On 4 July, the seventh Joint NGO Briefing Series was dedicated to two human rights related themes. (1) Mr. Ayuush Bat-Erdene and Ms. Shyami Puvimanasinghe from the Right to Development Section of the Office of the High Commissioner for Human Rights (OHCHR), presented the 2012 OHCHR Social Forum, which will be held on 1-3 October 2012, while (2) Mr. Ricardo Espinosa, Chief of the NGO Liaison Unit (UNOG) presented an update on the Draft Declaration on the Right of Peoples to Peace. The latter was recently submitted by the Human Rights Council Advisory Committee to the 20th session of the Human Rights Council (18 June - 6 July 2012).

2012 OHCHR Social Forum

Presentation by Ayuush Bat-Erdene, Chief, Right to Development Section, OHCHR

Starting by explaining that the Social Forum is unique platform that aims to be as inclusive as possible, Mr. Bat-Erdene appealed to NGOs to use the Forum in the best possible way. He underlined that the Forum is accessible to all (no barriers), including grassroots organizations, social movements and NGOs without ECOSOC status. There is even some, but limited assistance to bring civil society representatives from developing countries to the Forum in order to support its inclusiveness. Mr. Bat-Erdene further touched upon the fact that the Social Forum was preserved from the former Commission on Human Rights. It is held on a yearly basis, chaired by a Member State representative (elected on a rotational basis), and organized by the Right to Development Section of OHCHR. Its key objective is to create dialogue and interaction between UN Member States, intergovernmental organizations and, in particular, civil society representatives.


1 A joint initiative by the United Nations Information Service in Geneva (UNIS), the NGO Liaison Unit of the United Nations Office at Geneva (UNOG) and the United Nations Non-Governmental Liaison Service (NGLS)
Ms. Puvimanasinghe reiterated that the Social Forum is a unique space as different organizations can take part in the dialogues on issues of current relevance (both at global and national level). She referred to Human Rights Council resolution A/HRC/RES/19/24, which reaffirms that the Forum “makes possible a dialogue and an exchange between representatives of Member States and civil society, including grassroots organizations and intergovernmental organizations” and is “a vital space for open and fruitful dialogue on issues linked with the national and international environment needed for the promotion of the enjoyment of all human rights by all.”

Ms. Puvimanasinghe continued by explaining that the 2012 Social Forum will focus on “People-centred development and globalization,” and address the following subthemes:

1) People-centred development and global governance in an era of multiple challenges and social transformation;
2) Promoting measures and actions for participatory development and democratic governance, including through the role of civil society and social movements at the grass-roots, local and national levels;
3) Enhancing a globally enabling environment for development, including through the international financial system, which should support sustained, inclusive and equitable economic growth, sustainable development and hunger and poverty eradication in developing countries, while allowing for the coherent mobilization of all sources of financing for development.

The High Commissioner on Human Rights will provide a background report on the theme of the Forum, which will be available in due time on the Social Forum website. The Forum will also result in an outcome document, prepared by the Chairperson/Rapporteur (selected on a rotational basis; to be confirmed), which will be presented to the Human Rights Council in March 2013.

The programme of the 2012 Social Forum is still in the making, but considering its overall theme, Ms. Puvimanasinghe emphasized that the programme should be a people-centred programme. She also noted that there was still some space for civil society to propose themes and issues that it would like to see discussed at the Forum.

Nevertheless, as the Social Forum is a subsidiary body of the Human Rights Council, the theme will be addressed through a human rights lense. Ms. Puvimanasinghe explained that the global crises (whether food, energy, climate, finance, etc) are highly interconnected and have a direct impact on human rights, and people living in human dignity. Approaching the issue from a human rights perspective thus gives legitimacy to our actions and those of States, who are also bound by a plethora of international human rights commitments to which they have committed themselves (such as the UN Charter, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights).

The Right to Development (RTD), Ms. Puvimanasinghe continued, is closely related to the theme of the Social Forum: all is geared toward human well-being. The RTD Declaration (1986) recognizes, for example, that development is not similar to
economics. Economics are part of it, but development aims to improve human well-being, of individuals, groups and peoples (including the population of States). Fuelled by increasing global interdependency and interconnectedness, the Right to Development concerns all countries and should ensure that the benefits of development are shared by everyone. It underscores that everyone is free to participate.

So, the Social Forum will focus on all human rights, but particular on RTD. It will promote a holistic vision and reiterate commitments to human-centred development as pronounced in the outcome documents of the World Summit for Social Development (1995), the Rio Summit in 1992, the UN Millennium Declaration as well as in “The Future We Want” (outcome document of the UN Conference on Sustainable Development or Rio+20).

Ms. Puvimanasinghe further referred to the fact that the most marginalized and most vulnerable groups including women, indigenous peoples, and youth are disproportionately suffering from the crises. She said that especially youth around the world are increasingly standing up for their rights. The Social Forum will thus also focus on the issue of participatory governance and ways to make governance more democratic, as well as on how social movements are leading the process of social transformation. Furthermore, the SF will most likely feature a panel on the issue of global partnership for development and two panels on the issue of financing for development. A broad range of speakers are envisaged; including women, grassroots, activists from developing countries, academia, UN officials, NGOs, some government representatives, etc. The private sector will also participate from a corporate social responsibility perspective. Ms. Puvimanasinghe concluded by reiterating the overall objective of the Forum: to learn, dialogue, share and exchange experiences.

See also the speaking points prepared by Ms. Puvimanasinghe, which are available on page 9-12 of this document.

Questions and remarks from the floor

The representative of Lawyers Without Borders referred to the fact that on 1 October 2012, the new ILO Director-General will take office. As the resolution of the Social Forum is very closely related to the work of ILO, he suggested to have the new Director-General speak at the Forum or at least to have a strong ILO representation.

The representative of CIVICUS questioned the impact of the outcome of the Social Forum – a concern shared by the Friedrich Ebert Stiftung (FES). The fact that the Social Forum is now chaired by an ambassador could be positive for its follow-up, although previous sessions of the Forum had shown that technical follow-up was rather inexistent. So, how to make the Human Rights Council make better use of the Social Forum? How to embed it in the work of the Council?

FES further welcomed the practical guide and wondered whether is was available in other languages as well. Finally, he raised the issue of the venue of the Social Forum, (Geneva) noting that having the Forum in Geneva leaves people out.
The Worldwide Organization for Women called for more young people to participate in the Forum as they represent half of the world’s population. Not including them, would mean that “we miss something.” The organization in particular called for the participation of 9-10 years old.

Another NGO representative emphasized the importance of giving space to people in the field to share experiences, and to find an appropriate balance. She also wondered how to make the Forum more popular among representatives of Western governments; and proposed to involve the Special Rapporteurs, so that people can be heard by them. Finally, the representative expressed hope that the Social Forum would lead to closer relationships among different actors.

Responding to the questions and remarks made, Mr. Bat-Erdene and Ms. Puvimanasinghe thanked civil society representatives who sent in contributions to the report of the High Commissioner for the Forum, and highlighted once more that the Social Forum offered civil society a unique opportunity to participate on an equal footing as Member States (same rights). With regard to the ILO, they explained that the ILO had also contributed to the report of the High Commissioner, and that it was invited to participate. In fact, the Social Forum will most likely feature a UN panel (with representatives from different UN entities), in order to create more policy coherence at the working level and to involve everyone in the discussion, including the ILO.

To strengthen the Forum’s follow-up, Mr. Bat-Erdene invited civil society to bring activists, to help shape recommendations, and to push and lobby for them during the March session of the Human Rights Council, when the report of the Social Forum will be presented. Civil society was also requested to make an appeal at the Human Rights Council for more Member State participation and to invite all Member States to participate. If the Social Forum is enriched, it will attract more participation, Mr. Bat-Erdene noted.

With regard to the venue (Geneva), Mr. Bat-Erdene suggested to make a proposal to the Human Rights Council to identify other locations for future meetings, taking budgetary limitations into account. He also noted that the aforementioned Practical Guide for civil society on the Social Forum will soon be available in all UN languages, both online and in hard copy.

The idea of young people participation was well received. Ms. Puvimanasinghe said she would like to explore having a panel composed of children and youth, and to give the floor to future generations. As the Forum is open to all, there is no age limit, nor a necessity of formation. However, the child must have the capacity to communicate his/her thoughts.

**Draft Declaration on the Right of Peoples to Peace**

In Human Rights Council resolutions 14/3 of 17 June 2010 and 17/16 of 17 June 2011, the Human Rights Council requested the Advisory Committee, in consultation with Member States, civil society, academia and all relevant stakeholders, to prepare a Draft Declaration on the Right of Peoples to Peace. The Advisory Committee presented the draft declaration to the Council during its 20th session.
As no representative from the Human Rights Council’s Advisory Committee could be present to discuss progress around the Draft Declaration on the Right of Peoples to Peace, Mr. Espinosa introduced the issue, starting with an overview of the steps taken in developing the declaration. The human right to peace is the result of a civil society codification process, led by Spanish human rights experts and supported by the government of Spain and the regional governments of Asturias, Catalonia and the Basque country which culminated in the first draft Universal Declaration on the Human Right to Peace, also known as the **Luarca Declaration on the Human Right to Peace** of 30 October 2006. The human right to peace is deeply rooted in the **United Nations Charter**, the **Universal Declaration of Human Rights**, as well as in other UN declarations and human rights instruments, including the **UN Declaration on the Preparation of Societies to Live in Peace** (1978), the **UN Declaration on the Right of Peoples to Peace** (1984), the **Statute of the International Court of Justice**, and the **Constitution** of the United Nations Educational Scientific and Cultural Organization (UNESCO).

This initial draft was far from what was finally presented to the United Nations, but it marked the start of a global civil society campaign to get the human right to peace on the agenda of the Human Rights Council and the United Nations in general, and to gain broad support for it. Between 2006 and 2011 over 18 joint NGO written statements were submitted to the Human Rights Council, addressing different element of the human right to peace (see Power Point presentation on the issue). In the meantime, the document evolved through the **Bilbao Declaration** (February 2010); the Barcelona Declaration (June 2010), and finally the **Santiago Declaration** (December 2010), which forms the basis of the work of the Advisory Committee of the Human Rights Council on this issue.

In consultation with civil society, Member States, academia and other stakeholders, the first draft Declaration on the Right of Peoples to Peace was prepared by the Advisory Committee in August 2011, and a second in February 2012. As Mr. Espinosa explained, it was expected that the Human Rights Council, during its 20th session, would adopt a resolution that would establish “an open-ended intergovernmental working group with the mandate of negotiating, finalizing and submitting to the Human Rights Council a draft United Nations declaration on the right to peace, on the basis of the draft submitted by the Advisory Committee,” which it did in resolution **A/HRC/20/L.16**. The resolution also invites “States, civil society, and all relevant stakeholders, to contribute actively and constructively to the work of the working group.”

**Questions and remarks from the floor**

During the questions and answer session, mainly remarks were made from the floor. David Fernandez Puyana, Representative of the **Spanish Society for International Human Rights Law** (SSIHRL) in Geneva, who has been actively working on the promotion of the human right to peace, noted that the intergovernmental working group, as established by the Human Rights Council, will hold its first session in February 2013, and is expected to present its report in June 2013.
Another NGO representative highlighted that the right to peace is actually related to the 2012 Social Forum as peace contributes to peoples’ well-being. He noted that peace should not only be associated with violence, but also with peoples’ internal state of mind (well-being).

Although the right to peace recognizes the fight against extreme poverty, it should also play a role in the fight against factors that lead to poverty, said one participant, while another referred to the key role that Esperanto, as an international language, can play in supporting peace. It helps people to understand each other (avoid misunderstandings), and promotes equality, the representative explained.

Finally, a short discussion followed on the title of the draft Declaration, drawing attention to the individual as well as collective right to peace.

Any other business

Ricardo Espinosa referred to the 20th session of the Human Rights Council, as well as to UNHCR’s Annual Consultations with NGOs which were ongoing events at the moment of the NGO briefing. For more information on the 20th session of the Human Rights Council and its adopted resolutions, click here. For more information on UNHCR’s Annual Consultations with NGOs, click here.

Mr. Espinosa further referred to the Rio+20 Conference (Rio de Janeiro, 20-22 June 2012), and invited Beatrice Schulthess of the Conference of NGOs in Consultative Status with ECOSOC (CoNGO) and Mr. Hamish Jenkins (NGLS) to share their views on and experiences from the Conference. Ms. Schulthess said the Conference had been at the verge of failing, but was saved just in time. She highlighted the clear divergence between developed and developing countries, hailed Brazil for its diplomatic skills, highlighted the strong women’s movement, and expressed satisfaction that some text on human rights had made it into the outcome document and that previous international agreements (e.g. Rio 1992, Beijing, ICPD, etc. were reaffirmed) had been reaffirmed. In terms of the organization and participation of Major Groups, she said the Secretariat of the Conference had been very helpful, but she criticised the Major Group system in general, as it does not create enough opportunities for participation and does not sufficiently take into account the diversity among civil society groups.

Comparing the outcome of the Conference to the 1992 Rio Earth Summit, Hamish Jenkins said disappointment with the outcome document was in proportion to its mobilization. He underlined that negotiators felt that too much political energy was wasted on reaffirming the 1992 Rio principles. According to one delegate, the essence of finding a compromise in Rio was “finding the appropriate balance of unhappiness.” In any case, Brazil was determined to avoid what had happened in Copenhagen during the 2009 UN Climate Change Negotiations, and chose for a less ambitious, but safe text. However, this will delay follow-up as many elements of the outcome document will need to be worked out in more detail in the near future. For example, the strengthening of the United Nations Environment Programme (UNEP) will be subjected to a UN General Assembly decision in the Fall of 2012. Mr. Jenkins further highlighted that many had called for a Sustainable Development Council, along the lines of the Human Rights Council, to replace the Commission on Sustainable
Development (CSD). This was not agreed, but as a compromise, negotiators agreed to create a High Level Political Forum to replace CSD and bring guidance and political leverage around the issue of sustainable development. Similarly, in terms of finance and technology, developing countries did not want to discuss a roadmap on a green economy as proposed by the EU. In the end, it was decided that an Intergovernmental Expert Group will look into the financing issue. The Group is expected to include civil society expertise from the outset. Finally, Mr. Jenkins referred to the working group that will be established to create Sustainable Development Goals (SDGs) to complement/replace the Millennium Development Goals (MDGs), explaining that most likely the SDGs process will merge with the UN’s work on a post-2015 development framework.

**Alessandra Vellucci**, Chief of the Press and External Relations Section of UNIS, noted that the next NGO briefing will be held at the end of September, beginning of October. To conclude, she announced that the United Nations Open Day – the day that the Palais des Nations will open its doors for the wider public – will be held on 15 September 2012.
JOINT NGO BRIEFING SERIES - 7th SESSION

Human Rights

Wednesday 4 July 2012, from 2.30 p.m. to 3.45 p.m.
Room III, Palais des Nations, Geneva

2.30 p.m. Welcome by Alessandra Vellucci, Chief,
Press and External Relations Section of the United Nations Information
Service in Geneva

2.35 p.m. Presentation by Shyami Puvimanasinghe, Human Rights Officer, Right
to Development Section, UN Office of the High Commissioner for
Human Rights (OHCHR) on the 2012 OHCHR Social Forum

2.50 p.m. Presentation by Ricardo Espinosa, Chief, NGO Liaison Office, UN
Office at Geneva, on the right of peoples to
peace, submitted by the Human Rights Council Advisory Committee

3.05 p.m. Questions and answers

3.30 p.m. Flash update by Ricardo Espinosa, Chief, NGO Liaison Office, UN
Office at Geneva, on any other business relevant to NGOs

3.45 p.m. Close

“You understand, like no one else, the daily challenges faced by the
most vulnerable. You have the passion and networks to spread our
messages far and wide.”
United Nations Secretary-General Ban Ki-moon
The Social Forum - A Unique Space in the UN for interactive dialogue - Member States, UN human rights machinery, intergovernmental organizations and various stakeholders – including civil society and grassroots organizations, on issues relating to the national and international environment needed for the promotion of the enjoyment of all human rights by all.

Human Rights Council Resolution 19/24 lays out the theme of the 2012 Social Forum: “People-centred development and globalization”, and in particular: (a) People-centred development and global governance in an era of multiple challenges and social transformation; (b) Promoting measures and actions for participatory development and democratic governance, including through the role of civil society and social movements at the grass-roots, local and national levels; (c) Enhancing a globally enabling environment for development, including through the international financial system, which should support sustained, inclusive and equitable economic growth, sustainable development and hunger and poverty eradication in developing countries, while allowing for the coherent mobilization of all sources of financing for development.

2 Reports linked to each year’s SF: HC Background Report and Report of Chairperson Rapporteur of the SF

A Programme in the Making – Ideas for themes and speakers are welcome - People - Centred Programme - across all

Sub-theme A - People-centred development and global governance in an era of multiple challenges and social transformation:

Interdependent world faced with interconnected crises and phenomenal change - for well-being of all humanity, & the Earth. In a globalized world, our actions and inactions touch the lives of other people every day across the globe - examples of migration, human trafficking, dumping of wastes etc all cross State boundaries

For social transformation, we must be guided by the principle that respect for human rights, based on human dignity, is the ultimate foundation upon which rests the legitimacy of the actions of all. In this context, global development and global governance must be bound by the international obligations to which all States have committed, and by which all States are bound.

‘We the Peoples’ in the UN Charter - built on the interlinked pillars of human rights, peace and development- “inspired by our collective resolve to save succeeding generations from the scourge of war, to reaffirm our faith in fundamental human rights, in the dignity and
worth of the human person, in the equal rights of men and women and of nations large and small.”

- UN Charter: Commitment to promote social progress and better standards of life in larger freedom and to use international cooperation to solve international problems and to ensure respect for rights and freedoms.

- Universal Declaration of Human Rights - all human beings are born free and equal in dignity and rights and everyone is entitled to a social and international order in which rights and freedoms could be fully realized.

- Convenants on Civil and Political Rights and Economic, Social and Cultural Rights and a whole body of international as well as regional instruments- Basic human rights principles of equality and non-discrimination, participation, transparency and access to information, and accountability.

- In a holistic vision of development aimed at the constant improvement of human well-being, entitling everyone to participate fully and freely in the development process and to share equitably in its benefits, the Declaration on the Right to Development combined human rights in their full indivisibility, with the imperatives of independence and sovereign equality; self-determination and permanent sovereignty over natural resources; international cooperation, solidarity and friendly relations, all interlinked in their effects on human beings at the national and international levels.

- The environmental destruction inherent to the dominant development model, has brought the environment to the centre of global challenges. The 1992 Rio Declaration on Environment and Development recognized that, “human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature”.

- World Summit for Social Development, held in March 1995 in Copenhagen, Governments adopted a Declaration and Programme of Action which represented a new consensus on the need to put people at the centre of development.

- The Millennium Declaration upholds the fundamental values of freedom, equality, solidarity, tolerance, respect for nature and shared responsibility, and presents an enlightened vision for globalization with people at its core.

- Despite all these commitments, and decades of growth and globalization, millions of people continue to live without democracy and freedom, decency and dignity. The message from civil society declared in the streets and echoed around the world by new communications technologies and social media is that development is about freedom from fear and from want, for all people, without discrimination.

- Poor, marginalized at both national and global levels. Women can be agents of non-violent social change towards fair and peaceful
development without destruction. In a similar vein, developing countries account for the great majority of the world’s peoples, including its poor and vulnerable, and must have policy space to pursue development based on their peoples’ will, needs and priorities, and equal and democratic participation in global governance.

Sub-theme B - Promoting measures and actions for participatory development and democratic governance – Panels are envisaged around participatory development, democratic governance and social movements

Participatory development

- Participation is imperative to people-centred development and globalization. Conventional development patterns have tended to exclude people, who are the rightful subjects and beneficiaries of development. One way to ensure that people are given their rightful place is to promote people’s active participation, place them at the centre of development, ensure equality and meaningful participation for all, and reach out to the poorest and most vulnerable. Participation is a basic human rights principle, and the right to development requires active, free and meaningful participation of all in development.

Democratic governance

- The Vienna Declaration and Programme of Action recognized that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing.

- States and other relevant stakeholders need to consider how democratic governance can be defined in order to reach people-centred development and globalization.

Social movements

- Throughout the course of history, people have sought fundamental changes in their societies through social movements. Human solidarity has served to mobilize oppressed peoples in search of common ends, including in the struggles against racism, apartheid and other flagrant violations of human rights.

- Recently we have seen a broad range of measures taken by people to achieve social justice and to realize their rights and freedoms. This is reflected in the waves of democratic movements witnessed since the beginning of 2011 in the Arab region. Social movements such as “Arab Spring”, “Occupy” movements are an expression of people’s discontent with the existing systems and a demand for justice and equity in both development and governance. The role of youth and the role of the social media have been prominent in these movements. The rights of youth,
children and future generations become increasingly important in the light of the environmental crisis and the future we make for others.

**Sub-theme C - Enhancing a globally enabling environment for development** – Panels will be organized around strengthening the global partnership for development and Financing for Development

**Strengthening the global partnership for development**

- The importance of international cooperation for development is laid down in commitments made by the international community, beginning with Articles 1, 55 and 56 of the UN Charter. Article 56 declares that “All Members pledge themselves to take joint and separate action in co-operation” in order to achieve the purposes set forth in Article 55, which is to respect, observe human rights and fundamental freedoms for all. The SF will include panels which look towards strengthening the global partnership for development, including some components of MDG 8, cooperation between actors both in North-South and South-South contexts, the initiatives of civil society and the private sector. It is also hoped that there will be a panel composed of different agencies of the UN, to discuss the theme from their various approaches, aimed at policy coherence across the different sectors.

- **Financing for development**

  - Innovative approaches to create a globally enabling environment for development are elaborated in the framework of Financing for Development (FFD). This year’s SF will devote 2 panels to the theme of FFD, in particular to coherent mobilization of all sources of FFD and to the international financial system and enhancing a globally enabling environment for development.

As mentioned earlier, the Programme is still in the making, and must be shaped by the ideas of the people – especially civil society. Therefore ideas are welcome as we further develop the Programme of Work for the 2012 Social Forum.