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## The High Commissioner's Achievements During the United Nations' 55 th Session

Jessica Schlee

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## The High Commissioner's Achievements During the United Nations' 55<sup>th</sup> Session

During the post-Cold War Era, the international community realized that all people, regardless of race, religion, or sex, were entitled to basic human rights.<sup>1</sup> In response to the emergence of a new, global human rights movement, the United Nations in 1993 created the position of High Commissioner for Human Rights.<sup>2</sup> "As set forth by General Assembly Resolution 48/141, the High Commissioner is to 'play an active role in removing the current obstacles and in meeting the challenges to the full realization of all human rights and in preventing the continuation of human rights violations throughout the world.'"<sup>3</sup>

As High Commissioner for Human Rights, in 2000-2001, Mary Robinson has diligently worked with the General Assembly to prevent gross violations of human rights.<sup>4</sup> Commissioner Robinson relentlessly called for "the integration of human rights and development" in all nations, "the integration of human rights in efforts for the maintenance of international peace and security", and the implementation of the "right to development."<sup>5</sup> Moreover, Commissioner Robinson sought to "build upon human rights strategies for the achievement of social justice" and "gender equality" as well as the "elimination of racism, xenophobia, and related intolerance" throughout the world.<sup>6</sup>

During the past year, Commissioner Robinson assured the international community that the Commission on Human Rights would take affirmative action in preventing gross human rights violations around the world. As a result of this promise, the Commission made important strides in preventing human rights violations. For example, the Commission has provided technical support for

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<sup>1</sup> See John Mills, *Mary Robinson's Critical U.N. Mission*, 22 LEGAL TIMES 67 (1999).

<sup>2</sup> See *id.*

<sup>3</sup> *Id.* See also G.A. Resolution 141, U.N. GAOR, 48<sup>th</sup> Sess., U.N. Doc. A/Res/48/141 (1993).

<sup>4</sup> See *Report of the United Nations High Commissioner for Human Rights*, G.A. Resolution 36, U.N. GAOR, 55<sup>th</sup> Sess., Supp. No. 36, U.N. Doc. A/55/36 (2000) at 1 [hereinafter "*Report*"].

<sup>5</sup> *Id.* at 7.

<sup>6</sup> *Id.* at 1.

many nations in the prevention of human rights violations through mandates and programs, sought the assistance of eminent persons who offered their services and defused situations where gross violations occurred, and dispatched [Special Rapporteurs] to areas in crisis situations with efforts to resolve human rights issues.<sup>7</sup> Nevertheless, Commissioner Robinson expressed deep concern regarding regimes where human rights violations continue, particularly in such areas as Chechnya, East Timor, Sierra Leone, Columbia, Republic of Congo, and the Middle East.<sup>8</sup>

The High Commissioner has expressed her concern for alleged human rights violations in the province of Chechnya time and time again.<sup>9</sup> On 12 April, 2000, the Commission on Human Rights adopted Resolution 2000/58,<sup>10</sup> calling on the Russian Government to immediately establish “a national, broad-based and independent commission of inquiry . . . to promptly investigate alleged violations of human rights . . . with a view to bringing [the perpetrators] to justice and preventing impunity.”<sup>11</sup> Unfortunately, the Russian Government voted against Resolution 2000/58<sup>12</sup> allowing “the humanitarian plight of the [Chechen] people . . . to [remain] grave.”<sup>13</sup> However, Commissioner Robinson has reassured that steps are being taken toward preventing human rights violations, given that the Russian Federation continues to work with her on a “three-year project of technical cooperation on human rights education in Russia.”<sup>14</sup>

The High Commissioner and the Commission on Human Rights welcomed the “willingness of the Government of Colombian Government to engage in constructive peace talks with the main

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<sup>7</sup> See *Report, supra* note 4, at 2–3. See generally *High Commissioner for Human Rights ‘Chastening Environment’ for Human Rights Worldwide*, reprinted in G.A. Press Release, U.N. Doc. GA/SHC/3603 (24 Oct. 2000), available at <http://www.unhcr.ch/hurricane/huri> [hereinafter “*Chastening Environment*”].

<sup>8</sup> See *Chastening Environment, supra* note 7 at 13–15.

<sup>9</sup> See *id.* at 13. See also Mary Robinson, Address at an Informal One-Day Meeting of Commission of Human Rights, Geneva (hereinafter *Geneva Address*), (15 Sept. 2000), available at <http://www.unhcr.ch/hurricane/huri>.

<sup>10</sup> See *Report, supra* note 4, at 3.

<sup>11</sup> *Report, supra* note 4 at 4.

<sup>12</sup> See *id.*

<sup>13</sup> See *United Nations High Commissioner for Human Rights and Secretary-General to the World Conference Against Racism* (24 October 2000), available at <http://unhchr.ch/hurricane/huri>. . /91994BE9AE5B352FC12569830054F70A?open document [hereinafter “*To the World Conference*”].

<sup>14</sup> *Id.*

guerrilla groups” to sustain peace in Columbia. Concerns over the “grave and persistent abuses of international humanitarian law” remain, however, despite these potentially positive peace talks.<sup>15</sup> To this day, Commissioner Robinson and the Commission continue to work vigorously with both sides in Columbia to adopt a comprehensive human rights and humanitarian agreement to prevent further human rights violations.<sup>16</sup>

Over the past year, Indonesian officials have taken steps to investigate violations of human rights and international humanitarian law in that region.<sup>17</sup> Currently, the Commission for Human Rights is “finalizing a program . . . [with United Nations Transitional Administration in East Timor] to provide . . . human rights training to CIVPOL and support[s] . . . the national truth and reconciliation process.”<sup>18</sup>

Continued human rights violations are plaguing the nation of Sierra Leone. However, with support from the High Commissioner and the Commission for Human Rights, the “government of [Sierra Leone] has made substantial progress in preparing for the establishment of a national Human Rights Commission” and in February of 2000, the “Sierra Leone Parliament adopted the Statute for the Truth and Reconciliation Commission.”<sup>19</sup>

Elsewhere in Africa, in the Democratic Republic of Congo, “the human rights situation . . . has continued to deteriorate with serious, widespread and systematic violations.”<sup>20</sup> After a visit with Commissioner Robinson, President Kabila agreed “to establish a moratorium on the death penalty, to suspend the prosecution of civilians before the Military Court, and to reform its statute so as to allow rights of defense and appeal.”<sup>21</sup> The RCD “announced it

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<sup>15</sup> Statement made by the Chairperson of the Commission Concerning the Situation of Human Rights in Columbia at U.N. GAOR, 56<sup>th</sup> Sess., Agenda Item 3 (19 April 2000), available at <http://www.unchr.ch/Huridocda/Huri>.

<sup>16</sup> See *id.* See also Press Release, Human Rights Commission (4 Dec. 2000) available at <http://www.unchr.ch/hurricane/huri>.

<sup>17</sup> See Mary Robinson, Address at the National Human Rights Workshop: “Transitional Justice: Defining the Quality of Indonesia’s Future Democracy” (22–24 Nov. 2000), available at <http://www.unhchr.ch/hurricane/huri.../027E8971704EA4BDC12569AB0059007F?opendocumen>.

<sup>18</sup> See *To the World Conference*, *supra* note 13. For information about CIVPOL, the United Nations Civilian Police, go to <http://www.civpol.org>.

<sup>19</sup> *To the World Conference*, *supra* note 13.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

would conduct as soon as security conditions would permit, investigations into massacres . . . to facilitate the access of humanitarian agencies to vulnerable groups, and to prevent any action against representatives of civil society.”<sup>22</sup>

As the violence in Israel continues unabated, Commissioner Robinson has asked repeatedly for Palestinians and Israelis to stop the recent bloodshed and search for peace.<sup>23</sup> The High Commissioner believes “the key to a peaceful and stable future in the region lies in developing a culture of human rights and tolerance.”<sup>24</sup> She has stated that her office “stands ready to assist in any way that may be considered helpful” in order to bring lasting peace to the region.<sup>25</sup>

Despite the numerous efforts by Commissioner Robinson and the Commission for Human Rights, only a few of which are mentioned above, the international community has entered the new millennium with the persistent ravages of poverty, racism, and other evils.<sup>26</sup> Thus, Commissioner Robinson has set out to have countries follow a “detailed code of binding norms and standards, built upon the simple but fundamental precept of the inviolability of human dignity.”<sup>27</sup> In an effort to achieve this, Commissioner Robinson has pressed six treaties for universal ratification, namely:

1. The International Covenant on Economic, Social, and Cultural Rights;
2. The International Covenant on Civil and Political Rights;
3. The International Convention on the Elimination of All Forms of Racial Discrimination;
4. The Convention on the Elimination of All Forms of Discrimination against Women;

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<sup>22</sup> *Id.*

<sup>23</sup> *See Expresses Deep Concern over Deteriorating Situation*, U.N. Press Release (27 Nov. 2000), available at <http://www.unhchr.ch/hurricane/hu.../DA02B9C8955B4A221C12569A40048F97D?opendocumen>. *See also* Mary Robinson, Address of the High Commissioner of Human Rights (17 Oct. 2000), available at <http://www.unhchr.ch/hurricane/huric.../57E1526822544B99C125697C005725BA?opendocumen> [hereinafter “October 17 Address”].

<sup>24</sup> *October 17 Address*, *supra* note 23.

<sup>25</sup> *Id.*

<sup>26</sup> *See Report of the United Nations High Commissioner for Human Rights*, *supra* note 4 at 15.

<sup>27</sup> *Id.*

5. The Convention against the Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
6. The Convention on the Rights of the Child.<sup>28</sup>

Overall, the High Commissioner believes the principles of human rights laid out in these seven treaties are “more vital than ever.”<sup>29</sup>

Commissioner Robinson noted in her 10 December 2000 Human Rights Day Message, that “the size of the human rights community is growing steadily and now encompasses people from all walks of life.”<sup>30</sup> Thus, she hopes the start of a new century will instill in people’s minds a respect for human rights; one that envisions a peaceful and stable future with all nations conforming to one unitary humanitarian rule of law.<sup>31</sup>

According to Commissioner Robinson, the only way to bring this to fruition is through human rights education. She believes that “[i]t is clear that knowledge of one’s rights is a prerequisite to establishing and defending those rights.”<sup>32</sup> Moreover, human rights education is a “life long process by which people at all levels of development and in all strata of society learn respect for the dignity of others and the means of ensuring that respect in all societies.”<sup>33</sup> She feels respect for the individual must be understood as early on as possible. Educating children about human rights, therefore, is the core to achieving success in human rights development. Children naturally possess open minds — intolerance and prejudice are acquired traits. Therefore, it is “vital to convey the importance of human rights [not only] in the classroom [and in] the home, [but] in all of their activities.” As children learn by example, and are especially impressionable, all individuals have a duty to teach one another about human rights. Therefore, “human rights education encourages all - from the individual to the international community to take action to defend human rights and prevent abuses.”<sup>34</sup>

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<sup>28</sup> See *id.*

<sup>29</sup> *Id.*

<sup>30</sup> U.N. Press Release (11 Dec. 2000), available at <http://www.unhchr.ch/hurricane/hur.../FAB042F342263A8CC12569B2005CB742?opendocumen>.

<sup>31</sup> See *id.*

<sup>32</sup> Mary Robinson, *Human Rights Education*, Speech at Panel of U.N. Agency Heads, Geneva (11 Dec. 2000), available at <http://www.unhchr.ch/hurricane/hu> [hereinafter “*Human Rights Education*”].

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

Commissioner Robinson continues to press human rights education in 2001. This coming September in Durban, South Africa, the Commission for Human Rights is hosting the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. This Conference will provide the international community the knowledge to step up and educate people "about the evils of racism and discrimination and the great benefits that come from tolerance and respect for diversity."<sup>35</sup>

The High Commissioner has stated that a global commitment to human rights and universal ratification of human rights treaties is what is needed to form an international order where human rights and freedoms are fully recognized by all.<sup>36</sup> In 2000, Commissioner Robinson tried to fulfill this mission statement. In many ways, Mary Robinson's efforts as High Commissioner have been of great success in trying to attain a universal commitment to human rights, but the journey has just begun and will continue in the upcoming year.

*Jessica Schlee*

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<sup>35</sup> *Human Rights Education*, *supra* note 32.

<sup>36</sup> See *Report of the United Nations High Commissioner for Human Rights*, *supra* note 4 at 17.