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人权委员会
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发展权

经济、社会和文化权利

公民权利和政治权利

纳入妇女人权和性别公平观

特定群体和个人

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增进和保护人权

人权机制的有效运作

人权领域的咨询服务和技术合作

联合国开发计划署提交的书面陈述

1. 联合国开发计划署(开发计划署)是联合国的全球发展网络，是一个倡导变革的组织，通过帮助各国获得知识、经验和资源使人民能够建设更美好的生活。开发计划署在 166 个国家开展实地工作，与这些国家一起为应对全球及本国发展挑战寻找自己

的解决办法。这些国家在发展本国能力的过程中借助于开发计划署及其各种各样的伙伴。

2. 世界各国的领导人已经承诺要争取实现《千年发展目标》，包括到 2015 年贫困减半的全面目标。开发计划署网络联系和协调全球和各国为实现这些目标而作出的努力。我们的重点是帮助各国制定和交流办法，以应对民主治理、减贫、危机预防和恢复、能源和环境以及艾滋病毒/艾滋病等挑战。

3. 开发计划署通过促进国家自主权、民主治理以及透明和符合问责制要求的国家机构，帮助发展中国家吸引和有效利用援助。我们在所有各项活动中都鼓励保护人权和支持性别平等。

4. 1998 年以来，在开发计划署人权政策出台之后，人权成为本组织发展活动的关键领域之一。这是因为从总体上认识到，人权和人的发展的中心都是人；每一个人实现其固有的尊严和价值是人的发展和人权的共同目标；人的发展和人权并肩前进就能相辅相成，从而提高人民的能力，保护其权利和基本自由。

5. 开发计划署对人权的支持侧重于三个战略性的干预领域：

- 支持加强国家人权系统；
- 促进对发展规划运用基于人权的方针；以及
- 支持国际人权机制。

6. 《联合国千年宣言》对开发计划署参与人权方面的活动特别重要。各国政府通过该《宣言》承诺尊重并全面维护《世界人权宣言》、加强本国在民主和人权方面的能力、执行《消除对妇女的一切形式歧视公约》、确保尊重和保护移徙工人及其家属的权利、通过集体努力开展包容性更大的政治进程以便全体公民都能真正参与，以及确保媒体自由和公众对信息的获取。

7. 本报告是第二份这样的文件，载有人权委员会第五十九届会议——开发计划署当时向委员会提交了第一份权报告——以来的时期内开发计划署在人权领域开展活动的最新情况。如同第一份报告(E/CN.4/2003/128)一样，本报告联系人权委员会以往各届会议通过的有关决议看待本组织的活动。*

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* 附件不译，原文照发。

United Nations Development Programme

Annex

REPORT OF THE UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP)

TO THE 61st SESSION OF THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS 2005

I. PROGRAMMING FRAMEWORK

8. The CCA/UNDAF Guidelines highlight the principles that guide UN programming processes and products. These call, among others, for the systematic integration of human rights principles and gender equality.

9. The CCA and UNDAF aim to support countries in their pursuit of human rights, as set out in the Universal Declaration of Human Rights and other international human rights instruments. As such, these standards and related human rights principles should guide the preparation of the CCA, UNDAF and subsequent UN/UNDP programming processes and strengthen their substantive content. While not formally binding, further guidance on this is provided by the "*UN Common Understanding on a Human Rights based Approach to Development Cooperation*".

10. In its Multi-Year Funding Framework 2004-2007, key features of the work of UNDP in the area of human rights and human security include: support to the development of national human rights action plans; application of a human rights-based approach to programming; assistance for human rights initiatives involving civic education, awareness-raising campaigns, strengthening or creation of ombudsman offices and extension of human rights institutions to the sub-national level.

II. KEY UNDP ACTIVITIES IN THE FIELD OF HUMAN RIGHTS

1. Supporting the strengthening of national human rights systems

11. Through its global network of country offices, UNDP supports national policies, programmes, projects and activities that aim to strengthen national human rights systems. In Kenya, Kazakhstan, Laos, Nepal, Guatemala, China, Uzbekistan, Serbia and Montenegro, UNDP supported human rights training workshops aimed at encouraging the ratification of human rights treaties, raising awareness on human rights principles, values and standards for government officials, and staff of CSOs and NGOs.

12. In India and Sri Lanka, UNDP developed a comprehensive access to justice programme. In Vietnam, UNDP conducted a survey on access to justice aimed to promote the awareness of stakeholders in this field. UNDP Iran is working with the Centre for Judicial Training and Research.

13. In Armenia, Azerbaijan, Bangladesh, Iran, Georgia, Kyrgyzstan, Maldives, Kazakhstan, Rwanda, Nepal, and Uzbekistan, UNDP provided advisory service and technical cooperation projects to enhance national capacities and national human rights commissions.

14. In order to raise human rights awareness, UNDP has supported the production and dissemination of human rights documents in local languages and in Braille in Maldives, Mongolia and Sri Lanka.

15. With a view to human rights awareness raising as well as to strengthening mechanisms to provide access to information, UNDP has provided technical assistance in Mozambique, Romania, and Kyrgyzstan. UNDP Iran has supported the Faculty of Law and Political Science of the University of Tehran in the production and dissemination of human rights documents in Farsi.

16. UNDPs Regional Bureau for Latin America and the Caribbean (RBLAC) published, jointly wit the Regional Representation of the OHCHR, a collection of all Concluding Observation of the Committee on Economic, Social and Cultural Rights directed to Latin American and Caribbean Countries (*Compilaciòn de Observaciones Finales del Comitè de Derechos Economicos, Sociales y Culturales sobre Paìses de Amèrica Latina y el Caribe; 1989 - 2004*).

17. In Venezuela, Brazil and Argentina, UNDP has supported the establishment of Human Rights Observatories, organized training workshops and disseminated information on human rights principles and complaint procedures. In Argentina, UNDP supported the elaboration of the National Plan of Action against Racial Discrimination as well as of the national education and training programme in human rights. In Ecuador, UNDP supported the establishment of an inter-ministerial committee for the preparation of periodic reports to treaty bodies and follow-up to their recommendations. Moreover, activities aimed at enhancing access to justice of marginalized groups have been implemented in Brazil, Colombia, Ecuador, Guatemala, Honduras, Panama, Dominican Republic and Venezuela.

2. The application of a Human Rights-based Approach to development programming

18. UNDP is committed to promoting the effective application of a human rights-based approach to development programming. The organisation also strives to strengthen the capacity of its programme staff and their national and international development agency counterparts to bring human rights issues into all steps of their interventions. Significant progress has been made over the past years in mainstreaming human rights in UNDP development activities.

19. In collaboration with other agencies of the UN system, UNDP has supported the development of a human rights training module for UN Country Teams that focuses on the integration of human rights into the CCA/UNDAF processes.

20. UNDP's Virtual Development Academy (VDA), a training course developed by UNDPs Learning Resource Centre for the organisation's middle managers, and the Junior Professional Officers (JPO) Induction Course now include standard modules on "human rights in development". A new initiative by the Democratic Governance and Capacity Development Groups of the Bureau for Development Policy to further integrate human rights into all mainstream capacity development processes of UNDP has also started.

21. Over the reporting period, two regional workshops on the human right-based approach in development programming were organised for the Arab States Region (Lebanon and Syria) for UNDP programme staff and their national counterparts.

22. In the Latin American region, HURIST and the LAC SURF started a regional initiative aimed at providing assistance to UNDP Country Offices in the application of a human rights-based approach to programming. For 2005, two sub-regional workshops are foreseen which will be organised in cooperation with the Office of the High Commissioner for Human Rights.

23. Human rights capacity development has also been supported through the Sub-regional Resource Facilities (SURFs), the Regional Resource Centres; regional governance programmes such as the PARAGON and GOLD programmes in Asia and the Pacific and the POGAR programme in the Arab States region.

24. One advanced example of programming in the framework of human rights in UNDP has been the *Rights-based Municipal Assessment and Planning Programme-RMAP* in Bosnia and Herzegovina. The objective of the programme, a joint programme between the Ministry for Human Rights and Refugees, UNDP and OHCHR, is human rights-based municipal development programming in the interest of the local population and making maximum use of available resources. Twenty-five human rights-based assessments will be conducted by the end of 2005. On the basis of the assessments, the capacities of the municipality and civil society will be enhanced to formulate municipal development strategies. The assessments are strategic tools for building awareness and capacity of duty bearers and claim holders.

25. To stimulate and facilitate the exchange of information among UNDP staff on policy issues, cutting–edge thinking, available documentation, practical experiences, best practices and lessons learned relating to integration of human rights and human development, and to enhance their capacity to integrate human rights into development activities, Human Rights Talk (HURITALK), a global electronic discussion, is now a helpful tool to bring the Human Rights

Policy Network and the Human Rights Community of Practice forward in their interaction. At present, it has 498 members, 85% of them from UNDP. Others are human rights scholars, practitioners, advocates and activists from other UN agencies such as OHCHR, UNICEF, bilateral cooperation agencies such as SIDA, DFID, NORAD and CIDA, international and national CSOs and NGOs. Within the context of *Action 2*, UNDP has offered the services of HURITALK to the entire UN system.

26. UNDP also strengthens the capacity of its staff to integrate human rights into development programming through the formulation of appropriate policies and the provision of the necessary practical guidance. In this regards, products which have been recently completed or on which work is ongoing include: a general human rights policy note; a practice note on human rights and poverty reduction; guidance material on decentralised governance and human rights; guidance material the environment and human rights; a discussion paper on minorities and human rights; discussion papers on police reform and human rights; a discussion paper on land rights and development; and draft guidance notes on Parliament and Human Rights and on National Human Rights Institutions.

27. Issues are studied, and appropriate policy and practical guidance is developed with the support of outside actors including NGOs and human rights institutions such as the Centre on Housing Rights and Evictions (COHRE), the Minority Rights Group International (MRG) and the Danish Institute for Human Rights (DIHR). UNDP is committed to deepening its partnerships with civil society to strengthen the substantive interaction between human rights and development practitioners.

3. Providing support to the international human rights machinery

28. In May 2003, UNDP co-hosted and actively participated in the second Interagency Workshop on Implementing a Human Rights-based Approach in the context of UN Reform organized in Stamford, USA. The UN has already recognized the significance of the workshop, in that its outcome is now guiding the UN system as a whole in the application of a human rights-based approach to programming. The United Nations Development Group has taken note of it, and the UN Common Understanding on a Human Rights-based Approach is included in the CCA/UNDAF Guidelines. UNDP considers the UN Common Understanding a useful complement to other programming tools.

29. In 2004, UNDP attended the Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. In the same year, UNDP participated in the Seminar organized by UNESCO named “Poverty, the next frontier in the human rights struggle”. UNDP also consistently participates in the work of the Sub-Commission, the Social Forum, the High Level Task Force on the implementation of the Right to Development, and the Commission on Human Rights.

30. Numerous UNDP Country Offices provide support to the international human rights system through such entry points as undertaking advocacy for the ratification of international and regional human rights treaties and, in this connection, engaging in a dialogue with stakeholders to secure ratification; providing support to the preparation of the State reports to UN treaty monitoring bodies, including encouraging broad-based stakeholder participation in the

preparation of the report; supporting measures to ensure the conformity of national policies and legislation with international and regional human rights standards and norms; taking steps to obtain, disseminate and facilitate the application of decisions, resolutions, conclusions, observations, general comments and recommendations of the Commission on Human Rights, treaty bodies and other international and regional human rights monitoring mechanisms; facilitating attendance and participation in global and regional human rights conferences and meetings of delegations of the programme country; backstopping and facilitating country-level visits and missions of the Office of the UN High Commissioner for Human Rights, Special Rapporteurs and Independent Experts of the UN Commission on Human Rights and other international and regional human rights monitoring mechanisms and special procedures. During the reporting period, Country Offices that were involved ranged from Kenya, Laos, Uzbekistan and Nepal to the Maldives, China, Mongolia, Bhutan, Iran, Kyrgyzstan, Ecuador and Vietnam.

III. PARTNERSHIP WITH THE OFFICE OF THE HIGHCOMMISSIONER FOR HUMAN RIGHTS (OHCHR)

UNDP/OHCHR Memorandum of Understanding (MoU)

31. The Memorandum of Understanding between UNDP and OHCHR was signed in New York in March 1998. It aims to advance cooperation between the two organizations in the field of human rights. Following discussions with the OHCHR Board of Trustees of the Voluntary Fund for Technical cooperation in human rights, and acknowledging the developments that have taken place since the MOU was signed, the two Agencies are contemplating a review of the MoU, and possible amendments to respond to the present demands in the field of human rights and development.

Joint programmes

Human Rights Strengthening Programme (HURIST)

32. HURIST, a joint programme of UNDP and OHCHR, is aimed to support the implementation of UNDP's policy of mainstreaming human rights and applying a human rights-based approach to development programming.

33. Over the last five years, this flagship programme has received financial support from the governments of Canada, Finland, Germany, Ireland, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom, and the Ford Foundation.

34. Achievements of the HURIST Programme include the solid cooperation with responsible units in UNDP for the formulation of policy notes and practical guidance in poverty reduction, HIV/AIDS, decentralization, parliament, police reform and environment: and interaction with more than 30 UNDP country offices.

35. Presently the HURIST Programme has prioritized the testing of a specific methodology to look into all UNDP supported programmes at country level. These so-called Human Rights-based Programme Reviews of UNDP country programmes have already been carried out in Bosnia and Herzegovina, Benin, Bolivia, Brazil, the Philippines, Kyrgyzstan, China, Macedonia,

Cape Verde, Kenya, Rwanda and Sri Lanka. For more on the present implementation of the HURIST-programme, please refer to: http://www.undp.org/governance/hurist.htm

36. Through partnership with UNV, HURIST has, since 2000, strengthened the human rights capacity of 17 UNDP country offices through the assignment to each of them of one United Nations Volunteer (UNV) human rights specialist. These countries include Benin, Bolivia, Cambodia, Congo, Ecuador, Fiji, Honduras, Kazakhstan, Malawi, Mali, Mozambique, Nepal, Niger, Nigeria, Philippines, Somalia and Yemen. The international UNVs have in several cases been replaced by national UNVs.

Assisting Communities Together (ACT) project

37. This project was launched by OHCHR in 1998 on the occasion of the 50th anniversary of the UDHR. It supports grassroots CSO and CBO initiatives to promote and protect human rights. UNDP has collaborated substantively and financially with OHCHR to implement this grassroots programme since its inception.

OHCHR Regional Office in Southern Africa

38. This regional office is jointly financed by OHCHR and UNDP's Regional Bureau for Africa. It has provided human rights training for UN Country Teams in the Southern Africa sub-region and other forms of support to UNDP country offices.

Action 2

39. Launched in October 2004, the Action 2 programme has a specific aim of building strong national protection and promotion system for human rights through the support of the entire UN System. The High Commissioner for Human Rights leads fundraising efforts for Human Rights together with the Chair of the United Nations Development Group (UNDP's Administrator).

40. UNDP has worked actively to bring the programme about, and will devote energy to its implementation, including managing the funds. In order to support the start up phase of the Action 2 implementation programme, UNDP has seconded a Senior Officer to serve as Coordinator of the Action 2 Task Force. UNDP has also made its electronic network, HURITALK, available to the UN System as a whole to support an effective system of knowledge networking on human rights.

IV. UNDP ACTIVITIES IN RELATION TO RESOLUTIONS OF THE COMMISSION ON HUMAN RIGHTS

1. Human rights and extreme poverty (CHR res. 2004/23)

41. UNDP has produced a "Practice Note on Poverty Reduction and Human Rights" (http://www.undp.org/governance/docshurist/030610PracticeNote_Poverty.doc) in 2003 to provide a framework for human rights integration in poverty reduction and practical steps to guide UNDP programming in this field. The Democratic Governance Group in the Bureau for Development Policy, through the HURIST-programme, and the Poverty Group are now starting

a piloting project for the implementation of a human rights-based approach in Poverty Reduction, addressing PRS and MDG Strategies at country level. Towards this overall outcome, the pilot project will support mutual learning processes among several partners in a number of pilot countries, to examine how the UNDP Practice Note and related UN guidelines could be applied and used at the country level.

2. UN Decade for human rights education (CHR res. 2004/71)

42. UNDP acknowledges the importance of human rights education. There is an increase in UNDP's activities in this field as part of stepped up cooperation over human rights with governments, national human rights commissions and NGOs. UNDP's support is directed to educational programmes in schools, in mass media and in the context of various human rights projects. Human rights education figures prominently in National Human Rights Actions Plans, developed with support from UNDP (Cape Verde, Lithuania, Mauritania, Moldova, Mongolia and Nepal) and it has also supported special plans for human rights education.

43. UNDP has also initiated a special global project on *"human rights cities"* undertaken with the People's Decade of Human Rights Education, the People's Movement for Human Rights Learning (PDHRE). This project explores the power of human rights education as a force for social cohesion and sustainable development, helping people to claim their rights and improve the life of their communities.

3. Enjoyment of the highest attainable standard of physical and mental health, access to medication in the context of pandemic such as HIV/AIDS, tuberculosis and malaria (CHR 2004/27 and 2004/26)

44. UNDP has focused on HIV/AIDS in working with several countries to secure the rights of everyone to the enjoyment of the highest standards of physical and mental health. In many countries, UNDP supports the development of national action plans/strategies to fight HIV/AIDS as well as the advocacy efforts to eliminate the stigma and discrimination against HIV/AIDS infected and effected people. UNDP has also encouraged the participation of people living with HIV/AIDS in the process of policy making and law drafting on HIV/AIDS.

45. In Ukraine, a Project titled "The Applied Human Rights Programme" was designed to translate rights 'in theory' into rights in practice by creating an environment that empowers injecting drug users, commercial sex workers, people in uniform (police force, prison staff, prisoners and military servicemen) and people living with HIV/AIDS to access accurate information and necessary service to reduce their vulnerability to HIV infection, help them cope with HIV/AIDS and consequently contribute to the slow down of the currently steep transmission rate of HIV.

46. In India, the Country Office's work in the area evolves around ensuring People Living with HIV/AIDS (PLWHA) the right to health care and access to affordable health care services. A good example is a pilot project supporting the development of an alternative health insurance scheme for PLWHAs. Another focus was to increase the empowerment of the PLWHA in policy making and planning on HIV/AIDS, including the formulation of a "Draft Strategy for greater involvement of PLWHAs in national planning".

4. Women (CHR 2004/46 and 2004/45)

47. Gender equality is a core concern, and of the five key drivers of UNDPs Sustainable Human Development approach. A number of training courses on gender mainstreaming in programming of UNDP funded activities have been carried out over the reporting period. Greater attention is also being paid to gender issues during both the process project formulation and implementation in different countries.

48. In Nepal, the UNDP Country Office has been involved in the sensitisation of legislators, the judiciary, the executive, civil society/NGOs as well as common people on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). With UNDP support, the National CEDAW Committee was reactivated and was provided with several trainings and further sensitisation sessions; the Office of National Rapporteur on Trafficking of Children and Women was established; and the Media Monitoring Committee was formed in order to remove negative portrayal of women in the media. UNDP has also played a leading role in the legislation of the 11th Amendment to the Women's Rights that deals with women's economic rights, namely parental property rights, reproductive rights, rights related to family and divorce, and violence against women and security, primarily rape and sexual offences.

49. The Regional Bureau for Europe and CIS has produced a booklet for the region on "drafting gender-aware legislation", and will later this year launch a joint regional UNDP-UNIFEM research project on the extent of implementation of national legislation providing for women's rights in the region.

50. In Mongolia, the UNDP Country Office has been supporting the formulation and implementation of the National Programme on Gender Equality approved by the government. Jointly with the National Statistical Office, UNDP and UNIFEM organized a workshop on "Engendering the Statistical System - a Condition for effective MDGs-monitoring". UNDP moreover launched, together with the National Human Rights Commission of Mongolia, and in collaboration with the UNIFEM Regional Programme for South –east Asia, a process facilitating CEDAW implementation towards advancing women's human rights in Mongolia.

5. Human Rights and Indigenous Issues (CHR 2004/62, 2004/59, 2004/58 and 2004/57)

51. UNDP is at present actively working on issues related to indigenous peoples. UNDP with OHCHR, within the context of the HURIST-programme, is currently in the process of implementing two pilot projects. In March 2004 a pilot project in Ecuador was launched with an initial programming meeting. In June 2004 a pilot project in Kenya was launched, which resulted in the formation of the United Nations Indigenous Peoples' Advisory Committee of Kenya (UNIPACK) the first such mechanism of its kind at the country level.

52. At regional level, in November 2003, UNDP launched the Regional Initiative on Strengthening Policy Dialogue on Indigenous, Highland and Tribal Peoples' Rights and Development (RIPP) to strengthen policy dialogue and coordination on indigenous, highland and tribal peoples' rights and sustainable development as well as to enhance inter-country sharing of experiences on priority issues, such as: natural resource management; land and resource rights;

and indigenous knowledge, culture and education, particularly with regard to reducing the incidence of poverty among indigenous peoples. It aims to build capacity among all stakeholders, strengthen information networks and knowledge management systems among indigenous peoples, to support their full and effective participation in policy dialogue. The project will be based in Thailand and covers Cambodia, Philippines, Thailand and Viet Nam.

53. UNDP is an active participant at the Permanent Forum on Indigenous Issues. Through the Global Environment Facility Small Grants Programme (GEFSGP), UNDP organized a workshop aimed at addressing indigenous peoples' concerns and finding ways for the GEFSGP to be more accessible to indigenous peoples. 2004 also marks the second year of UNDP contributions to the Voluntary Fund of the Permanent Forum to support initiatives focused on data collection and desegregation, and the MDGs.

54. UNDP works closely with other UN agencies on indigenous peoples' issues and actively participates in the Working Group on Indigenous Populations. In 2004, it hosted and coordinated the yearly meeting of the Interagency Support Group on Indigenous Issues. One of the key outputs of this meeting was a joint statement in support of indigenous peoples' greater participation in the MDG process.

55. UNDP is currently developing a Practice Note on Traditional Knowledge (TK) and Access to Genetic Resources and Benefit-Sharing (ABS).

56. At the Conference of the Parties to the Convention on Biological Diversity (COP 7) held in Malaysia in February 2004, UNDP organized the Community Kampung, a community dialogue space, that brought together representatives of communities and indigenous peoples with international government and Civil Society Organisation leaders for exchange on how to develop an enabling environment for community participation in global biodiversity conservation.

57. In July 2003, UNDP organized a regional workshop in Kenya "Learning from Communities to Realize the MDGs: Biodiversity and HIV/AIDS" to seek views of community representatives of grassroots, community based, non-governmental and indigenous peoples' organizations and local governments from 11 countries in Africa on how they want to approach the MDGs through strategies to improve food security and water and land management, combat HIV/AIDS and sustain the environment while promoting development.

58. Having benefited from close consultation with indigenous peoples and members of the Permanent Forum on Indigenous Issues, the 2004 Human Development Report has provided a key platform for debate on indigenous peoples' concerns. In June 2004, the Guatemala Country Office organized a workshop to discuss issues raised in the Human Development Report related to multiculturalism, indigenous peoples and governance. In addition, some regional and national HDRs have included data disaggregated by ethnic groupings, language groupings, gender, geographic, and age, for example.

6. Internally displaced persons (CHR 2004/55)

59. Given the significance of issues related to Internally displaced persons (IDP), UNDP strongly supports the use of the Guiding Principles in its work with IDPs. This work takes place in a wide range of countries and include, amongst others, the development of a plan of action for a sustainable solution for IDPs in Turkey at the request of the Government of Turkey, negotiations with the Government of Russia over the closure of IDP camps in Ingushetia, and provision of an advisor to the Government of Uganda to support the implementation of its new IDP legislation based on the Guiding Principles. As one of the agencies involved in the Collaborative Approach to remedy situations of internal displacement, UNDP promotes the dissemination and use of the Guiding Principles.

60. Through various inter-agency meetings hosted by the OCHA Internal Displacement Division (IDD) and the Canadian Government over the past several years, UNDP has provided its views on the delineation of responsibilities and work of the IDD, the Norwegian Refugee Council and the Secretary General's Representative – the 'trio' of bodies which have a special role in advancing the international communities' agenda to protect and assist IDPs and encourage governments to live up to their responsibilities regarding their displaced citizens.

61. UNDP is a member of the Senior Network on Displacement and fully participates in all meetings of the Network as well as Inter-Agency Standing Committee meetings focused on displacement. UNDP have defined, along with other agencies, a collaborative approach during and after displacement has occurred. Such activities include, inter alia, transitional justice such as the police training currently being provided in Darfur, support to sustainable livelihoods and social services that is being provided in Sri Lanka and capacity building for national and local authorities to address the needs of IDPs as is being developed for Uganda.

7. Minorities (CHR 2004/51)

62. Given the importance of this issue and its impact on human development, UNDP is collaborating with the Minority Rights Group International to develop guidance material and practical programming tools that should assist UNDP in the development of a firm position on the subject. Papers were presented on UNDP's HURITALK and Governance networks in 2004 to collect comments from both the Human Rights Policy Network and Human Rights Community of Practice. Further consultations, as well as practical programming guidance will be held and developed in 2005.

8. Good governance to promote human rights (CHR 2004/70)

63. In response to CHR resolution 2004/70, OHCHR and UNDP organized a "*Seminar on Good Governance Practices for the promotion of human rights*" with support of the Ministry of Foreign Affairs and Trade of the Republic of Korea. This was the first ever seminar of such nature organized in Asia, which brought together Good Governance and Human Rights as one theme. Participants from 73 countries, including 33 Least Developed Countries, National human rights institutions and NGOs took part in the debate on the links between Good Governance and Human Rights implementation.

64. The participants elaborated a list of future actions involving stakeholders, processes, institutions, resources and international/national cooperation. UNDP encourages participants to

report back to OHCHR and UNDP on key successful follow-up actions and/or challenges by September 2005. The lessons learned will be integrated into the 2006 report of the High Commissioner.

9. Administration of justice, juvenile justice, extrajudicial, summary or arbitrary execution, independence and impartiality of the judiciary, jurors and assessors, independence of lawyers, integrity of the judicial system, strengthening of popular participation, equity, social justice and non discrimination as essential foundation of democracy, arbitrary detention (CHR 2004/43, 2004/33, 2004/32 and 2004/31)

65. UNDP is supporting legal and judicial reform agendas in a number of developing countries to ensure a better administration of justice. The support is focusing on advocacy for judicial independence and impartiality; capacity development of justice and judicial officials; and improvement of conditions for better access to justice.

66. UNDP Indonesia has conducted various activities in access to justice in conflict-prone provinces. UNDP India has facilitated civil society dialogues on access to justice. The "All India Seminar on Access to Justice" held on New Delhi in April 2003 is a good example of such dialogues among various stakeholders, including civil society, on how to improve access to justice, especially for the poor and other disadvantaged people. In Vietnam, an independent survey/study on access to justice supported by UNDP has provided a picture of the people's perspective on the current status of access to justice, and suggested a number of areas and issues to be addressed by both government and the donor community. In Sri Lanka, UNDP has supported the Government in development of a comprehensive access to justice programme in the country.

67. In January 2004, UNDP Mongolia and OHCHR organized a Sub-regional Workshop for judges and lawyers on "Justiciability of Economic, Social and Cultural Rights" in North-East Asia, which contributed to a common dialogue and discussion among government, CSOs and other interested parties on the enforcement of economic, social and cultural rights in domestic legal systems. UNDP also provided technical assisted to the General Department of Police for preparation of Human Rights Manual for their operational activities.

68. At regional level, an Asia-Pacific Access to Justice Initiative was created in 2003 with active participation of legal and human rights practitioners working in different UNDP country offices. The initiative has focused on the information sharing on best practices and the formulation of toolkits on some issues of access to justice and human rights. Based on the Asia-Pacific experience, a similar initiative is being implemented in the Latin American region.

69. In Uzbekistan, a UNDP funded project titled "Umbrella Project for the Promotion and Protection of Human Rights in the Republic of Uzbekistan" places a particular emphasis on supporting the Government of Uzbekistan to implement the Plan of Action to fulfil the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment of Punishment, adopted after the visit of the UN Special Rapporteur on Torture.

70. In Armenia, UNDP supported the Government in consolidating democracy and promote human rights by building public awareness of, and encouraging broad debate about key human

rights issues including the importance of an independent Ombudsman institution. The support also aims to help the transition to an independent institution by facilitating discussion of appropriate operational modalities. The Project, which will be undertaken by the National Assembly and UNDP, has two components: a) human rights campaign and b) discussion on appropriate operational modalities for an independent Ombudsman institution.

71. In Georgia, UNDP has designed a project supporting capacity building of the public defender's office. The aim of the project is to further develop the capacity of the Public Defender's Office both in Tbilisi and in regional offices to carry out its mandate in an efficient and competent way as well as supporting the process of institutionalising the concept of human rights, by strengthening the knowledge and understanding of international human rights standards within the government structure, key public officials, academy and NGOs.

72. UNDP supported various kinds of reform initiatives of justice administration systems in the Dominican Republic, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Peru and Venezuela.
In Panama, UNDP supported the institutional strengthening of the national free legal aid system. In Venezuela, UNDP implemented a training programme in human rights directed to judges. In Peru and Guatemala, UNDP supported the establishment of, respectively, a "Forum for a National Agreement on Justice" and " National Commission of Follow-up and Support to the Strengthening of Justice".

73. UNDP contributed to the dialogue in Buenos Aires in December 2004, between Latin American and African country representatives on the justiciability of social, economic and cultural rights.

74. UNDP also provided supported to UNICEF in organizing the meeting of the UN Panel on Juvenile Justice in Rabat, Morocco, in 2004, and works closely with the Special Rapporteur on the Independence of the Judiciary and Lawyers.

10. National institutions for the promotion and the protection of human rights (CHR 2004/75)

75. National institutions play a vital role in the promotion and protection of human rights and fundamental freedoms and in raising public awareness of these rights and freedoms. Over the reporting period, UNDP continued its efforts in supporting the formulation and work of National Human Rights Commission in, amongst others, Armenia, Azerbaijan, Burundi, Bangladesh, Cambodia, Fiji, Moldova, Mauritania, Iran, Georgia, Kyrgyzstan, Maldives, Kazakhstan, Nepal, Rwanda, and Uzbekistan.

76. In Ecuador, UNDP provided technical cooperation to the Ombudsman Office in establishing a national web-based system for the processing of complaints on human rights violations and the monitoring of the human rights situation in detention centres. UNDP Mongolia has been supporting the independent National Human Rights Commission of Mongolia (NHRCM) since its establishment in 2001, including technical assistance in formulation and adoption of the special Law by the Parliament. Support is also provided for the implementation of its strategic and operational plans until 2006 in making proposals on any human rights-related

issues, providing recommendations on the conformity of laws and administrative decisions with human rights norms, and making proposals on the implementation of international human rights instruments and drafting of government reports thereon.

77. In addition, UNDP in collaboration with the Danish Institute for Human rights, has recently produced a draft issues paper on "Supporting National Institutions for the promotion and protection of Human Rights- A strategic Niche for UNDP". This tool will strengthen UNDP's programming assistance in this field of support, without duplicating the work of others.

11. Freedom of opinion and expression (CHR 2004/42)

78. In the Media Development area, UNDP supports capacity strengthening, networking and elevation of professional standards of the media at national and local levels in order to promote the exchange of independent and pluralist media. In 2004, 27% of UNDP's support to Access to Information has been directed towards media development reflecting an increase of six percent from 2003. 47% of UNDP's assistance to media development in 2004 has been directed to Africa. Examples of types of projects supported include developing and strengthening independent community and public service radio (Mozambique), strengthening journalist networks (Guinea-Bissau) and development of strategies to promote journalism and community media (Swaziland).

79. UNDP aims to raise awareness on rights to official information as well as strengthening mechanisms to provide and access information. As of March 2004, 30 countries, in which UNDP supports programmes, had laws requiring the disclosure of government records. In 2004, 21% of UNDP's support to Access to Information was allocated to activities promoting Rights to Official Information. Most assistance has been directed to Eastern Europe and the Commonwealth of Independent States (31%) as well as to the Asia Pacific Region (27%). The types of projects supported include building the capacity of CSOs to monitor the effective implementation of the Law on Access to Public Information (Romania), enabling journalists to have access to parliamentary databases (Kyrgyzstan); promoting citizens' awareness of and developing their capacity to use right to information legislation (India). During 2004, UNDP has also developed guidance materials to assist UNDP project officers with programming for advancing and implementing right to information legislation and civic education projects and programmes.

12. Regional cooperation for the promotion and the protection of human rights in the Asia and Pacific region (CHR 2004/74)

Bhutan

80 UNDP provides support to Bhutan to meet its reporting obligations arising from ratification of international treaties. In 2003, UNDP provided technical assistance to the Royal Government in producing its first periodic report to the Convention Against All Forms of Discrimination Against Women (CEDAW) and reporting to the treaty Committee in New York.

81. UNDP has also assisted the Royal Government in 2003 in strengthening the capacity of the legislature, with focus on the National Assembly Secretariat, to build more substantive

capacity of the legislature in the future to address human rights, MDGs, etc. Within this project, a number of local leaders were also trained on their roles and responsibilities on how to link with and represent their constituencies.

82. In 2004, UNDP together with the Royal Government has initiated the Pilot Public Access to Information and Service Project, which aims to make relevant legislation, rules, reports and application forms available online through the Royal Government portal. UNDP has also provided extensive information (global knowledge and good practices) on electoral systems, political party systems, and civic education to the general public through its democracy knowledge portal on the Country Office website.

83. The cooperation with the Government has also included human rights issues related to people in camps in Eastern Nepal, human rights standards for repatriation and capacity development in the judiciary and the Ministry for Foreign Affairs.

Bangladesh

84. UNDP Bangladesh supports the Ministry of Law, Justice and Parliamentary Affairs in undertaking a Preparatory Assistance project in order to strengthening national capacity to promote and protect Human Rights in Bangladesh. One of the main objectives of this project is to provide support to the Ministry of Law, Justice and Parliamentary Affairs to establish an independent Human Rights Commission in Bangladesh.

85. In September 2004, an International Conference was held to share the best practices of the national human rights institutions of South and Southeast Asian region. As a follow-up to the international conference, UNDP Bangladesh was instrumental in organizing a National Conference on Institutional Protection of Human Rights in November with particular focus on the role of civil society and media in human rights protection.

86. In 2004, UNDP Bangladesh launched a number of initiatives on human security including an advocacy campaign and, importantly, negotiated with government and donors on a police reform programme (PRP) with a human rights and justice interface. The PRP aims at improving the efficiency and effectiveness of the Bangladesh Police by supporting key areas of access to justice; including investigations, police operations and prosecutions; human resource management and training; and, future directions, strategic capacity and oversight.

87. UNDP Bangladesh has actively participated in UNDP's Asia-Pacific Access to Justice and Human Rights Initiatives (AP-A2J), held a number of participatory consultations in 2004 with justice official, human rights activists, groups, NGOs, Civil Society Organizations, disadvantaged groups. Outputs of these consultations are now being fed into broader human rights and justice formulation initiatives.

China

88. Since 2002, UNDP China has played a supporting role in the domestic implementation of key international conventions in China and promoted the rights-based approach to development. Under the framework of the UN Theme Group on Rule of Law, UNDP China is working on an international human rights conventions-related project that has two components. One is to conduct a general study to map out the status of China's accession to and implementation of key conventions. The objective of this study is to provide the UNCT with an "at-a-glance" reference tool regarding the status in China of selected core international treaties as well as studies on key issues and challenges that require UNCT's focused attention and future intervention.

89. The other component of the study is to conduct a comprehensive in-depth study on the status of implementation of the Convention on the Elimination of All Forms of Discrimination against Woman (CEDAW), an international rights instrument with crosscutting relevance. The study looks at ways and means by which CEDAW has been reflected in national legislation; the extent of implementation and enforcement of such legislation and other relevant, although not legislated provisions, in CEDAW; China's periodic reports to the CEDAW Committee; governmental agencies charged with overview of CEDAW and the activities of these agencies, and issues and challenges facing China's implementation of the convention, etc.

90. The report, together with policy recommendations in it, is being shared with the UN country team in the preparation of the new CCA and UNDAF for 2006-2010. The promotion of key UN human rights conventions will likely be one of UNDP China's priorities in the new Country Programme Document, in addition to others including the MDGs and HIV/AIDS.

91. UNDP China has worked extensively to support China's efforts to develop the rule of law and enhance human rights protection. UNDP's assistance aims to build the capacity of duty bearers to fulfil human rights obligations and rights holders to claim their rights. In 2004, UNDP's support in this field ranges from criminal justice reform, legal system reform, strengthening legal aid service for the poor, to protecting the rights of vulnerable groups such as persons with disabilities and migrant workers. In particular, a pilot project on pre-trial reform was successfully conducted in which criminal defence lawyers were present during the initial questioning of criminal suspects by the police and provided legal counselling when asked. The pilot was designed to demonstrate that practical ways could be found to bridge gaps between China's current practices and international norms with regard to criminal justice. The findings of the pilot were widely disseminated to key policy makers and experts in the Chinese legal community.

92. UNDP China is taking steps to move towards a human rights-based approach in its development programming and advocacy. In March 2004, UNDP and OHCHR sponsored an international workshop on the rights-based approach to development in Beijing. The workshop had participants from many government line ministries, Supreme People's Court, Supreme People's Procuratorate, government think tanks, NGOs, international donor and aid institutions and UN agencies. There was candid discussion and heated debate about major development challenges and human rights, such as farmers' rights, migrant workers, women's rights, HIV/AIDS, legal aid etc. In August 2004, UNDP China invited experts of the HURIST programme to conduct a human rights programme review on its country programmes and projects in efforts to strengthen its internal capacity to integrate human rights in development programming and implementation.

93. UNDP China has provided support to facilitate previous monitoring visits of the UN human rights special procedures. It also works closely with the Office of the UN High Commissioner for Human Rights to further the realisation of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments.

India

94. The UNDP Country Office in India has made efforts in integrating the principles of participation, accountability, non-discrimination and empowerment in programming over the reporting period.

95. The Country Office has focused its work in the area of access to information during 2003 by providing inputs for drafting and enactment of relevant laws, including the Right to Information Act, and capacity building of civil servants, communities, civil society and media. Access to justice is another important area of work for the India CO. One project on "Access to Justice for Poor and Disadvantaged People in India" has just been initiated which will provide us with knowledge about the barriers the most disadvantaged people face when accessing justice system. This knowledge will contribute to development of strategies (including examining informal justice systems as an option) to overcome justice barriers in courts, will feed into the training curriculum of judicial actors, and inform national policy action in the area. The project also aims to contribute to strengthening interface between civil society organisations and various actors in the justice system –formal and informal.

96. UNDP has been supporting the GOI in examining the laws, rules, regulations and government orders that affect tribal communities, in designated Scheduled V Areas. Several studies have been commissioned and have been discussed with various state government departments. These studies also examine the conflicting provisions in customary laws as well as laws enacted for the protection of tribals by various government departments. There are also contradictions between the forest laws which prevent tribals from accessing forest produce, essential for their livelihoods and other laws which seek to devolve more powers to local communities. UNDP projects seek to make information available to tribal communities on a whole range of issues related to their constitutional rights.

97. UNDP is also supporting select tribal communities for enhancing livelihoods through the protection of natural resources. The focus of such interventions have been on tribal women who bear the brunt of natural resource degradation. Capacity building of tribal communities in understanding local governance issues such as local planning, land alienation, management of natural resources and awareness of their rights under the Indian Constitution and the Panchayats (Extension to Scheduled Areas) Act, 1996 are other areas of focus. Empowerment of tribal women for their political participation is another thrust area for UNDP. Special attention has also been given to ensure that tribal children get opportunities to get out of work and into school as low literacy levels are seen as one of the key reasons for the exploitation and marginalization of tribal communities.

Iran

98. At the specific request of the Government and the Office of the United Nations High Commissioner for Human Rights (OHCHR), UNDP supported the Special Rapporteur on the Freedom of Expression and the Special Rapporteur on the Rights of the Migrants to accomplish their mission in Iran. On the technical cooperation side, UNDP is also cooperating with the OHCHR in the context of specific human rights projects in Iran, in addition to UNDP's own human rights portfolio. Currently UNDP is supporting OHCHR in the context of a project on human rights education in schools.

99. UNDP cooperation includes projects with the Faculty of Law and Political Science of the University of Tehran, Islamic Human Rights Commission, Centre for Women's Participation, and the Judiciary.

Laos

100. UNDP has supported the Government of Laos to ratify the two Human Rights Covenants and their plans of implementation. The support has included many activities for awareness raising and capacity building on international treaties. Two regional workshops on ratification and implementation of international treaties held in Laos provided useful information and experience on how to comply with international standards and commitments, including those on human rights. UNDP has also supported the Laos' Government in drafting a report on implementation of the International Covenant on Elimination of All Form of Racial Discrimination report that was officially submitted to the treaty body in April 2004. Additionally, a mission on the human rights consultancy was conducted to assist the Government of Laos to fulfil its international obligations undertaken in the sphere of human rights and to support the participation of the Lao PDR in international human rights instruments.

Malaysia

101. UNDP Malaysia has provided substantial support to the human rights machinery in Malaysia. The office has been effectively engaged with SUHAKAM, the Human Rights Commission of Malaysia, in a number of ways, including supporting human rights events/conferences initiated by SUHAKAM through the presentation of papers and other inputs. In 2004, UNDP actively collaborated with SUHAKAM in undertaking two events aimed at generating dialogue with civil society on the MDGs. At these dialogues/workshops held in East Malaysia (Sarawak) and Kuala Lumpur, emphasis was placed on the importance of a rights-based approach to development in particular poverty and the need for targeted and participatory approaches in development policies. It also increased awareness about the rights of the disadvantaged and vulnerable people and generated debates about a number of emerging issues, including progress on the MDGs.

Maldives

102. A Preparatory Assistance project between UNDP and Maldives' Government was signed in January 2004 to support the National Human Rights Commission in providing assistance to capacity building, public awareness, global networking and partnership building. The assistance focuses on providing international expertise for drafting a bill on rights to ensure its compliance with international human rights standards. Capacity building and development for the

Commission also received attention and the Commission was assisted to create networks with other Human Rights Commissions in the region.

103. In order to create public awareness in the Maldives on Human Rights, the Universal Declaration, and the recently signed Convention Against Torture were translated into the local language Dhivehi and widely distributed.

Mongolia

104. In close collaboration and with co-funding with OHCHR, UNDP Mongolia is providing comprehensive support to establishment of national human rights system and enforcement machinery through supporting implementation of two on-going joint technical cooperation projects: one entitled Human Rights Strengthening in Mongolia(HURISTMON) providing support to formulation and implementation of the National Human Rights Action Programme (NHRAP) since 2001 and other entitled Capacity Development of the National Human Rights Commission of Mongolia (NHRCM) to build a strong and credible national institution for the protection and promotion of human rights from 2001.

105. During 2001-02, the UNDP Country Office has assisted the government with undertaking a first-ever participatory and comprehensive base-line study on human rights situation in the country, on the basis of which the NHRAP has been developed and adopted by the Parliament in October 2003.This technical assistance included support local human rights initiatives as partners in the formulation and implementation of local national human rights action plans through public consultative process in all 21 provinces and capital city with setting up Local Human Rights Councils attached to the Local Assemblies, of the NHRAP had been consulted at each and every event,

106. Since 2002, UNDP is supporting production and organizing open public hearings on Annual Status Report on Human Rights and Freedoms by the NHRCM to the Parliament. With applied legal analytical research undertaken the Annual Report is recognized as the unique source of specialized human rights information most needed for the legal profession. A successful first-ever public interest litigation case was won in 2004 by the NHRCM at the courts on compensation payment by the government to a victim of judicial malpractice who was wrongfully sentenced to capital punishment by establishing a judicial precedent in claiming payments from the state compensation fund.

107. With a purpose to increase human rights awareness among citizens in Mongolia, UNDP is providing support to the NHRCM to become as a specialized source of human rights knowledge and education by public institutions, including organizing training and workshops for both public and private organizations on various human rights topics such on reporting and monitoring of international human rights treaties. UNDP is also actively supporting nation-wide Human Rights Road Show activities as a successful vehicle to deliver human rights advocacy and the NHRCM services in the remote areas of the country, including discussion of human rights issues with local authorities, inspection of pre-trial detention centre and police stations, and conducting training on alternative dispute resolution mechanisms for local stakeholders.

108. Most recently in December 2004, UNDP funded official translation of all international

human rights conventions and treaties to which Mongolia is a party into local language and their publication in two special volumes of the "State Gazette" for use by legislators, civil servants, including by judges for directly applying in deciding human rights violation related cases. Technical support has been also provided in ratification of the Convention Against Torture (CAT) and the Rome Statute on International Criminal Court.

109. In support of implementing a human rights-based approach to development cooperation in the context of the UN Reform, the UNDP Country Office in collaboration with OHCHR provided a full funded International Human Rights Advisor to the government and to the UN Country Team since 2002, including in order to assist with integration of human rights into the CCA/UNDAF process. During the past period several thematic workshops has been organized for each resident UN agency staff members with specific focus on mainstreaming human rights in their programming, including translation into Mongolian language and dissemination of the "Human Rights – A Basic Handbook for UN Staff" produced jointly by OHCHR and UN Staff College Project.

Nepal

110. Using as vehicle a project entitled Capacity Development of the National Human Rights Commission of Nepal (NEP/00/010) since 2002, UNDP has supported the National Human Rights Commission (NHRC) in a number of areas, including the promotion of human rights through education and outreach; the protection of human rights through consolidating complaints handling and investigation mechanisms; the effective implementation of human rights through monitoring and advisory functions, and the provision of human rights policy advice. Another focus of the support is to increase the capacity of the Commission to monitor the violations of human rights beyond the capital.

111. In 2004, UNDP Nepal initiated a pilot research project on access to justice to identify key problems arising at local level as a consequence of the armed conflict in the country, as well as suggesting possible strategies to deal with such problems at both national and local levels. The project uses participatory methods to bring out illustrative voices of the poor and other disadvantaged people, lawyers, judges, community leaders, prosecutors, police and NGOs. The project also seeks to extract lessons learned on access to justice in conflict situations, sample assessment tools and extract-lessons learned on applying a rights-based approach to development.

112. The UNDP country office was involved in facilitating different missions. In April 2003 UNDP Nepal facilitated a technical assistance to the National Human Rights Commission of Nepal. In March 2004, the Office of the Prime Minister and Council of Ministers requested UNDP for a technical mission to improve the draft NHRAP, provide inputs to HMG/N for the implementation stage and to assess the human rights and political situation under the present constitutional circumstances. This review mission recommended that UN's priority and focus in Nepal should remain on more immediate protection issues rather than adopting a long-term development approach, due to the current constitutional, political and human rights crisis of Nepal. The most recent mission facilitated by UNDP Nepal was that of the Working Group on Enforced or Involuntary Disappearances.

113. In August 2003, basic training on human rights, UN mechanisms to protect human rights and a rights-based approach with special focus on conflict was organized for UNDP/Nepal country office staff and government counterparts.

114. In light of the UN Common Understanding and the request from staff for greater assistance to integrate a human rights based approach in practice, UNDP country office organized two workshops for programme staff on *operationalising a human rights based approach to development* in September 2004. The most important achievement of this training was the formulation of a "Checklist" to assist in operationalising a HRBA.

Sri Lanka

115. Under a preparatory assistance project with the Parliament of Sri Lanka during the past two years, UNDP has provided support to strengthen the Parliamentary Select Committee on Human Rights as one of the activities under the project. A study tour was arranged for members of the Committee to visit the OHCHR Offices in Geneva, and the Offices of the Indian Human Rights Commission in New Delhi.

116. The Committee was also given assistance to review the Human Rights Commission Act of Sri Lanka. Representations were made by an international expert to amend the Act. UNDP arranged representations by stakeholders including civil society actors in the review. The Committee produced two reports during its tenure.

117. The Equal Access to Justice Project was signed between UNDP and the Government of Sri Lanka in August 2004. The project adapts a human rights based approach by providing justice sector services to disadvantaged people. The project has already commenced activities targeting duty-bearers and claim-holders and also extended the project to cover those displaced by the recent Tsunami by conducting mobile camps to provide them with lost documentation, police support, and legal aid. The project has already translated the Sinhala and Tamil versions of the Universal Declaration of Human Rights, and the Sri Lanka Disabilities Act into Braille, for the first time in the country.

118. The human rights component of UNDP Sri Lanka specifically looks at promoting the rights of vulnerable groups including women and children. Support to the National Human Rights Commission has been ongoing since 2003, and the Commission has developed a comprehensive strategic plan with UNDP support. The plan is being implemented from 2005 with continued UNDP support.

Timor-Leste

119. UNDP Timor-Leste is supporting the rule of law through its Justice System Project. This project seeks to strengthen the institutional capacity of the Courts, the Prosecution, and the Ministry of Justice at three levels; (a)systems and processes; (b) individual skills (legal, managerial, clerical); and (c) professional ethics and work attitudes. Specific training on international human rights law is being provided as part of the judicial training component of this project.

120. UNDP is also providing support to the legislature of Timor-Leste through its Parliament Project. This project aims to strengthen the parliament's institutional capacity to perform critical functions, the most critical of which is ensuring that the constitutionally-mandated separation of powers is upheld and that the Government is held accountable to the people of Timor-Leste.

121. Additionally, UNDP is actively supporting the treaty-reporting process in Timor-Leste through the HURIST project. It is providing advisory support to the Office for the Promotion of Equality to oversee the preparation of the country's first CEDAW report.

Vietnam

122. UNDP Vietnam continues its efforts in supporting the government of Vietnam in finalizing the legal sector development strategy with a focus on the rule of law and access to justice. A number of substantive activities supported by UNDP have been carried out over the reporting period to assist the government in developing a better legal aid system for the poor and disadvantaged groups.

123. UNDP has provided international best practice for the government of Vietnam on drafting the Law on Conclusion and Implementation of International Conventions through an international workshop held in late 2004. UNDP also conducted a survey on access to justice aimed to promote the awareness of stakeholders in this field

124. UNDP moreover provided technical support for the formulation of the Plan of Action for the Advancement of Women in Viet Nam by 2005. The Plan is to improve the status and role of Vietnamese women in leadership and development. In addition UNDP has supported production and dissemination of the first-ever comprehensive gender mainstreaming package, including National Gender Mainstreaming Guidelines, the Gender Mainstreaming Workshop Facilitation Manual and Gender Mainstreaming Leaflets, to promote gender sensitive national policy planning and implementation.

125. In the area of HIV/AIDS, UNDP is supporting and applying a rights-based approach through initiatives focusing on greater involvement and participation of people living with HIV/AIDS (PLHA). UNDP helps strengthen their networks, provides training, and actively involves PLHAs in the design and implementation of its HIV/AIDS-related activities. Furthermore. UNDP Vietnam has been stressing human rights surrounding access to care and treatment, employment-related issues, voluntary and confidential counselling and testing, as well as the reduction of stigma and discrimination in most of its advocacy and policy work, and especially when assisting Government partners in enhancing the Ordinance on HIV/AIDS prevention and control to comply with modern international standards. Moreover, UNDP Viet Nam supported the production of a discussion paper on the reduction of HIV/AIDS-related employment discrimination in Viet Nam.

13. Advisory Services and Technical assistance in Burundi (CHR. 2004/82)

126. With the support of UNDP and several human rights NGOs, important changes have taken place with regard to the enactment of human rights related laws in Burundi. For example, a new Criminal Procedure Law was drawn up; a revision of the Family Law was carried out, and other laws such as the prevention of the Crime of Genocide; Crimes against Humanity; and War Crimes were enacted. The Government of Burundi also ratified the Rome Statute of the International Criminal Court.

127. UNDP Burundi has supported a study on the alignment of national legislation with international human rights instruments. An extensive inventory was drawn up, and several concrete proposals regarding harmonization were put forward.

128. UNDP has also worked towards the creation of a favourable environment for the establishment of a National Human Rights Commission in Burundi in accordance with the Paris Principles. Discussions on the establishment are ongoing. In the meantime UNDP is working with the Governmental Commission on Human Rights, which has an important role to play in the promotion and protection of human rights. Capacity development is also provided to the relevant Ministry.

129. UNDP has furthermore contributed to the reflections upon the possible establishment of an Ombudsman institution in Burundi as is foreseen in the Arusha Accords on Peace and Reconciliation.

130. UNDP has been very active in the field of gender and women's equality. Support has been provided to a National Action Plan on Women's Equality in development planning, and support is provided for advocacy of the revision of inheritance laws. A larger revision of laws along the lines of women's equality was also supported, whilst gender plays a prominent role in all UNDP programmes. UNDP has also been engaged in the translation of CEDAW into national languages, and has disseminated the documents through an extensive sensitisation campaign.

14. TECHNICAL COOPERATION AND ADVISORY SERVICES IN THE DEMOCRATIC REPUBLIC OF THE CONGO (CHR 2004/84)

131. UNDP's support to the Democratic Republic of Congo has focused its development assistance programmes on the following three components:

a) Capacity development of governmental institutions: establishing a functional technical capacity in order to allow the institutions to (a) fulfil their mandate, (b) consolidate the process of pacification and reunification of the country, and (c) ensure the effective formulation, implementation and follow-up on development programs.
b) Institutional reform: rethinking and restructuring of the organizational system, establishing structures that correspond to the present challenges, and reestablish the rule of law.
c) Disarmament, demobilization and reinsertion.

132. With respect to the first two components, UNDP has, over the past two years, provided assistance on the following:

a) **Support to the Institutions of Political Transition:** this assistance was designed to support the establishment of an institutional and regulatory framework. It promoted **(i)** a smooth political transformation, **(ii)** the establishment of the rule of law, and **(iii)** the promotion of accountability and transparency regarding the functioning of the transitional democratic institutions. It strengthened the logistical and technical resources of the National Assembly, the Senate, and of the five civic commissions (Electoral Independent commission, Truth and Reconciliation Commission, Ethic and anti-corruption Commission, High Authority of Medias, and National Observatory on Human Rights). The assistance to the Parliament was tailored to improve the functioning of the two chambers (assembly and senate) particularly consisted of: (i) divers training on parliamentary work processes and procedures, gender mainstreaming and human rights, (ii) assisting the contribution of the parliament to the regional peace process, (iii) and the development of an efficient communication and public information strategy. The support provided also promoted a culture of good governance through the dissemination of its principles and norms.

b) **Human rights protection:** UNDP provided technical support to the government in the preparation and holding in 2001 of the national conference on human rights. It enabled the dissemination of the conclusions and recommendations of the conference, with particular emphasis on the national declaration on human rights. In addition, UNDP provided training to civil servants, police officers and members of the armed forces on the concepts and principles of human rights and human rights protection, and supported a sensitisation campaign for the public at large. UNDP also provided support for the National Human Rights Observatory in the organization in September 2004 of the National Forum on Human Rights (ONDH) which aimed to make a status report on the conditions of Human Rights in the Congo, identify the underlying causes, and formulate recommendations on how best the ONDH can help improve the situation. UNDP also actively participates in the thematic group on human rights chaired by UNHCHR, and contributes to the funding of activities in the framework of the PACT mechanism.

c) **Justice Sector Reform**: The reestablishment of he rule of law and the state authority covering the entire territory of the country is one of the priorities of the government. In partnership with the European Union, UNHCHR, MONUC, France, Belgium and the UK, UNDP has participated in and co-funded a comprehensive audit of the justice system. An action program has been finalized and approved by the government that aims at reestablishing the independence of the justice system, and at improving the access of the population to fair and impartial legal decisions. The proposed activities include the restructuring of the system, training the personnel, and revising essential laws.

d) **Support to the Electoral Process:** In addition to direct technical support for the Independent Electoral Commission, UNDP leads and coordinates the resource mobilization efforts of the international community for the funding of the elections and related preparations. It manages a basket fund established at the request of donors

that aims at providing the necessary resources to carry out the registration of voters and the holding of general elections at several levels.

e) **Supporting international Conference on peace security, democracy and development in the Great Lake region**: promoting Human Rights and Humanitarian issues: UNDP actively supports the national coordination committee of the Great Lakes conference in terms of organizing nation-wide consultations with youth and students groups, gender advocacy groups, and civil society organizations in preparation of the series of conferences.

15. Technical cooperation and advisory services in Chad (CHR 2004/85)

133. UNDP, in cooperation with the OHCHR has provided assistance to the National Human Rights Commission of Chad to strengthen its capacity to respect the Paris principles. This assistance has permitted to revise the NHRC status and to improve its work by assuring its credibility towards the government and associations.

134. In June 2003, UNDP supported the government of Chad to organize the “General States” of justice, which facilitates an in-depth analysis on weaknesses of the justice system and the creation of an action plan for reform. Based on this, UNDP and the European Union set up a joined project in support of justice reform, with three objectives: to reinforce government capacities in the field of legislation, to promote the dissemination of judicial texts, and access to these documents by the population and justice professionals.

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