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OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

Statement by

Ms. Navi Pillay

United Nations High Commissioner for Human Rights

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Mr. Chairman,
Excellencies,
Ladies and Gentlemen,

I am pleased to present my annual report on the overall work of the Office of the United Nations High Commissioner for Human Rights (OHCHR), from August 2011 to July 2012.

I wish to express my sincere gratitude to the Member States of the General Assembly for the extension of my mandate for an additional two years, and to assure you that I will fully honour the trust placed on me.

The past year has been marred by developments which have put to the test the capacity of the international community to prevent and promptly respond to human rights and humanitarian crises: the conflict in Syria, fragile transitions, the situation in the Horn of Africa, in Mali and the Sahel, and the economic and social crises on all continents.

The challenge of addressing crises has grown as over the years they have tended to develop at a faster pace, often involving non-State actors, as well as complex destabilising phenomena of a transnational dimension, such as organised crime; terrorism; the proliferation of weapons; and the exploitation of natural resources.

The protracted violence is an immediate reminder that the prevention of conflict and the protection of human rights in times of conflict remain among the most daunting challenges for the international community. I value the several opportunities I have had to brief the Security Council this past year, including on Syria, which demonstrate the intrinsic link between human rights, peace and security. I also had the privilege of briefing the General Assembly on Syria. On each occasion, I appealed for the focus to be on the centrality of human beings above political and economic interests.

This is the *raison d'être* of the United Nations, and must be reflected both in the decisions of its intergovernmental bodies and throughout the work of the Organisation. As stressed in my report, outright disrespect for international human rights and humanitarian law, let alone for human life, is an anachronism which cannot be tolerated. The UN must act to uphold the rule of law and protect human rights.

There is no doubt that every Security Council member wishes to see an end to the ever-deepening conflict in Syria and to the violence affecting civilians. While taking into account important political concerns, it is urgent to find ways to avert the massive loss of civilians and human rights violations. International law obliges States to protect their people; and where a State manifestly fails to carry out this obligation, then the international community needs to take urgent and effective measures to protect the Syrian people.

Recent events have again brought to the fore tensions between freedoms of expression and religion. International human rights law provides the framework to ensure that these rights are protected while sanctioning incitement to hatred. I am encouraged that the Human Rights Council has adopted this approach. Building on the existing legal framework regarding incitement to hatred, OHCHR held a number of expert workshops which aimed to better understand legislative patterns, judicial practices and policies in the field of incitement to hatred and to illustrate human rights-compatible responses to such important issues. The final workshop on 4/5 October 2012 in Rabat, Morocco, brought together the conclusions and recommendations from the expert workshops and proposed a plan of action by the experts.

I have publically regretted or condemned various displays of religious hatred or bigotry and have also consistently urged religious and political leaders to condemn the violence, including the loss of life that has taken place in reaction to such incidents in various parts of the world. I hope States will continue to provide further impetus for translating the constructive discussions at the expert workshops, on a consensual basis, into tangible actions that can improve the situation of victims all around the world.

Excellencies,

While much remains to be done, I now wish to highlight a number of encouraging developments indicating enhanced attention to human rights.

In the past two years, in the wake of crises and in the context of transitions, OHCHR has been increasingly invited by individual member States to assist in addressing human rights concerns.

Today, OHCHR is supporting 57 human rights field presences. In June, we started conducting regional activities in North Africa and in September, the Government of Yemen and I signed an agreement to establish a country office in Sana'a. In May 2012, in

Mogadishu, OHCHR and the United Nations Political Office for Somalia signed with the authorities a memorandum of understanding on technical cooperation in the field of human rights, which will allow further support to Somali counterparts in the post-transition phase.

There have also been increasing requests for human rights advisers, who are posted with United Nations Resident Coordinators and United Nations country teams, and are key players in mainstreaming human rights within the United Nations programmes and activities at country level. I strongly encourage member States to contribute to the Human Rights Mainstreaming Trust Fund of the United Nations Development Group, which Helen Clark of UNDP and I launched in October 2011.

Requests for OHCHR to provide technical cooperation have also considerably expanded, particularly in follow-up to the Universal Periodic Review (UPR). The first cycle of the UPR was a success, not least as all member States had their human rights record reviewed by other States. The UPR constitutes a platform for States to reaffirm and reinvigorate their human rights commitments, and an opportunity to strengthen dialogue and cooperation with all relevant stakeholders. It is critical to maintain this momentum and ensure that the UPR effectively evolves as an instrument to improve human rights everywhere, not least by committing to ensure that the recommendations are concretely followed up and implemented. It is therefore important that there be a constant flow of voluntary contributions to the UPR Trust Fund on Follow-up to Recommendations.

OHCHR support to the treaty body system is also critical. The treaty body strengthening process has reached an important stage with the report I introduced to the intergovernmental process of the General Assembly, on 16 July 2012. One of the main proposals contained in the report is a Comprehensive Reporting Calendar which seeks to achieve compliance, predictability, better planning and pacing of efforts at the national level, rationalization and simplification of reporting requirements and resourcing. The report is a culmination of consultations with all stakeholders. Since then, the inter-governmental process focusing on strengthening treaty bodies has commenced in New York: I participated in the first session in this process and note with appreciation that member States recognize the importance of the treaty body system and are more aware than ever of the challenges it faces. They also understand the risks to the whole human rights system if the status quo of under-resourcing remains. I commend the excellent work achieved so far by the co-

facilitators appointed by the President of the General Assembly, the Ambassadors of Iceland and Indonesia.

Excellencies,

OHCHR has provided consistent support to the HRC, which has, over the last two years steadily addressed urgent, chronic as well as emerging situations and issues. Resolutions of the HRC require OHCHR to conduct monitoring, reporting and technical cooperation. I welcome the cross-regional initiatives on a number of human rights issues in the Human Rights Council, not only on country situations but also on thematic issues such as on maternal mortality and protection of journalists, through panel discussions.

OHCHR is now providing support to 48 special procedures (36 thematic and 12 geographic mandates). Special Procedures carried out 82 country visits in 2011, and issued a total of 605 communications to 124 States. While independent, they play an important complementary role to the work of my Office, and in that context, we will be organizing in New York an event on 30 October on human rights mainstreaming and the role of Special Procedures, at which the President of the General Assembly and I will participate. States should value the expertise of the Special Procedures, and cooperate with them.

The Human Rights Council has also increasingly mandated OHCHR to support the establishment and operations of commissions of inquiry and fact-finding missions. At its latest session, in September, the Council resolved to extend and expand the Commission of Inquiry on Syria for the fourth time. This entails significantly greater resources of OHCHR.

With regard to the integration of human rights into the development agenda, OHCHR has strived for human rights, including the right to development, to be reflected in major discussions on development, notably the United Nations Conference on Sustainable Development (Rio+20). It has also contributed to define a principled post-development agenda. The affirmation of the centrality of human rights to sustainable development at Rio+20, and the many human rights commitments in the Outcome Document, are welcome steps.

The Declaration adopted by the GA at the High-Level Meeting on the Rule of Law on 24 September 2012 strongly reaffirms that “human rights, the rule of law and democracy are interlinked and mutually reinforcing”, and “belong to the universal and indivisible core

values and principles of the United Nations". The many voluntary pledges by States to strengthen the rule of law are promising commitments. I also support the Secretary-General's call on all member States to accept the jurisdiction of the International Criminal Court.

As the Assembly is due to discuss a new resolution on a moratorium on the death penalty, I hope for the support of all member States. Since 2007, when the first resolution was adopted, the global trend against capital punishment has strengthened. Today, around 150 States have either abolished the death penalty or do not carry out executions.

The struggle against all forms of discrimination is quintessential to the mandate of High Commissioner and of the United Nations. OHCHR has continued to highlight the prevalence of various forms of discrimination, in law and practice - racial discrimination, discrimination against women, migrants, persons with disabilities, older persons - and to work with governments and other counterparts to end discrimination in all its forms. On discrimination based on sexual orientation and gender identity, in December 2011, at the request of the Human Rights Council, I issued a study on documented violence and discrimination targeting lesbian, gay, bisexual and transgender people. I am aware that member States remain divided on this topic and encourage more dialogue.

Excellencies,

The growing recognition of the centrality of human rights in the peace, security, development and humanitarian agendas, and trust in OHCHR is very rewarding. My staff and I are deeply committed to diligently pursue our mandate with a view to making a difference.

Like all other United Nations entities, we too are labouring under financial constraints. Last year, I alerted you to the widening gap between the increasing workload and expectations of OHCHR, and the financial support it receives. That anomaly persists: human rights are widely recognised as one of the three pillars of the United Nations, yet the resources required to support important mandated activities are not forthcoming. While we will continue to endeavour to fulfil such work, without sufficient resources, we are being compelled to do less with less.

2013 will be the twentieth anniversary of the Vienna Declaration and Programme of Action, and of the establishment of the High Commissioner's mandate. OHCHR has grown dramatically in size and reach as we vigorously protect and promote human rights all over the

world. I earnestly seek your renewed commitment and support to enable OHCHR to maintain the momentum.

Many thanks.