynamics of global income inequality, however, demand continued and more expansive action in this area. This reality was recognized by world leaders in adopting the 2030 Agenda which situated action to combat inequalities and discrimination at the heart of global sustainable development agenda.
- The prevailing form of capitalism, the effects of an ideology of white supremacy and the undermining of democracy were highlighted by one speaker as factors that contribute to today's growing global human rights crisis particularly relating to discrimination. To overcome this crisis, leaders must tell the truth, be inclusive, promote diversity, and mobilize as well as demand transformation.
- The 2030 Agenda and the Sustainable Development Goals demand action on discrimination on a number of grounds. Goal 5, which focusses on women and girls, together with other goals, capture the fact that there are multiple forms of discrimination that affect women and girls which much be tackled simultaneously.
- Similarly, persons with disabilities are in all groups of society and can suffer discrimination on different grounds. Challenges of accessibility exist in the streets, in schools, in the justice system and beyond. To implement the UN Convention on the Rights of Persons with Disabilities and the 2030 Agenda, partnerships and networks are crucial.
- Structural and institutional racism is a major aspect of discrimination today, including as it relates to migrants and refugees. The international community must promote social solidarity and ensure access to justice for the victims. It must support civil society, promote education; elaborate and implement National Action Plans that link development to justice; and denounce racism and xenophobia. Strengthening coordination between UN agencies is also crucial.
- There is an intrinsic relationship between a lack of development and all forms of discrimination. Member States should recognize the right to development at the national level, by ensuring good governance, and at the international level, through international cooperation to overcome inequalities between states. Voluntary accountability is important and states should consider addressing poverty, unemployment, education, women's empowerment as SDG priorities.
- OHCHR plays a crucial role in promoting human rights and advancing progressive norms, while the Human Rights Council's recent resolution establishing the Independent Expert on sexual orientation and gender identity is also important. People everywhere should discuss sex despite the tide of conservatism and Member States must respect the rights of sex workers.

- Political leadership is critical to overcoming discriminatory attitudes in society. Temporary special measures including in parliaments should be considered. Accountability for discrimination is also important while inclusion should be a central principle when implementing the SDGs.

2. Building the foundations for human rights – governance, the rule of law and access to justice

- The importance of rule of law as a fundamental cornerstone for the realization of human rights was underlined by all in the discussion. Also, panellists referred to issues related to access to justice, including both domestic and international justice; and the fundamental role of international tribunals and in particular the International Criminal Court in this regard. Among other issues, the importance of strengthening and enhancing cooperation between national governments in the prosecution of international crimes was emphasized.
- It was noted that international criminal justice was essential to enforcing international human rights and humanitarian law and to fostering the rule of law. Though standards and norms have developed in the past 70 years, ensuring compliance remained an important problem. It was stressed that international justice needs to be applied globally and consistently. Wider ratification of international instruments, as well as greater resources and cooperation were also required. A call was made for greater complementarity between the global system of international criminal justice and national courts, as access to justice remains a major issue globally.
- Some participants noted that while there is no inter-governmentally agreed definition for the “rule of law”, however, it was clear that the term encompasses also substantive justice, in addition to legislation and institutions.
- The crucial role of lawyers was emphasized throughout the event. The transformative effect of the testimony of sexual and gender-based violence survivors and witnesses in specific cases was also highlighted. There was a call on all courts to provide victims greater role in legal proceedings.
- The principles of accountability, transparency and efficiency were mentioned as central to the rule of law, and necessary for good governance. The lack of an independent judiciary could have a corrosive impact on the rule of law, and it was also noted that law-making required the participation of all stakeholders, including civil society and national human rights institutions, as well as the commitment of political leaders. Panellists noted that reform in the area of rule of law should ideally build on what is already present rather than import models from elsewhere.
- It was highlighted that causes of conflict are often related to failures to respect human rights and the rule of law. Furthermore, human rights and the rule of law are imperative when countering terrorism and for creating a sustainable counterpoint for violent extremism.
- UN discussants highlighted examples of their support to national efforts to strengthen the rule of law. They stressed the importance of planning for rule of law and peace sustainment activities from the very outset of any international intervention. The importance of strengthening the rule of law was mentioned as essential for inclusive economic growth and sustainable development, and important in forging partnerships to advance the SDGs.

Furthermore, the rule of law was important for sustainable peace and human rights, as it provided a mechanism to place people's needs at the centre and to strengthen national institutions that protect human rights and provide access to justice.

- A private sector perspective was shared with the participants, stressing that the rule of law is essential for ensuring access to justice, respect for human rights and economic development. The new and important role of technology, including the use of mobile apps to document human rights violations, was highlighted. The awareness and knowledge of laws was also highlighted as important, as effective access to justice requires access to and understanding of the laws, including due process guarantees. The importance of increasing the involvement of private actors, in particular lawyers, in the discussions on the rule of law was also highlighted.

3. Enabling active participation in society

- An attack on civil society is an attack on “human agency” and new global trends demonstrate how security measures are undermining human rights. In the last year, Amnesty International documented 113 countries which have placed restrictions on the right to freedom of expression. The Special Rapporteur on counter-terrorism has reported 60 countries which restricted the right to freedom of assembly, and 150 human rights defenders have been reportedly killed. Civil society now wastes precious resources on their protection and in defending themselves against accusations of demonization.
- The perception of some governments that there is a trade off between security and the Human Rights is wrong: security can only be realized with an active civil society. Local religious and tribal leaders play an important role in the promotion of an active civil society, including the role of women and girls. Human rights have become politicized, with the complicity of the UN. Social media users, community leaders and governments supportive of human rights could further assist with the implementation of the SDGs.
- Media workers are often targeted and persecuted. Annual numbers of the murders of journalists remain the same despite efforts. Sixty-seven were killed in the last year in the “line of duty”. Eight hundred deaths due to deliberate attacks on the media were documented in the last ten years. 176 media workers were imprisoned and there had been a 4% decrease in the index on press freedom in a number of countries.
- Social media has played an important role in promoting active civil society participation, and in giving those a voice who would not have had one twenty years ago, but the protection of users from reprisals is a challenge. Social media companies often receive requests from governments to remove content, and the content is then reviewed for compliance with international legal standards for human rights. These would only remove extremist/violent content, such as terrorism propaganda.
- Governments often do not see lawyers as allies the media is often used as a “mouthpiece” for the governments in power.
- There is a need for UN funds, programmes and agencies to improve how they work to protect civil society organizations. They can do more to help government create a better overall environment for civil society actors.

- The recent report by the Global Alliance of National Human Rights Institutions was highlighted. It looks at whether states presenting themselves for review at the HLPF have created an “enabling environment” for active civil society participation and implementation of the SDGs.
- Among comments from the floor, the importance of promoting the active engagement of all sectors of society was noted because democracy does not end at the ballot box. CSOs can provide helpful expertise for governments.
- The relationship between civil society space, the rule of law, access to justice and equality was highlighted throughout demonstrating an active and protected civil society will be one of the critical success factors in achieving the SDGs and realizing human rights worldwide.