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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Follow-up and implementation of the Vienna Declaration and Programme of Action

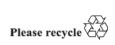
Contribution of respect for all human rights and fundamental freedoms to achieving the purposes and upholding the principles of the Charter of the United Nations

Report of the Office of the United Nations High Commissioner for Human Rights  $^{\ast}$ 

#### Summary

In the present report, prepared pursuant to Human Rights Council resolution 44/23, the Office of the United Nations High Commissioner for Human Rights provides an overview of the contribution of the respect for all universal, indivisible, interdependent, interrelated and mutually reinforcing human rights and fundamental freedoms to achieving the purposes and upholding the principles of the Charter of the United Nations. It focuses on areas where human rights have made a notable contribution to the realization of the Organization's objectives of maintaining peace and security, promoting and encouraging respect for justice and supporting sustainable development.

<sup>\*</sup> Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.





## I. Introduction

- 1. The present report is submitted pursuant to Human Rights Council resolution 44/23, in which the Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare a report on the contribution of the respect for all universal, indivisible, interdependent, interrelated and mutually reinforcing human rights and fundamental freedoms to achieving the purposes and upholding the principles of the Charter of the United Nations.<sup>1</sup>
- The purposes of the United Nations are enumerated in article 1 of the Charter. They are: to maintain international peace and security, in conformity with the principles of justice and international law; to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace; to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion; and to be a centre for harmonizing the actions of nations in the attainment of these common ends. Article 2 of the Charter sets out the principles by which the Organization and its Members should pursue the purposes stated in Article 1. They include the principle of the sovereign equality of all Members; that Members should fulfil in good faith the obligations assumed by them in accordance with the Charter; that Members should settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered; and that Members should refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State.
- 3. In addition to being a key purpose in themselves, human rights are essential to the realization of the other United Nations objectives of maintaining peace and security, promoting and encouraging respect for justice and supporting sustainable development. Through the adoption of the Universal Declaration of Human Rights,<sup>2</sup> the nine core human rights treaties<sup>3</sup> and other human rights standards and norms, States have established normative clarity about the critical role of human rights in advancing the purposes of the Charter. In the Vienna Declaration and Programme of Action of 1993,<sup>4</sup> Member States reaffirmed that role and recognized, inter alia, that human rights and the instruments that enshrine them form part of an integral legal system, that all human rights economic, social, cultural, civil and political rights are universal, indivisible, interdependent and interrelated, that women's rights are human rights, and that the fight against impunity is integral to the realization of all human rights. The creation by the General Assembly, in 1994, of the post of United Nations High Commissioner for Human Rights<sup>5</sup> added operational strength to the action of the United Nations in the field of human rights and reinforced coordination in support of human rights and fundamental freedoms within the United Nations system.
- 4. In preparing the present report, OHCHR sought input from States, international organizations, national human rights institutions and civil society organizations. The report is informed by the contributions received and the work of the United Nations itself. It focuses on areas where human rights have made a notable contribution to the realization of the other objectives of the United Nations.

<sup>&</sup>lt;sup>1</sup> The preparation of the report, which was initially requested for the forty-eighth session of the Human Rights Council, was postponed (see A/HRC/48/44).

<sup>&</sup>lt;sup>2</sup> General Assembly resolution 217 A (III).

<sup>&</sup>lt;sup>3</sup> See https://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx.

<sup>&</sup>lt;sup>4</sup> A/CONF.157/24 (Part I), chap. III.

<sup>&</sup>lt;sup>5</sup> Resolution 48/141.

<sup>&</sup>lt;sup>6</sup> A note verbale was circulated on 26 February 2021.

Fourteen States (Australia, Ecuador, Georgia, Iraq, Ireland, Italy, Lebanon, Mauritius, Mexico, Oman, Philippines, Poland, Slovakia and Switzerland), two national human rights institutions (from Ecuador and Nicaragua), five civil society organizations and one United Nations entity (the Office of the United Nations High Commissioner for Refugees) made contributions.

# II. Contribution of respect for all human rights and fundamental freedoms to achieving the purposes and upholding the principles of the Charter of the United Nations

## A. Placing human rights at the centre of the United Nations system

- 5. In "The highest aspiration: a call to action for human rights", the Secretary-General presented a transformative vision for human rights, urged the seizure of existing opportunities to make significant progress in the realization of human rights and called for the redoubling of efforts in areas where needs were acute and trends problematic.8 The Secretary-General emphasized that human rights underpinned the work of the entire United Nations system and were essential for addressing the causes and impacts of all complex crises and for building sustainable, safe and peaceful societies. By making the call to action, he committed himself to strengthening United Nations leadership in support of human rights, to making the human rights system innovative and responsive to human rights challenges and to enhancing synergies between human rights and all pillars of the work of the United Nations. Furthermore, he stressed that human rights were central to addressing the world's most pressing issues and focused on seven thematic areas: rights at the core of sustainable development; rights in times of crisis; gender equality and equal rights for women; public participation and civic space; rights of future generations, especially climate justice; rights at the heart of collective action; and new frontiers of human rights.9
- 6. In his report entitled "Our Common Agenda", <sup>10</sup> the Secretary-General presented a vision of the future of global cooperation. Recommendations were put forward for renewed solidarity between peoples and future generations, a new social contract anchored in human rights, better management of critical global commons and global public goods that delivered equitably and sustainably for all. In "Our Common Agenda", the Secretary-General affirmed that, to secure a better and more sustainable future for all people and the planet, the United Nations should adapt so as to support its Member States to deliver on the commitments made at the occasion of the seventy-fifth anniversary of the Organization. Specifically, the commitments to leave no one behind, to protect the planet, to promote peace and prevent conflict, to abide by international law and ensure justice, to place women and girls at the centre, to build trust, to improve digital cooperation, to upgrade the United Nations, to ensure sustainable financing, to boost partnerships, to listen to and work with youth and to be prepared for future crises.<sup>11</sup>
- 7. The Secretary-General added that a renewed social contract must be underpinned by human rights if it is to address increasingly complex and interconnected challenges such as the coronavirus disease (COVID-19) pandemic and climate change. Such a renewed social contract would entail rebuilding trust between people and institutions and among peoples and groups by ensuring their protection, inclusion and participation in decision-making processes. It would include enhancing solidarity between generations, including future ones, and with developing States, and applying the principle of international cooperation enshrined in the Charter. Finally, it would require developing a more networked, inclusive and effective multilateral system to improve the governance of the global commons and public goods and address major risks.<sup>12</sup>

See https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The\_Highest\_Asperation\_ A\_Call\_To\_Action\_For\_Human\_Right\_English.pdf, pp. 1–2.

<sup>&</sup>lt;sup>9</sup> Ibid., p. 2.

<sup>&</sup>lt;sup>10</sup> A/75/982.

<sup>&</sup>lt;sup>11</sup> General Assembly resolution 75/1.

A/75/982, paras. 16–39. https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The\_Highest\_Asperation\_A\_Call\_To\_A ction\_For\_Human\_Right\_English.pdf.

## B. Promoting peace and preventing conflict

- 8. As proclaimed in the Charter, the United Nations was created to save succeeding generations from the scourge of war and the promotion and protection of human rights is essential for the creation of conditions of stability and well-being that are necessary for peaceful and friendly relations among nations. <sup>13</sup> Recognition of the need for a more comprehensive, cross-pillar approach to peace and security has been growing over the years. As the Secretary-General has stated, inclusive and sustainable development, anchored in the protection and promotion of human rights, gender equality and the goal of leaving no one behind, is the best defence against conflict. <sup>14</sup> In his call to action and "Our Common Agenda", the Secretary-General identified opportunities to enhance international cooperation and solidarity in the field of peace and security while recalling the need to place human rights at the centre of all United Nations work, including peacekeeping, peacebuilding and violence and conflict prevention.
- 9. Already in the 2005 World Summit Outcome, Heads of State and Government stressed the importance of prevention of armed conflict and renewed their commitment to promote a culture of prevention of armed conflict and to strengthen the capacity of the United Nations in that field.<sup>15</sup> Acknowledging the interdependence between the Organization's activities on international peace and security, human rights and development is central to its prevention efforts, as was highlighted by the Advisory Group of Experts on the Review of the Peacebuilding Architecture in its report entitled "Challenge of sustaining peace". 16 This recognition has led the Organization to increase its focus on preventing conflict and sustaining peace. This, in turn, has helped to ensure that work done under the peace and security pillar is more closely aligned with the development and human rights pillars so as to foster greater coherence and cross-pillar coordination.<sup>17</sup> While continuing efforts are required to further strengthen cooperation and coherence across the different pillars of the United Nations, the reforms have helped promote a more multidimensional approach throughout the various phases of conflict and closer collaboration among development, human rights and humanitarian stakeholders.
- 10. At the same time, human rights protection responsibilities are being further institutionalized across the United Nations system. Since 1991, human rights have been gradually integrated into the mandates of United Nations peacekeeping and political missions, including through the establishment of human rights components and the mainstreaming of human rights throughout their activities. OHCHR has recently documented numerous examples of how the protection and promotion of human rights within a peacekeeping context contribute to supporting political processes, building sustainable peace and preventing, deterring and mitigating violent conflict. Moreover, OHCHR has been able to demonstrate that adopting a human rights-based approach contributes to building confidence, credibility and sustainable governance, developing communication, restoring and extending State authority and establishing the rule of law, reconciliation and transitional justice. At the same time, a developing strategic partnership between OHCHR and the Peacebuilding Support Office is helping to promote a system-wide understanding of the role of human rights protection in strengthening national resilience and sustaining peace.

<sup>&</sup>lt;sup>13</sup> Preamble and Article 55.

<sup>&</sup>lt;sup>14</sup> A/74/976-S/2020/773, para. 2.

<sup>&</sup>lt;sup>15</sup> General Assembly resolution 60/1, para. 74.

<sup>&</sup>lt;sup>16</sup> A/69/968-S/2015/490, annex.

A/72/707-S/2018/43, para. 18. See also General Assembly resolution 70/262 and Security Council resolution 2282 (2016).

<sup>&</sup>lt;sup>18</sup> A/74/976-S/2020/773, para. 22.

OHCHR, Department of Peacekeeping Operations, Department of Political Affairs and Department of Field Support, "Human rights in United Nations peace operations and political missions" (1 September 2011). Available at http://dag.un.org/.

See https://www.ohchr.org/Documents/Press/WebStories/Going\_Further\_Together\_advance\_unedited\_version.pdf, p. 4.

<sup>&</sup>lt;sup>21</sup> Ibid.

- 11. The United Nations has developed conceptual frameworks with a strong human rights dimension to address shortcomings in its peacekeeping operations. These frameworks are often based on intergovernmental mandates and include the protection of civilians from risks and threats to their physical integrity,<sup>22</sup> the need to ensure full and meaningful participation of women as an essential condition to achieve peace and security,<sup>23</sup> the importance of mainstreaming child protection into all conflict prevention and resolution strategies, including on the issue of child soldiers' reintegration, <sup>24</sup> and ensuring the safety of journalists.<sup>25</sup>
- 12. Serious human rights violations are more frequently identified as root causes, triggers or drivers of conflicts, as well as consequences of conflicts. For instance, as the United Nations and the World Bank have noted in a recent report, many violent conflicts relate to group-based grievances arising from inequality, exclusion and feelings of injustice. <sup>26</sup> In this respect, the international human rights framework, which focuses on the prohibition of discrimination, provides a critical foundation for sustaining peace, and existing human rights mechanisms can help identify the root causes of conflict and responses to address them. <sup>27</sup> To this end, OHCHR is engaging with United Nations system-wide processes to ensure that human rights information and analysis informs decision-making and programming, through the common country assessments at the country level and through the Secretary-General's prevention platform at Headquarters.
- 13. The United Nations High Commissioner for Human Rights has been regularly invited to address the Security Council on thematic and country-specific issues. Human rights information and analysis, including recommendations from human rights bodies and mechanisms, have an important role to play in preventing conflicts and contributing to sustaining peace. It is now widely acknowledged that addressing human rights holistically provides a basis for more comprehensive, accurate and objective analyses of the situations and issues at stake. Human rights information helps identify the root causes and drivers of conflict and those who are in vulnerable situations or who are being left behind. Human rights also propose more sustainable solutions for the prevention of or recurrence of conflict, including by developing cross-agency analysis and effective mitigating actions.
- 14. A human rights-based approach is increasingly acknowledged as an effective way to solve problems and address grievances.<sup>31</sup> As the Secretary-General has stated, "there is no better guarantee of prevention than for Member States to meet their human rights responsibilities".<sup>32</sup> As was pointed out, upholding human rights resolves general problems before they arise, by building trust in State institutions, consolidating general interests and enabling forms of community.<sup>33</sup> To this end, OHCHR has continued to invest in its early warning and prevention capabilities by supporting the development of common country assessments that incorporate human rights risks and opportunity analyses and by deploying human rights-based early warning analysis capacity in its regional offices and at the United Nations Operations and Crisis Centre in New York.

<sup>&</sup>lt;sup>22</sup> Department of Peace Operations, The Protection of Civilians in United Nations Peacekeeping Handbook (United Nations, 2020).

<sup>&</sup>lt;sup>23</sup> Security Council resolution 1325 (2000) and subsequent resolutions on women and peace and security.

Security Council resolution 2427 (2018), statement by the President of the Security Council of 12 February 2020 (S/PRST/2020/3) and General Assembly resolution 51/77.

<sup>&</sup>lt;sup>25</sup> Security Council resolutions 1738 (2006) and 2222 (2015).

World Bank and United Nations, Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict (2018), p. 109.

<sup>&</sup>lt;sup>27</sup> A/72/707-S/2018/43, para. 21.

<sup>28</sup> A/HRC/43/37.

<sup>29</sup> See https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/1.\_ ohchr\_thematic\_paper\_on\_the\_contribution\_of\_hr\_to\_sp\_and\_recommendations.pdf.

<sup>30</sup> Ibid.

<sup>&</sup>lt;sup>31</sup> A/75/982, para. 33.

The highest aspiration: a call to action for human rights", p. 5.

<sup>&</sup>lt;sup>33</sup> A/HRC/43/37, para. 11.

- 15. The responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity was also recognized at the 2005 World Summit.<sup>34</sup> While States bear the primary responsibility to protect their populations, the international community also has the responsibility to help to protect populations should national authorities be manifestly failing to do so.<sup>35</sup> The roles of Special Adviser to the Secretary-General on the Prevention of Genocide and of Special Adviser to the Secretary-General on the Responsibility to Protect were established in 2004 and 2008,<sup>36</sup> respectively, to act as early warning mechanisms with a view to preventing atrocities, advise on preventive actions and mobilize the United Nations system and key partners.<sup>37</sup>
- 16. Upholding human rights is crucial for improving security at all levels, especially in the context of counter-terrorism. In their resolutions, the Security Council and the Human Rights Council have stressed that military and law enforcement responses are insufficient to defeat terrorism. They must be complemented by meaningful long-term prevention efforts that address and seek to transform the conditions conducive to terrorism and violent extremism, such as actual or perceived injustices, human rights violations, bad governance, discrimination, exclusion and poverty. The United Nations Global Counter-Terrorism Strategy<sup>38</sup> and the Secretary-General's Plan of Action to Prevent Violent Extremism<sup>39</sup> also underline that human rights should be at the centre of the actions taken by Member States and the United Nations to combat terrorism and violent extremism to reach better outcomes. The first pillar of the Strategy is aimed at addressing the conditions conducive to the spread of terrorism, including human rights violations, while the fourth pillar deals with measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism.

# C. Ensuring justice and the rule of law

- 17. Justice and respect for international law at both the national and international levels are essential principles of the United Nations. <sup>40</sup> They also constitute an indispensable dimension of the renewed social contract proposed by the Secretary-General in "Our Common Agenda" and a fundamental element for building trust in institutions and enhancing democratic governance and the rule of law.<sup>41</sup>
- 18. In the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels, Heads of State and Government reaffirmed that human rights, the rule of law and democracy were interlinked and mutually reinforcing and that they belonged to the universal and indivisible core values and principles of the United Nations.<sup>42</sup> The Human Rights Council too has reaffirmed this connection in a number of resolutions, including its resolution 19/36, in which it asserted that good governance, including through transparency and accountability, was indispensable for building peaceful, prosperous and democratic societies.
- 19. Furthermore, the Secretary-General has reiterated that the administration of justice and the rule of law are interrelated, specifying that, for the United Nations, the rule of law is a principle of governance in which all persons, including the State itself, are accountable to laws that are consistent with international human rights norms and standards.<sup>43</sup> Its basic tenets including the supremacy of the law, equality before the law, accountability to the law, fairness in the application of the law, the separation of powers, participation in decision-

<sup>&</sup>lt;sup>34</sup> General Assembly resolution 60/1, para. 138.

<sup>&</sup>lt;sup>35</sup> Ibid., para. 139.

<sup>&</sup>lt;sup>36</sup> S/2004/567 and S/2007/721.

<sup>&</sup>lt;sup>37</sup> See, for example, A/63/677, A/64/864, A/72/884-S/2018/525 and A/75/863–S/2021/424.

<sup>&</sup>lt;sup>38</sup> General Assembly resolution 60/288.

<sup>&</sup>lt;sup>39</sup> A/70/674.

<sup>&</sup>lt;sup>40</sup> Charter of the United Nations, Arts. 1–2.

<sup>&</sup>lt;sup>41</sup> A/75/982, paras. 19–23 and 96.

<sup>&</sup>lt;sup>42</sup> General Assembly resolution 67/1, para. 5.

<sup>&</sup>lt;sup>43</sup> See https://www.un.org/ruleoflaw/files/RoL%20Guidance%20 Note%20UN%20Approach%20FINAL.pdf. See also S/2004/616, para. 6.

making, legal certainty, and procedural and legal transparency – are all enshrined in international human rights norms.

- 20. In post-conflict settings, a crucial element for strengthening the rule of law and building trust is transitional justice. Transitional justice aims to ensure accountability, serve justice, provide remedies to victims, promote healing and reconciliation, establish independent oversight of the security system and restore confidence in the institutions of the State and promote the rule of law in accordance with international human rights law. The United Nations approach to peacebuilding entails a broad understanding of the need to sustain peace, explicitly recognizing that access to justice, transitional justice, accountability and the protection of human rights contribute to the prevention of conflict by addressing its root causes, and to strengthen the rule of law and national reconciliation. Transitional justice processes contribute to breaking the cycles of violence and atrocities, ensuring accountability and adopting future-oriented policies capable of addressing root causes of conflict, delivering a sense of justice to victims and identifying institutions' deficiencies.
- 21. Serious human rights violations generate circumstances harmful to the economic, social, cultural and political development of States.<sup>48</sup> These conditions can fuel deep social mistrust and hamper development.<sup>49</sup> A diminished sense of social and institutional trust impedes the maintenance and expansion of a healthy civic space where people can engage and coordinate socially. Transitional justice processes contribute to mitigating developmental blockages resulting from structural violence, exclusion, inequality and poverty and to developing participatory programmes to drive policy reforms and integrate victims in the socioeconomic recovery.<sup>50</sup>
- 22. A pervasive phenomenon that affects the rule of law, democratic governance and people's enjoyment of their human rights is corruption. The General Assembly has expressed concern about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law.<sup>51</sup> The 2030 Agenda for Sustainable Development specifically lists inequality, corruption, poor governance and illicit financial and arms flows as factors that give rise to violence, insecurity and injustice and that ultimately jeopardize the realization of sustainable development.<sup>52</sup>
- 23. Both the declaration on the commemoration of the seventy-fifth anniversary of the United Nations and "Our Common Agenda" contain references to corruption as one of the root causes of inequalities and a major source of people's distrust in their institutions.<sup>53</sup> For this reason, the Secretary-General has called for action to be taken urgently to tackle corruption as an important element of the renewed social contract. Anti-corruption efforts are more likely to be successful if they approach corruption as a systemic problem rather than a problem of individuals.<sup>54</sup>A human rights-based approach to combating corruption and its effects is therefore complementary to the criminal law approach; it offers ways of addressing the structural problems caused by corruption and contributes to a better understanding of the

<sup>&</sup>lt;sup>44</sup> The notion of "transitional justice" comprises the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation (S/2004/616, para. 8).

<sup>&</sup>lt;sup>45</sup> Human Rights Council resolution 18/7.

<sup>&</sup>lt;sup>46</sup> General Assembly resolution 70/262 and Security Council resolution 2282 (2016).

<sup>&</sup>lt;sup>47</sup> A/HRC/37/65, para. 11.

<sup>&</sup>lt;sup>48</sup> A/68/345. See also A/HRC/39/53, para. 69.

<sup>&</sup>lt;sup>49</sup> A/68/345.

<sup>&</sup>lt;sup>50</sup> Ibid.

See the preamble of the United Nations Convention against Corruption (General Assembly resolution 58/4, annex) and the political declaration adopted at the special session of the General Assembly on challenges and measures to prevent and combat corruption and strengthen international cooperation (Assembly resolution S-32/1, annex).

<sup>&</sup>lt;sup>52</sup> General Assembly resolution 70/1, para. 35. Moreover, target 16.5 of the Sustainable Development Goals is on reducing corruption and bribery in all their forms.

<sup>&</sup>lt;sup>53</sup> General Assembly resolution 75/1, para. 12, and A/75/982, paras. 20 and 23.

<sup>54</sup> See https://www.ohchr.org/documents/issues/ development/goodgovernance/corruption/hrcaseagainstcorruption.pdf, p. 5.

effects of corruption, especially its human and social dimensions.<sup>55</sup> The promotion and protection of human rights and the prevention and fight against corruption are mutually reinforcing.<sup>56</sup>

- 24. The promotion of human rights, international justice and international law are also closely interrelated, as reflected in the development of individual complaint procedures under the core international human rights treaties and, later, individual criminal accountability under international criminal law,57 which have contributed to enhancing access to justice and an effective remedy beyond national justice systems. The International Criminal Court, whose creation was called for in the Vienna Declaration and Programme of Action, prosecutes individuals accused of genocide, crimes against humanity, war crimes and the crime of aggression, when national jurisdictions are unable or unwilling to do so, in States parties to the Rome Statute or following the referral of a situation by the Security Council to the Court's Prosecutor. In the preamble of the Rome Statute, it is noted that such crimes threaten the peace, security and well-being of the world. The Court is obliged to apply and interpret laws that are consistent with internationally recognized human rights.<sup>58</sup> In its work, the Court has regularly referred to the jurisprudence, views and findings of human rights mechanisms, particularly when dealing with rights and obligations stemming from human rights treaties that are relevant to the criminal proceedings being considered, such as the rights to a fair trial, including the right to defence, due process of law, equality of arms and an effective remedy.59
- 25. Human rights are also crucial when addressing international disputes or situations that might lead to a breach of the peace in conformity with the principles of justice and international law. <sup>60</sup> The International Court of Justice has referred to and applied international human rights standards and principles, as well as the findings of human rights bodies, in its judgments and advisory opinions. For example, the Court is currently deliberating on allegations of violations of international humanitarian and human rights law in the context of armed activities in the Democratic Republic of the Congo. <sup>61</sup> The Court is also considering allegations of acts of genocide in Myanmar and has adopted a provisional measures order that is partly based on the conclusions of the independent international fact-finding mission on Myanmar. <sup>62</sup>
- 26. With the establishment of an increasing number of investigative mechanisms, <sup>63</sup> the human rights pillar has been playing an increasingly important role in investigating serious violations of international human rights, criminal and humanitarian law in a number of States and territories, often directly or indirectly contributing to transitional justice processes, bringing justice to victims and, more generally, the promotion and respect of international law and justice.

#### D. Achieving sustainable development

27. As set out in the Charter, development is a priority of the Organization and States have affirmed their determination to employ international machinery for the promotion of the economic and social advancement of all peoples and to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character.<sup>64</sup> In the Charter it is also explicitly acknowledged that there is an intrinsic connection between

<sup>&</sup>lt;sup>55</sup> A/HRC/28/73, paras. 24–26.

<sup>&</sup>lt;sup>56</sup> A/HRC/44/27, para. 75, and Human Rights Council resolution 47/7.

<sup>57</sup> Especially since the establishment of the international criminal tribunals for the former Yugoslavia and Rwanda, in 1993 and 1994, respectively.

<sup>&</sup>lt;sup>58</sup> Rome Statute, art. 21 (3).

See, for example, The Prosecutor v. Dominic Ongwen, No. ICC-02/04-01/15, Trial Judgment, 4 February 2021; and The Prosecutor v. Thomas Lubanga Dyilo, No. ICC-01/04-01/06, Judgment on Appeal, 14 December 2006, para. 37.

<sup>&</sup>lt;sup>60</sup> Charter of the United Nations, Art. 1 (1).

<sup>61</sup> See https://www.icj-cij.org/public/files/case-related/116/116-20210430-PRE-01-00-EN.pdf.

<sup>&</sup>lt;sup>62</sup> See https://www.icj-cij.org/public/files/case-related/178/178-20200123-ORD-01-00-EN.pdf.

<sup>63</sup> See https://www.ohchr.org/EN/HRBodies/HRC/Pages/COIs.aspx and https://iiim.un.org/.

<sup>&</sup>lt;sup>64</sup> Preamble and Art. 1.

the promotion of economic and social progress and development, universal respect for and observance of human rights, and the conditions of stability and well-being necessary for peaceful and friendly relations among nations.<sup>65</sup>

- 28. Over the years, the understanding of development has evolved from a purely economic model to a more comprehensive, equitable and sustainable model encompassing the full range of human rights. In the Declaration on the Right to Development, the General Assembly recognized that the right to development was an inalienable human right by virtue of which every human person and all peoples were entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms could be fully realized. <sup>66</sup> This people-centred, rights-based and multidimensional approach to development has marked a significant shift in the global understanding of development and further asserted its interconnectedness with human rights and peace and security. The right to development has since been reaffirmed in countless United Nations resolutions and instruments.
- 29. The concept of sustainable development emerged in 1987, when the World Commission on Environment and Development defined it as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs." The United Nations Conference on Environment and Development, in the Rio Declaration on Environment and Development, further elaborated on the concept of sustainable development throughout its 27 principles. In 1997, the General Assembly identified economic development, social development and environmental protection as interdependent and mutually reinforcing components of sustainable development, and in 2000, adopted the United Nations Millennium Declaration and the Millennium Development Goals.
- 30. The 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals, unanimously adopted in 2015 following an unprecedented consultative process, represents the current global policy consensus on sustainable development. The 2030 Agenda reflects a comprehensive approach to sustainable development that places people at its centre, fully integrating the core principles of a human rights-based approach: accountability, equality and non-discrimination, and empowerment. The 2030 Agenda makes explicit references to the Universal Declaration of Human Rights and other international human rights instruments, including the Declaration on the Right to Development, and calls for a rights-based approach to implementation; through the 17 Goals, States seek to realize the human rights of all and to achieve gender equality.<sup>71</sup>
- 31. All the Sustainable Development Goals directly or indirectly reflect human rights standards. According to a study, over 90 per cent of the 169 targets reflect the content of corresponding international human rights and labour standards. The implementation of States' commitments under the 2030 Agenda and their human rights obligations are therefore intrinsically linked and mutually reinforcing. The content and interpretation of human rights treaties, as well as specific recommendations from human rights mechanisms, constitute invaluable tools to guide States' strategies, policies and measures to achieve sustainable development. OHCHR is supporting States to adopt a human rights-based approach (including to data collection) when presenting their voluntary national reports, drawing upon the recommendations of human rights mechanisms to identify key human rights challenges that impede sustainable development and ways to address them. This support also intends to strengthening linkages between national mechanisms for the implementation of the 2030 Agenda and national human rights reporting and follow-up mechanisms.

<sup>&</sup>lt;sup>65</sup> Art. 55.

<sup>&</sup>lt;sup>66</sup> General Assembly resolution 41/128, annex, art. 1 (1).

<sup>&</sup>lt;sup>67</sup> A/42/427, annex, chap. 2, para. 1.

<sup>&</sup>lt;sup>68</sup> A/CONF.151/26/Rev.1 (Vol. I), annex I.

<sup>&</sup>lt;sup>69</sup> General Assembly resolution S-19/2, annex, para. 23.

<sup>&</sup>lt;sup>70</sup> General Assembly resolution 55/2.

General Assembly resolution 70/1, preamble.

<sup>&</sup>lt;sup>72</sup> See http://sdg.humanrights.dk.

- 32. The COVID-19 pandemic represents a challenge of unprecedented proportions to the implementation of the 2030 Agenda and has demonstrated the fragility of development processes not anchored in human rights. Its wide-ranging consequences have not only affected health and the economy, but also exposed poverty, inequalities, discrimination, insecurity and limitations on civic space. As noted by the Secretary-General, entire regions that were making progress on eradicating poverty and narrowing inequality have been set back years, in a matter of months.73 In this context, the 2030 Agenda, when aligned with States' human rights obligations, provides a comprehensive blueprint for a sustainable recovery.<sup>74</sup> The OHCHR surge initiative has contributed, since its inception in 2019, to 38 national COVID-19 response plans and led and followed up on the findings of the human rights review of 119 United Nations socioeconomic response plans. OHCHR has also developed a checklist for a human rights-based approach to socioeconomic country responses to COVID-19 jointly with the Development Coordination Office of the Secretariat and the United Nations Development Programme, and actively supported its dissemination and implementation.<sup>75</sup>
- 33. The COVID-19 pandemic has led to in-depth discussions on how to reach more robust, sustainable progress and how to "build back better" through the realization of all human rights. A holistic and human rights-based approach to development is critical for responding to this crisis, but is also urgently needed to prepare for the next one. The current crisis has strengthened the case for developing an economic system that promotes human rights, ensuring that Governments generate, allocate and use efficiently the maximum available resources to meet their core obligations in terms of upholding economic, social and cultural rights, including by mobilizing international resources. Through its field presences, human rights advisers and the surge initiative, OHCHR has scaled up its technical capacities to advise States on these issues. By providing advice on the elaboration of common country assessments and United Nations Sustainable Development Cooperation Frameworks in 114 countries, extending technical and financial support to 38 country projects for seeding change and holding consultations with Resident Coordinator Office economists in 29 States, OHCHR has helped ensure that COVID-19 socioeconomic recovery planning, programming and policymaking have centred on human rights.

# E. Enhancing equality and countering discrimination

- 34. Equality and non-discrimination have long been recognized, including in the Charter, as fundamental and universal human rights principles. These principles have been elaborated further in human rights law and are reflected in the pledge to leave no one behind and reach the furthest behind first, set out in the 2030 Agenda for Sustainable Development. The two stand-alone Sustainable Development Goals on inequality, Goals 5 and 10, are further testament to the global commitment to reducing inequalities.
- 35. Despite the existence of comprehensive international legal and policy frameworks promoting equality and prohibiting discrimination in all its forms, inequality has reached a crisis level around the world. An OHCHR review of the wave of global protests that started in 2019 shows some common causes, including racial discrimination, income inequality, restrictions on public freedoms and civic space, impunity, climate change, corruption and denials of the right to self-determination. The COVID-19 pandemic has disproportionately affected the marginalized and most vulnerable and exposed the inequality and discrimination experienced by certain groups of society. These groups include older persons, people living in poverty, racial, ethnic and religious minorities, migrants, refugees, internally displaced persons, indigenous peoples, persons with disabilities, persons deprived of their liberty, LGBTIQ+ people, persons with underlying medical conditions, including those living with HIV/AIDS, and persons who use drugs. The fact that people's chances in life depend on

<sup>&</sup>lt;sup>73</sup> See https://www.nelsonmandela.org/news/entry/annual-lecture-2020-secretary-general-guterress-full-speech.

<sup>&</sup>lt;sup>74</sup> See https://unsdg.un.org/resources/covid-19-and-human-rights-we-are-all-together.

<sup>&</sup>lt;sup>75</sup> See https://www.ohchr.org/Documents/Events/COVID-19/Checklist\_HR-Based\_Approach\_Socio-Economic\_Country\_Responses\_COVID-19.pdf.

<sup>&</sup>lt;sup>76</sup> See https://unsdg.un.org/resources/covid-19-and-human-rights-we-are-all-together, pp. 11–12.

their gender, race, ethnicity, migration or disability status, sexual orientation or gender identity, or any other ground, constitutes a direct assault on their human rights and dignity.

- 36. The concept of leaving no one behind requires States to adopt and enforce affirmative action programmes, targeted policies and temporary special measures to tackle entrenched inequalities and past, contemporary and intersecting forms of discrimination.<sup>77</sup> This includes heeding longstanding calls by people of African descent and those standing up against racism to address systemic racism. Comprehensive responses are urgently needed to rapidly reverse denial and alter structures, institutions and behaviours leading to direct or indirect discrimination against Africans and people of African descent in every part of life. The High Commissioner's four-point agenda towards transformative change for racial justice and equality provides a pathway for making real progress towards dismantling systemic racism, ending impunity, ensuring that people of African descent are heard and confronting past legacies.<sup>78</sup>
- 37. Inequality works against human development. Addressing inequality has therefore been a driving force for justice, labour rights and gender equality. The promise of leaving no one behind requires all stakeholders, in particular States, to actively identify and address inequality in all its dimensions and eliminate all forms of direct and indirect discrimination, both in law and in practice. Ensuring that individuals and groups facing discrimination and marginalization are protected and heard, and that their concerns are acted upon, is essential for making genuine progress in achieving the purposes of the Charter.
- 38. The full and meaningful participation of women in all domains of society and at all levels of decision-making is beneficial to societies at large. Women's equal rights and empowerment are essential for achieving sustainable development while leaving no one behind. Sustainable Development Goal 5 specifically seeks to achieve gender equality and empower all women and girls. In "Our Common Agenda", the Secretary-General placed women and girls at the centre of the attention and work of the United Nations. He also affirmed that promoting gender equality, and equal rights for women in particular, lies at the heart of his call to action for human rights. <sup>79</sup> Human rights provide a comprehensive framework for identifying and combatting all forms of discrimination against women, whether direct or indirect, in law or in practice, and including systemic and intersecting forms of discrimination. A human rights-based approach to gender equality will also give women agency, empower them to participate in all areas of life and allow them to claim their rights and demand accountability.

#### F. Ensuring participation and protecting civic space

39. The Charter is built on the premise that the peoples of the United Nations will take collective action. The drafters of the Charter and the Universal Declaration of Human Rights clearly acknowledged that meaningful, inclusive and safe public and civil society participation is necessary for realizing the purposes of the United Nations. 80 Public participation legitimizes and substantiates political decisions, helps to strengthen the dynamic relationship between people and their Governments and can reduce social and other tensions.

See, for example, the International Convention on the Elimination of All Forms of Racial Discrimination, arts. 1 (4) and 2 (2); Committee on the Elimination of Racial Discrimination, general recommendation No. 32 (2009); the Convention on the Elimination of All Forms of Discrimination against Women, art. 4; Committee on the Elimination of Discrimination against Women, general recommendation No. 25 (2004); the Beijing Declaration and Platform for Action; the Durban Declaration and Programme of Action; Human Rights Committee, general comment No. 18 (1989); and Committee on Economic Social and Cultural Rights, general comment No. 20 (2009).

A/HRC/47/53 and the conference room paper entitled "Promotion and protection of the human rights and fundamental freedoms of Africans and people of African descent against excessive use of force and other human rights violations by law enforcement officers".

<sup>&</sup>lt;sup>79</sup> See https://www.nelsonmandela.org/news/entry/annual-lecture-2020-secretary-general-guterress-full-speech.

<sup>80</sup> See https://www.ohchr.org/EN/Issues/CivicSpace/Pages/UNRoleCivicSpace.aspx.

- 40. Participation is a fundamental human right enshrined, inter alia, in article 21 of the Universal Declaration of Human Rights, article 25 of the International Covenant on Civil and Political Rights, and articles 8 and 15 of the International Covenant on Economic, Social and Cultural Rights. Civic space is the environment that enables people and groups to participate meaningfully, online and offline, in the political, economic, social and cultural life of their societies, and within which people can express their views freely and without fear, assemble peacefully, form associations and engage in decision-making processes on issues that affect them.<sup>81</sup>
- 41. In his call to action for human rights, the Secretary-General identified public participation and civic space as one of seven priority areas warranting extra effort to advance the human rights agenda. In follow-up to the call to action and in recognition of the fact that civic space is a threshold issue for the successful implementation of all three pillars of the United Nations, the guidance note on the protection and promotion of civic space was issued. The guidance note is grounded in international human rights law and outlines key steps that United Nations entities can take to protect and promote civic space at the global and country levels and to engage civil society.
- 42. In its resolution 39/11, the Human Rights Council took note with interest of the guidelines on the effective implementation of the right to participate in public affairs prepared by OHCHR as a set of orientations for States and other stakeholders. In the guidelines, OHCHR underscored that meaningful participation required an enabling and safe environment and depended on the enjoyment of other rights, particularly the rights to freedom of opinion and expression and to freedom of peaceful assembly and association.<sup>82</sup> These rights constitute the very foundation of a system of participatory governance based on democracy, human rights, the rule of law and pluralism, as the Human Rights Committee has indicated.<sup>83</sup>
- 43. Significantly, the 2030 Agenda, in particular its Sustainable Development Goal 16, emphasizes the importance of inclusive participation in public affairs and in the implementation of the Agenda itself and of reviews of progress made in its implementation. In "Our Common Agenda", the Secretary-General identified participation as central to the renewed social contract.<sup>84</sup> Free, fair, transparent, inclusive, genuine and periodic elections remain a primary means for individuals to exercise their right to participate.<sup>85</sup> Genuine democratic elections require an environment of general respect for human rights without discrimination or arbitrary or unreasonable restrictions.<sup>86</sup>
- 44. The rapid development of new information and communications technologies has provided many new opportunities for participation. Yet, as highlighted in the Secretary-General's road map for digital cooperation, these technologies also pose significant challenges, as they are too often used for surveillance, repression, censorship and online harassment, especially of journalists, human rights defenders and vulnerable people, and to spread disinformation, discriminatory discourse and hate speech, thereby having a negative impact on civic space, participation and the enjoyment of other human rights (especially the rights to freedom of opinion, expression and association).<sup>87</sup> New technologies can therefore contribute to reducing the level of trust in public institutions, amplifying anti-democratic narratives, driving political polarization and promoting authoritarian and populist agendas.<sup>88</sup> The use of digital technologies in a human rights-compliant manner is therefore fundamental for preventing human rights violations and abuses.

<sup>81</sup> Ibid.

<sup>82</sup> A/HRC/39/28, paras. 14 and 19.

<sup>83</sup> General comment No. 37 (2020), para. 1.

<sup>&</sup>lt;sup>84</sup> A/75/982, para. 19.

<sup>85</sup> Human Rights Council resolution 48/2 and the International Covenant on Civil and Political Rights, art. 25.

Human Rights Committee, general comment No. 25 (1996), para. 10. See also https://www.ohchr.org/Documents/Publications/Human-Rights-and-Elections.pdf.

<sup>&</sup>lt;sup>87</sup> A/74/821, para. 39, A/HRC/41/41 and A/HRC/44/24.

<sup>88</sup> A/HRC/47/25, para. 24.

45. Partnerships between States and civil society have led to the formulation and the adoption of key human rights norms, including on torture, enforced disappearance and the right to development. Civil society has also recently played a critical role in the development of the Sustainable Development Goals. In his call to action for human rights, the Secretary-General noted that the United Nations depends on the active engagement of civil society actors.<sup>89</sup> In "Our Common Agenda", he reiterated the need for civil society to be included in the decision-making processes at the international level, including within the United Nations, and in the implementation of activities.<sup>90</sup>

## G. Preserving the planet for current and future generations

- 46. As the Secretary-General has stressed, the promises in the Charter and the Universal Declaration of Human Rights were explicitly made to future and current generations, as the dignity and rights of both are under threat. The adverse impacts of climate change and environmental degradation, such as extreme weather events, desertification, drought, land degradation, freshwater scarcity and loss of biodiversity, may undermine the ability of all countries to achieve sustainable development. United the change is a threat multiplier whose consequences may contribute to increasing inequalities, displacement, conflicts over land and resources and humanitarian crises, especially where Governments have limited means to mitigate and adapt to its adverse impacts. The need to take urgent action to combat the effects of climate change and environmental degradation is also essential to the achievement of the 2030 Agenda and is explicitly reflected in several Sustainable Development Goals.
- 47. The Security Council considers climate change as one of the non-traditional threats to peace and security, and has convened regular formal and informal thematic meetings on the issue since 2007. Already in 2011, the Council had expressed concern that possible adverse effects of climate change may, in the long run, aggravate certain existing threats to international peace and security. The Council has also increasingly called upon stakeholders to address the adverse impacts of climate change in specific country situations and to include those issues in risk assessments and risk management strategies.
- 48. Human rights mechanisms have recognized the linkages between human rights, environmental degradation and climate change, and clarified the ways in which climate change affects human rights, particularly the rights of the most vulnerable. The Human Rights Council has regularly highlighted these connections and stressed the need for States to put human rights at the centre of their actions to address climate-related challenges. The Paris Agreement was the first multilateral climate change agreement to make explicit reference to human rights. In it, the Conference of the Parties to the United Nations Framework Convention on Climate Change called upon States to respect, promote and consider their respective obligations on human rights, as well as gender equality, when taking action to address climate change. In a recent landmark resolution, the Council has recognized the right to a clean, healthy and sustainable environment as a human right, an important step towards the protection of the planet's future.

<sup>89</sup> See https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The\_Highest\_Asperation\_ A\_Call\_To\_Action\_For\_Human\_Right\_English.pdf, p. 8.

<sup>&</sup>lt;sup>90</sup> A/75/982, para. 121.

<sup>91</sup> Sec

https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The\_Highest\_Asperation\_A\_Call\_To\_A ction\_For\_Human\_Right\_English.pdf, p. 9.

<sup>&</sup>lt;sup>92</sup> General Assembly resolution 70/1, para. 14.

<sup>&</sup>lt;sup>93</sup> World Bank and United Nations, *Pathways for Peace*, pp. 66–67 and 141.

<sup>&</sup>lt;sup>94</sup> See, for example, S/PV.6587, S/PV.8451 and S/PV.8864.

<sup>95</sup> S/PRST/2011/15.

<sup>&</sup>lt;sup>96</sup> See, for example, Security Council resolutions 2576 (2021) and 2561 (2021).

<sup>97</sup> See https://www.ohchr.org/Documents/Publications/FSheet38\_FAQ\_HR\_CC\_EN.pdf, pp. 49–54 and annex I.

<sup>&</sup>lt;sup>98</sup> Ibid., pp. 46–49.

<sup>&</sup>lt;sup>99</sup> Ibid., pp. 55–56. See also Conference of the Parties decision 1/CP.21.

<sup>100</sup> Resolution 48/13.

to appoint a Special Rapporteur on the promotion and protection of human rights in the context of climate change. 101

- 49. In a recent statement, the Secretary-General has stressed that respect for human rights, particularly women's rights, the rule of law, inclusion and diversity, are fundamental to solving the climate crisis and creating more peaceful and stable societies. <sup>102</sup> And, as the Human Rights Council has stressed, human rights obligations and commitments have the potential to inform and strengthen international and national policymaking in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes. <sup>103</sup> Human rights and fundamental freedoms must be at the heart of climate and environmental action, as they contribute to more sustainable and effective results.
- 50. By adopting a human rights-based approach to addressing climate change, States will therefore ensure a holistic approach encompassing economic, social, cultural and political dimensions and empowering the most affected groups and peoples. <sup>104</sup> A rights-based approach anchors plans, policies and programmes in a system of rights and corresponding obligations established by international law. <sup>105</sup> In line with the principles of transparency and inclusivity, such an approach also requires access to information and effective and meaningful participation to ensure decision-making and climate-related policies are more informed and widely agreed upon, implemented and respected, therefore increasing their sustainability. <sup>106</sup>

## H. Revitalizing international solidarity and international cooperation

- 51. The Charter, the International Covenant on Economic, Social and Cultural Rights and other human rights instruments refer to the principles of international solidarity and cooperation and impose upon States the duty to cooperate to ensure the realization of all human rights. <sup>107</sup> The COVID-19 pandemic has clearly underlined the fundamental need for global solidarity in efforts to overcome its unprecedented socioeconomic consequences, especially as they are aggravated by inequalities within and between countries. <sup>108</sup> Applying international solidarity and cooperation means that States should share the necessary resources, knowledge and technology to address global challenges at both the national and international levels. Against this backdrop, in "Our Common Agenda", the Secretary-General underscored the need to deepen and strengthen solidarity at the national and international levels, as well as with younger and future generations, as a fundamental precondition for implementing the new social contract.
- 52. Solidarity, cooperation, consultation and inclusion form the founding principles of multilateralism and are imperative for Member States to address the global challenges identified in the declaration on the commemoration of the seventy-fifth anniversary of the United Nations and, ultimately, to deliver on the promises made in the Charter and in the vision for human rights enshrined in the international human rights framework and highlighted in the Secretary-General's call to action for human rights. When it proclaimed the International Day of Multilateralism and Diplomacy for Peace, the General Assembly acknowledged the role of multilateralism in advancing the achievement of the three pillars of the United Nations and recognized the urgent need to promote and strengthen multilateralism, stressing the central role of the United Nations system in that regard. <sup>109</sup> Dialogue, collaboration and reinvigorated, inclusive, effective and networked multilateralism

<sup>101</sup> Resolution 48/14.

See https://www.un.org/sg/en/content/sg/statement/2021-02-23/secretary-generals-remarks-the-security-council-addressing-climate-related-security-risks-international-peace-and-security-through-mitigation-and-resilience-building.

<sup>103</sup> Resolution 41/21.

https://www.ohchr.org/Documents/Publications/FSheet38\_FAQ\_HR\_CC\_EN.pdf, p. 41.

<sup>&</sup>lt;sup>105</sup> Ibid., p. 42.

<sup>&</sup>lt;sup>106</sup> Ibid., pp. 39 and 62. See also United Nations Environment Programme, *Climate Change and Human Rights* (December 2015), pp. 16–18, and A/HRC/39/28.

https://www.ohchr.org/Documents/Publications/FSheet38\_FAQ\_HR\_CC\_EN.pdf, p. 64.

<sup>&</sup>lt;sup>108</sup> A/HRC/48/26, para. 43.

<sup>&</sup>lt;sup>109</sup> General Assembly resolution 73/127, paras. 2 and 4.

is the only way to continue making progress towards achieving the purposes of the United Nations.

53. States must step up efforts to mobilize public resources at all levels to meet their minimum core human rights obligations and contribute to achieving the Sustainable Development Goals. Support – including greater and more predictable financial support – to the United Nations human rights pillar, including the human rights mechanisms, must be reinvigorated to ensure that those entities promoting and protecting human rights can, in turn, support Member States, peoples, multilateral entities and the private sector in using human rights to strengthen governance to address the most pressing global challenges.

#### III. Conclusions and recommendations

- 54. Since its creation, the United Nations has pursued the objectives of maintaining peace and security, promoting and encouraging respect for human rights and justice, and supporting the pursuit of development. On the occasion of the seventy-fifth anniversary of the United Nations, Heads of State and Government stressed the urgency for all countries to come together, to fulfil the promise of the nations united, and noted that multilateralism is not an option but a necessity as we build back better for a more equal, more resilient and more sustainable world. This compelling call for renewed international cooperation and multilateralism has come as the world is facing acute global crises: the COVID-19 pandemic and climate change and environmental degradation. The Secretary-General is advocating for a form of multilateralism that is more networked, more inclusive and more effective in addressing twenty-first century challenges. 111
- 55. As echoed in a large number of United Nations resolutions and documents, the international community and Member States have repeatedly acknowledged that it is essential to promote and protect all human rights and to build resilient, inclusive and just societies in order to achieve lasting and sustainable peace and development, which are themselves interlinked and mutually reinforcing.
- 56. As highlighted in the Secretary-General's call to action, human rights play a crucial role in all areas of the United Nations system as it works to achieve better and more sustainable outcomes and to engage with Member States with a view to attaining the purposes enshrined in the Charter. All stakeholders should aim at realizing all human rights and fundamental freedoms, deploying their full potential to contribute to achieving the purposes and upholding the principles of the United Nations. The Secretary-General's call to action and "Our Common Agenda" can guide the United Nations system in achieving its multidimensional mandate and make human rights a reality for all.
- 57. OHCHR welcomes the Secretary-General's call to action and its renewed institutional commitment to ensuring that human rights are effectively mainstreamed across the United Nations system and systematically integrated into humanitarian and development frameworks, strategies and programmes, as well as into the mandates of peacekeeping and political missions. States and all other stakeholders can play an important role in supporting implementation of these essential actions, including by providing the needed resources.
- 58. More broadly, Member States should take steps to secure adequate, predictable and sustainable funding for the human rights pillar, the human rights mechanisms and human rights activities across the United Nations system in order to close existing human rights protection gaps and to ensure that human rights are effectively used as a lever to advance the broader purposes set out in the Charter.
- 59. OHCHR recommends that States, the United Nations system and other stakeholders should, where relevant:

General Assembly resolution 75/1, paras. 1 and 5.

<sup>&</sup>lt;sup>111</sup> A/75/982, para. 104.

- (a) Support countries in implementing the 2030 Agenda for Sustainable Development in a rights-compliant manner by ensuring a human rights-based approach to the elaboration of common country assessments and United Nations Sustainable Development Cooperation Frameworks and by strengthening the engagement of United Nations country teams and humanitarian actors with human rights actors and mechanisms at both the national and international levels;
- (b) Systematize the use of human rights information and analysis, particularly in early warning processes, the preparation of conflict prevention and resolution strategies and sustainable development monitoring and review processes, and more effectively identify and address the root causes of human rights violations and abuses and of conflicts;
- (c) Increase cooperation and exchange of information among the Human Rights Council and relevant United Nations organs, including the Security Council, the Economic and Social Council and its subsidiary bodies, as well as the coordination of their activities;
- (d) Adopt urgent strategies and specific and concrete measures to foster trust in institutions at all levels, including by ensuring the full, effective and meaningful participation of all people, especially those at risk of being left behind, in all decision-making processes affecting them, particularly when designing policies that directly affect them;
- (e) Ensure that the voices of all people, whether collectively or individually, in particular women, children, victims of human rights violations and members of vulnerable and marginalized groups, are heard in decision-making and policymaking processes, within States and within the United Nations system, including by ensuring that civil society and grass-roots organizations have adequate access to and can effectively participate in the work of United Nations bodies;
- (f) Pay specific attention to the needs, lived experiences and rights of women, children and members of marginalized groups in policymaking and decision-making at all levels of governance, both nationally and internationally, and take affirmative action to fulfil the pledge of leaving no one behind at both the international and national levels;
- (g) Increase the support provided to States with a view to promoting and fulfilling the right to a clean, healthy and sustainable environment and to ensuring effective access to justice and effective remedies for environment-related violations and abuses:
- (h) Increase efforts to move towards an economic system that promotes human rights, is planet-centred and works for everyone;
- (i) Promote the adoption of a human rights-based approach to addressing emerging and new challenges, including in the digital sphere;
- (j) Revitalize international solidarity and cooperation to address pressing global challenges, especially the consequences of the COVID-19 pandemic and climate change and environmental degradation.

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