

ECONOMIC AND SOCIAL COUNCIL

Substantive Session (New York, 1 to 26 July 2002)

*The Economic and Social Council (ECOSOC) is composed of 54 member States elected for three-year terms, and meets annually for a four-week session, alternating between New York and Geneva. In 2002, its substantive session was held in New York. The members of the ECOSOC's bureau for 2002 are as follows: Ambassador Ivan Simonovic (Croatia) as **President**, and Ambassadors Jassim Mohammed Buallay (Bahrain), Marjatta Rasi (Finland), Gert Rosenthal (Guatemala), Dumisani Shadrack Kumalo (South Africa) as **Vice Presidents**.*

1. High-level segment

The focus of the high-level segment of the ECOSOC's 2002 substantive session was "*The contribution of human resources development, including in the areas of health and education, to the process of development*" with many States paying particular attention to the realisation of sustainable growth in Africa. The segment, which was attended by Government ministers, top officials of international agencies – including the International Monetary Fund (IMF), World Bank, United Nations Conference on Trade and Development (UNCTAD) and World Trade Organisation (WTO), and representatives of NGOs, aimed in part to galvanise political support for the health and education goals of the Millennium Summit and other conferences.

In his address to the ECOSOC, UN Secretary-General **Kofi Annan** outlined points covered in his report on **human resources development** (E/2002/46). Health and education, he noted, are the twin pillars upon which the successful investment in human capital must be based. Mr Annan emphasised the particularly high return on investment associated with the education of women and girls, noting that it was the single most potent catalyst for social and economic progress; nevertheless, girls constitute the majority of the 113 million children that do not attend school worldwide.

The Secretary-General further noted that, although advances had been made since the formulation of the Millennium Development Goals, those advances were insufficient; at the present rate of progress it would be impossible to achieve the Millennium Development Goals by 2015, as planned. The appropriate response to the current dilemma lay not in revamping the elaborated goals or extending the time frame for their realisation but in accelerated progress. This, in turn, would require a renewed commitment on the part of the international community, especially with regard to funding.

Moreover, Mr Annan said that while the global economic slowdown and the terrorist attacks of September 11th had had significant consequences for the United States of America (USA) and the rest of the developed world, the poorest countries such as Africa were paying the highest price for the economic downturn. In this light, he said it was essential to maintain particular focus on the needs of Africa, through initiatives such as the New Partnership for Africa's Development (NEPAD).

Also addressing the ECOSOC was USA Secretary of the Treasury **Paul O'Neill**, who noted that, in addition to health and education, access to clean drinking water was essential for the welfare and advancement of the African people. Mr O'Neill suggested that a project to supply clean water to all of Africa was imminently viable, noting that the cost of doing so would be a mere 17 USD per person, per year, over the next five years. Mr O'Neill underlined that international financing for such endeavours should take the form of grants rather than loans.

Speaking for the IMF, Managing Director **Horst Köhler** advocated a fiscal policy incorporating debt relief, the liberalisation of trade, and an increase in official development assistance. Mr **Rubens Recupero**, Secretary-General of the UNCTAD, advocated for "genuine

reform" of the international financial architecture. Mr **Recupero** also encouraged the major trading powers to exercise responsible leadership and resist protectionism, and underlined that some of main victims of inadequate world trading schemes were the least developed countries.

Representatives of the health sector such as the Executive Director of the United Nations Programme on HIV/AIDS, Mr Peter Piot, spoke of the crippling effects of the continued spread of HIV/AIDS throughout Africa and stressed the importance of halting its widespread transmission. Mr Piot also said that the Millennium Development Goals would prove unobtainable unless significant gains were made in combating HIV/AIDS.

Human rights were discussed in broad terms primarily within the context of the universal right to education and basic healthcare. The representative of El Salvador emphasised that access to education and health services are among "the most fundamental human rights". The Brazilian delegate, who referred to his country's experience with ensuring free and universal treatment to every Brazilian living with HIV/AIDS, underlined that medication was fundamental for the full realisation of the human right to the enjoyment of the highest standard of physical and mental health.

The United Kingdom Ambassador, Mr Jeremy Greenstock, who served as President of the Security Council during the month that the ECOSOC took place, said that the two bodies had been working more closely on conflict issues, including on HIV/AIDS. This was particularly important, he noted, given the linkages between peace, sustainable development, security and respect for human rights.

Many States also noted that more funding was required to make universal access to schooling and medical services a reality. Interventions concerning the need for increased financial aid centred around two principal topics of debate: first, the reluctance of developed nations to increase financial aid without some assurance that their money will be well-spent and second, the need to establish a better system for measuring progress.

On the one hand donors believed good governance was the best indicator that additional contributions would be well spent. Meanwhile, the representatives of several of Africa's developing nations cited increased capital as a prerequisite for good governance. Particularly vociferous were the representatives of Congo and Nigeria, who noted that all leadership initiatives required funding. In regard to the best means for achieving progress and measuring local gains with the hope of attracting increased aid, many Governments advocated a holistic, decentralised approach.

The high-level segment concluded with the adoption of the draft ministerial declaration in which the ECOSOC reiterates that human resource development must be at the heart of development and that such progress comes by focusing on the individual. To that end, the ECOSOC deems health and education as essential to achieving substantive and sustainable progress. In the declaration, the ECOSOC affirms "*the right of everyone to education*" and acknowledges that the enjoyment of the highest attainable standard of health is "*one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition*". The ECOSOC also underlines, *inter alia*, that good governance, solid democratic institutions, and respect for human rights, including the right to development, the rule of law and gender equality are "*essential for progress in health and education and mutually reinforcing*". The ECOSOC expresses its continued commitment to achieving the Millennium Declaration Goals on schedule.

On 14 June, several weeks before the high-level segment, an NGO Forum took place. Participants included NGOs, governmental delegates, and the President of the ECOSOC. During the meeting, representatives of NGOs raised various issues with respect to the draft Ministerial Declaration, including aspects of demilitarisation and gun control, gender equality, girls' education, health issues pertaining to development – particularly preventative actions, public

education awareness, and special concerns for indigenous people. NGO representatives also expressed concern with evaluation development indicators and the role of NGOs.

During the high-level segment, the Conference of NGOs (CONGO) representative urged the ECOSOC to make a greater effort to collaborate with NGOs, since NGOs could mobilise a great and growing number of people around the world and could be instrumental in realising the ECOSOC 's goals.

Although, according to CONGO, the Ministerial Declaration takes account of the contributions of civil society, many NGO representatives expressed frustration that they were unable to deliver interventions during the high-level session due to States running over their allotted time for speeches.

2. Operational activities segment

The operational activities segment began with a review of international development co-operation and the Secretary-General's reports. This was followed by a number of high-level panels and policy exchanges with executive heads of UN funds and programmes, including the United Nations Development Programme (UNDP), United Nations Children's Fund (UNICEF), World Food Programme (WFP) and United Nations Population Fund (UNPFA). These reviews and discussions culminated in a dialogue on the UN development system's involvement in Eritrea and India.

In general the operational activities segment focused on the recommendations in the Secretary-General's report on **Progress on the implementation of General Assembly Resolution 56/201 on the triennial policy review of operational activities for development**. The two major themes of the segment centred on capacity building, both at the country level and UN development level, and harmonisation of operational practices in the UN system. Other themes based on the Millennium Declaration Goals were also the subject of policy debates throughout the segment.

The **USA**, **Norwegian**, and **Indonesian** delegations were joined by countless others in commending the efficacy of Common Country Assessment (CCA) and UN Development Assistance Framework (UNDAF) as important tools in forging more efficient and effective relationships between donor and recipient countries. Recent reforms of the UN funds and programmes created the CCA, a country-based process for reviewing and analysing the national development situation, within the overall UNDAF frameworks, which helps identify priorities for action. (CCA/UNDAF aims to develop holistic strategies to fight poverty and to create country-level links between operational agencies and human rights machinery). However, the repeated criticism that followed such commendations was that these tools should be integrated into national policy to allow developing countries to propel themselves toward development. Such integration would help build national consensus on development challenges and priorities and on managing external assistance.

Mr **Nitin Desai**, the Moderator of panel discussions during this segment and the Under-Secretary-General of Economic and Social Affairs, mentioned several challenges to the UN system that were echoed by UN funds and programmes and country delegations. Foremost on the list of challenges were the difficulty in co-ordinating, managing, and integrating assistance within developing countries and between recipient countries and donor agencies. Mr Desai stressed the importance of national ownership in capacity building so that countries could create their own momentum for sustainable development. The delegation of **Bhutan** was one of many voices that called for more comprehensive and reliable funding to help realise the programmes for change. Ambassador **Ellen Løj**, on behalf of the **Danish** delegation and the **European Union** (EU), encouraged efforts of the funds and programmes to engage in joint programming and identifying appropriate mechanisms for sharing funds.

There were two country reports delivered by panels of experts on UNDAF resident co-

ordinator scheme: Eritrea and India. The report on Eritrea focused on health and nutrition, but also addressed the topics of refugees, the humanitarian crisis caused by drought, internally displaced persons, and education. The UN system country team for Eritrea shared best practices, noting the success of their assessment and co-ordination tools in helping Eritrea cope with its health crisis. The country team on India focused on education, mentioning the key role that local NGOs played in establishing community based schools for children in city slums. Both country teams spoke in terms of the fundamental human right to health and education and stressed the interdependence of the two in national capacity building.

3. Co-ordination segment

Focusing on its own operation during the co-ordination segment, the ECOSOC sought to identify ways to increase the efficacy of its endeavours. Attention was drawn to the ECOSOC's role within the UN system overall with special emphasis on its relationships with the General Assembly and Security Council. Also discussed was the need for greater co-operation between the ECOSOC and other agencies including the Bretton Wood institutions, non-governmental organisations, and other actors.

The delegate from **India** remarked that the ECOSOC had not lived up to its obligations and, having failed to do so, had implicitly and inappropriately delegated a portion of its duties to the Security Council. India noted that although responsibility for monitoring human rights violations fell within the ECOSOC's mandate, the Security Council had assumed a leadership role in these areas, declaring violations to exist without proof and imposing sanctions based thereon. Moreover, the Security Council had appropriated the ECOSOC's social and economic decision-making authority for itself. As examples, India cited the Security Council's oil-for-food policy towards Iraq and its exercise of control of the social and economic development of Timor. The representative of India also criticised the ECOSOC for its failure to address such issues as the illegal exploitation of natural resources and the negative impact of international sanctions.

The representatives of **Pakistan** and **Australia** also made substantive observations about the role of the ECOSOC within the larger UN framework. Highlighting an organisational weakness, the delegate from Pakistan, Mr Ahmad Kamal, noted that the ECOSOC had no authority over its subsidiary bodies but was responsible for their oversight nonetheless. The Australian representative, David Stuart, lamented the lack of cohesion between various UN processes designed to promote social and economic development. Under the current system each aspect of development was addressed in isolation at its own mega-conference, which limited the potential for mutual re-enforcement of separate but related initiatives. Also, these mega-conferences consumed a significant portion of the ECOSOC's limited financial and human resources, which might otherwise be put to better use. Finally, Mr Stuart suggested that the ECOSOC divert some of the energy spent on holding conferences to implementing their outcomes.

Ivan Simonovic (Croatia), the President of the Economic and Social Council, said that strengthening the ECOSOC would strengthen the UN overall. To that end, the ECOSOC sought to foster greater collaboration with the Bretton Woods institutions and NGOs. Mr Simonovic's call for greater co-operation with members of the civil and financial sectors was the subject of widespread consensus, as was his acknowledgement of the need to better integrate the ECOSOC within the UN system.

4. Humanitarian affairs segment

In accordance with ECOSOC Decision 2002/212, the humanitarian affairs segment focused on "*Strengthening of the co-ordination of United Nations humanitarian assistance in cases of natural*

disasters and complex humanitarian emergencies, with particular attention to reaching the vulnerable and the transition from relief to development." Among the UN bodies and specialised agencies that addressed the ECOSOC under this agenda item were: the World Health Organisation (WHO), the WFP, the United Nations High Commissioner for Refugees (UNHCR), the UNICEF, the International Labour Organisation (ILO), the UNPFA, and the International Federation of Red Cross and Red Crescent Societies.

Mr **Kenzo Oshima**, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Co-ordinator, made an introductory statement that highlighted the importance of bringing together all stakeholders in a time of crisis to ensure that assistance reaches those in need. Mr Oshima mentioned several areas of reform to better achieve this goal: enhancing national and regional capacities to respond to humanitarian crises, promoting a "culture of protection" and adequately planning for the transition from relief to development, strengthening the Consolidated Appeals Process (CAP) to improve humanitarian strategies and resource mobilisation efforts with increased participation from donors and NGOs.

Other areas of interest included the protection of civilians in armed conflicts, serving the needs of internally displaced persons, increasing funding for humanitarian aid, and protecting humanitarian aid workers, especially from sexual abuse. With respect to the transition from relief to development, Mr **Ruud Lubbers**, United Nations High Commissioner for Refugees, noted the integration of "Demilitarisation, Demobilisation, Reintegration, and Rehabilitation" (DDRR) into the international community's post-conflict relief strategies. Mr Lubbers proposed a strategy to ensure that refugee returns are sustainable in post-conflict situations. The "Four Rs" would encompass Repatriation, Reintegration, Rehabilitation, and Reconstruction.

In addition to strengthening national and international coping mechanisms several countries addressed preventive measures. The **Russian Federation** recommended developing early warning mechanisms to decrease the impact of natural disasters or armed conflicts and to smooth the road to recovery. The Russian delegation further noted the changing nature of emergencies in that internal conflicts consume human and natural resources as well as destroy the economic and social fabric of a region. Mr **Jean-Jacques Graise**, Executive Director of the WFP, noted the increased incidence of HIV/AIDS leaves children as heads of households and has killed a generation of teachers, health-care workers, and leaders in Africa. These factors, often occurring simultaneously in an emergency situation, impede the ability to cope. This reality places a premium on prevention rather than reacting to an already disastrous situation.

The delegation from **Nigeria** was one among many who voiced concern over post-emergency development. De-mobilised combatants and refugees who are faced with joblessness in developing countries might "endanger the fragile peace". Nigeria urged that planning and implementing development projects, especially small and medium enterprises, be a top priority.

A repeated concern for delegations and UN funds and programmes alike was financial support. The most common recommendations were for increased co-ordination among donors and recipients, and for ensuring a steady flow of aid so that analytical tools or programmes would translate into real change for recipients.

Throughout the humanitarian segment, panel discussions were held on "*Reaching the vulnerable in the context of complex humanitarian emergencies and natural disasters, The transition from relief to development.*" Mr **Ole Henrik Magaa**, the Chairman of the Permanent Forum on Indigenous Issues, led a briefing for permanent missions, agencies, organisations of the UN system, and representatives of NGOs. Mr **Lakhdar Brahimi**, Special Representative of the Secretary-General for Afghanistan, shared best practices from the situation in Afghanistan. He commented that the emerging relationship between NGOs and the Afghan government is necessarily based on respect for the rule of law.

Whether it came from UN funds and programmes or from delegations, the debate on humanitarian assistance was framed in terms of human rights. Calls for providing education,

health, and employment in crisis areas were frequently cast as rights that the international community needed to protect.

The segment concluded with an address by **Mary Robinson**, the United Nations High Commissioner for Human Rights, who told the ECOSOC that indigenous people, trafficked persons and those suffering from HIV/AIDS or disabilities were often invisible within their own societies and their rights neglected. She urged the ECOSOC to ensure that the rights of such persons were not forgotten when measuring implementation of the Millennium Development

The resolution on **Strengthening of the co-ordination of emergency humanitarian assistance of the United Nations** (E/2002/L.34) that passed at the conclusion of the humanitarian segment covers a broad range of issues, with a focus on assistance to vulnerable groups. The adoption of a resolution this year was a significant development, since, for the past two years, it was not possible for this segment to arrive at an agreed outcome.

5. General segment

Marking the conclusion of the ECOSOC's 2002 substantive session, the general segment provided the ECOSOC with the opportunity to address a wide array of topics and take action on over 100 proposed texts. The ECOSOC took action on 43 draft decisions contained in the report of the Commission on Human Rights. Other texts adopted concerned the Commission on the Status of Women, the Commission on Sustainable Development, and the Commission for Social Development.

One of the lengthiest debates in the general segment revolved around the Draft Optional Protocol to the Convention Against Torture (DOP-CAT) and the United States sponsored amendment to the DOP-CAT. The DOP-CAT, which was approved at this year's Commission on Human Rights (CHR), provides for independent international inspection mechanisms in an effort to better implement the provisions of the CAT. The USA amendment sought to return the DOP-CAT to the CHR for further discussion.

The *Association for the Prevention of Torture* and *Human Rights Watch*, among other NGOs, actively lobbied for the DOP-CAT in the weeks preceding the vote. *Human Rights Watch*, on behalf of a coalition of NGOs that included the *International Service for Human Rights* (ISHR), made a statement encouraging the ECOSOC not to reject an important tool for safeguarding human rights.

Ultimately, the USA's amendment was not adopted. The recorded vote resulted in: 15 voted no, 29 voted yes, 8 abstentions. The USA cited the desire for consensus in developing international instruments to implement human rights as well as incompatibilities of the DOP with the USA constitution as reasons to propose the amendment. Costa Rica, a co-sponsor of the DOP-CAT, led the voices against adopting the amendment. Costa Rica noted that the ten years of negotiations on the DOP-CAT had produced a compromise document that included all voices and was the best to be hoped for. Furthermore, the delegation cast the amendment as an obstructionist attempt to derail the DOP-CAT vote.

With the rejection of the USA amendment, the ECOSOC voted on the DOP-CAT, which the ECOSOC adopted in a recorded vote, thereby sending the resolution to the General Assembly: 8 voted no, 35 voted yes, 10 abstentions.

Some other notable actions taken by the ECOSOC included: the adoption of draft decision 17 (E/2002/23 and E/2002/L.24), which creates the office of the Special Rapporteur for Health (49 voted yes, 2 no, 0 abstentions), the adoption of draft decision 35, which authorises a pre-sessional forum on economic, social and cultural rights, to be known as the "Social Forum," (35 voted yes, 3 no, 15 abstentions), and the adoption of several draft decisions on the Permanent Forum on Indigenous Issues, including draft decision 16, which, inter alia, calls for on the Secretary-General to establish a Secretariat for the Forum (adopted without a vote), and draft

decision 32 which affirms that the Permanent Forum will hold its next annual session in New York (44 voted yes, 0 no, 9 abstentions). Much of the opposition and abstentions to these draft decisions concerned financial issues and the potential for overlapping mandates in a UN system that already needs streamlining.

The general segment also addressed gender mainstreaming and the contributing roles of science, technology, and communications advances in achieving sustainable global development. The ECOSOC also held elections to fill the vacancies in its subsidiary bodies.