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***“Protecting Human Rights:
The Role of the United Nations – Major Challenges”***

Address by

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OSLO

My friends,

First of all, thank you very much for inviting me to deliver this address towards the end of your Human Rights Week. I commend you for organising an event of this kind. Protection of human rights is one of the most important components if we want to organise world governance in a manner that people can live with dignity in a secure world.

As a matter of fact, I never fail to stress that there is a common denominator among the conflicts that we have experienced in the world and unfortunately continue to experience today. If you go to the root causes of these conflicts, you will discover that they are the same: no democracy, no rule of law, violation of human rights!

The topic of my presentation today is “*Protecting Human Rights: The Role of the United Nations – Major Challenges*”. I will address it in four distinct parts:

- First, international human rights law;
- Second, the mechanisms established under the auspices of the United Nations to ensure that human rights are protected;
- Third, the contribution by civil society and business to the protection of human rights and the role that the United Nations can play as a catalyst to enhance those efforts, and
- Fourth, two major challenges that lie ahead: (1) how to strengthen the ability of the United Nations to protect human rights by enhancing democracy and the rule of law and (2) how to protect human rights in a world exposed to climate change in combination with a rapidly growing world population.

The purpose of my presentation is to give a broad overview of a very important, interesting and complex subject matter and to inspire a more in-depth study of its various components.

International human rights law

If we first look at the international human rights law that exists today, we realise that there has been a tremendous development after the Second World War.

When the UN Charter was negotiated in San Francisco in 1945, the idea was at the outset to include also fairly elaborate rules on human rights in the Charter. However, this did not come true.

There are, however, a few references to human rights and fundamental freedoms in the Charter. In particular, we should note Article 1, paragraph 3, where it is said that one of the Purposes of the United Nations is to “achieve international co-operation - - - in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion;”

It is very important to keep this in mind when we examine how the Members of the UN perform in the field of human rights protection.

The task of elaborating provisions for the protection of human rights was instead given to the United Nations Commission on Human Rights. This happened in December 1946. Two

years later, on 10 December 1948, the General Assembly adopted the Universal Declaration of Human Rights (UDHR).¹

This declaration has in fact become the core instrument for the protection of human rights all over the world. In particular, it has served as a source of inspiration for the elaboration of the many treaties for the protection of human rights that have been negotiated under the auspices of the United Nations and also by regional organisations.

Among these treaties should be mentioned, firstly, the two Covenants from 1966:

- The International Covenant on Economic, Social and Cultural Rights, and
- The International Covenant on Civil and Political Rights with its two optional protocols, the first on the right of individuals who claim to be victims of violations of human rights to bring communications before the Human Rights Committee, and the second aiming at the abolition of the death penalty.

In addition, there are human rights treaties for the elimination of all forms of racial discrimination; for the elimination of all forms of discrimination against women; against torture and other cruel, inhumane or degrading treatment or punishment; on the rights of the child; on the protection of the rights of all migrant workers and members of their families; for the protection of all persons from enforced disappearance; and on the rights of persons with disabilities.

My intention is not to go into the substance of all these instruments. They are comprehensive documents that require careful study. Let me instead refer to the very elaborate website that the Office of the United Nations High Commissioner for Human Rights has established.²

That website also contains references to many other universal instruments relating to human rights, such as declarations, principles, guidelines, standard rules and recommendations.

It should be mentioned that the extent to which the treaties on human rights have been ratified or acceded to is very high. The two Covenants, the ICESCR and the ICCPR, now (February 2010) have 160 and 165 ratifications or accessions, respectively. The status of ratification and accession to human rights treaties is readily available in the United Nations Treaty Database.³

It is important to bear in mind that the Covenants and other treaties are legally binding on States that have ratified or acceded to them. Other instruments are of a different legal nature. But even if they are not directly binding, they nevertheless have the moral authority and often provide important guidance for States.

If a treaty is legally binding on a State, this State is, together with the other parties, bound to respect its undertakings in the treaty. This means that the State in question must implement its undertakings in its national legislation and must refrain from interfering with or denying human rights. Individuals and groups must equally be protected.

A special responsibility rests with the national legislator. Before ratifying a human rights treaty, the competent authorities must ascertain that the national legislation is in conformity with the obligations undertaken. Furthermore, national legislation must be monitored against the obligations undertaken in human rights treaties. A personal experience: In order

to avoid that new legislation would risk violating international human rights standards, I organised the work in the Ministry of Foreign Affairs and later also in the UN during the administration of Kosovo and East Timor in such a manner that all draft legislation was reviewed by an officer wearing what we called the “human rights spectacles” before it was enacted.

If States fail in protecting human rights in accordance with their obligations, and if this is not properly addressed at the national level, there are international institutions to which individuals and also other States can turn to seek assistance in ensuring that their rights are respected and implemented by the relevant national authorities. I will revert to this in a moment.

In this context, I would like to add that, even if the UDHR from a legal perspective is a General Assembly resolution, I believe that by now it has developed into customary international law, binding on all States.⁴

For the sake of clarity I should also add here that there are regional conventions for the protection of human rights, such as the European Convention on Human Rights 1950, the American Convention on Human Rights 1969, and the African Charter on Human and Peoples' Rights 1981. However, my intention is not to dwell upon those treaties in this context.

Since I am in Norway I might add, though, that I had very positive experiences of the European Convention on Human Rights during the 11 years when I appeared as the agent of the Swedish government before the European Court of Human Rights. For most of that time a Norwegian, Judge Rolv Ryssdal, who I held in very high esteem, was president of the Court.

The mechanisms established under the auspices of the United Nations to ensure that human rights are protected

Let me now turn to the second part of my presentation, namely the mechanisms established under the auspices of the United Nations to ensure that human rights are protected.

A classical problem in international law is how to ensure that States that have entered into agreements also honour these agreements. *Pacta sunt servanda*, as it is expressed in Latin. There are no truly effective means to resort to here. There are no authorities that can really make certain that violations are remedied. Basically, it all rests upon good faith and the interest that States themselves have to see to it that they fulfil their obligations.

This problem is recognised in the Charter of the United Nations. In particular, Chapter VI on pacific settlement of disputes contains interesting provisions in this respect. However, those provisions would only exceptionally be applicable or appropriate in the situations that we are discussing here, mainly how to remedy violations of human rights of individuals.

However, should violations of human rights be of such magnitude that they would threaten international peace and security, the Security Council of the United Nations could take action under Chapter VII of the Charter, including by resorting to the use of force.

Reference should in this context also be made to the United Nations Commission on Human Rights that authored the UDHR. For many years, this Commission under the Economic and Social Council and the Third Committee of the United Nations General Assembly dealt with human rights, including by addressing violations of such rights in various ways.

However, this is now history. In 2006, the General Assembly decided to replace the Commission with a new body, the Human Rights Council which is a subsidiary body of the Assembly.⁵

The Commission is composed 47 Member States which are elected by secret ballot. The membership is based on geographical distribution.⁶

The duty of the Council is to promote universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner. Its main purpose is to address situations of human rights violations and make recommendations on them.

An interesting novelty is that the Council shall make universal periodic reviews of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States.

The Council has also adopted a revised Complaints Procedure mechanism according to which individuals and organizations can bring complaints about human rights violations to the attention of the Council.⁷

During its existence, the Commission on Human Rights adopted the so-called "Special procedures". This mechanism is now continued by the Human Rights Council. The purpose of these procedures is to address either specific country situations or thematic issues in all parts of the world.

A visit to the site where these procedures are presented is highly recommended. When I last studied the site earlier this month, there were 31 thematic and eight country mandates.⁸ One issue that I am following with particular interest these days is the work of the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises. I will revert to this matter later.

Another result of the reform is that the Sub-Commission on the Promotion and Protection of Human Rights has ceased to exist and has been replaced by the Human Rights Council Advisory Committee.⁹

This brings me to the United Nations High Commissioner for Human Rights and her office (OHCHR) in Geneva. This post was created by the General Assembly in 1993.¹⁰ The High Commissioner, presently Navanethem Pillay of South Africa, is the UN official with principal responsibility for United Nations human rights activities under the direction and authority of the Secretary-General.¹¹

The OHCHR staff is close to 900 officers, based in Geneva and New York and also in country and regional offices all over the world. To these should be added many officers who serve in peace missions established by the United Nations.

One very important task of OHCHR is to provide substantive support for the meetings of the Human Rights Council, and follow-up to the Council's deliberations. OHCHR also provides secretariat support to the treaty-based bodies to which I now come.

Each of the core international human rights treaties that I just mentioned (or optional protocols to the treaties) establishes a committee of independent experts to monitor implementation of the treaty in question by the States parties to the treaty. At present, they are the following:

- The Human Rights Committee (CCPR)
- The Committee on Economic, Social and Cultural Rights (CESCR)
- The Committee on the Elimination of Racial Discrimination (CERD)
- The Committee on the Elimination of Discrimination Against Women (CEDAW)
- The Committee Against Torture (CAT)
- The Subcommittee on Prevention of Torture established under the Optional Protocol to the Convention against Torture (SPT)
- The Committee on the Rights of the Child (CRC)
- The Committee on Migrant Workers (CMW)
- The Committee on the Rights of Persons with Disabilities (CRPD).¹²

The common feature of this system is that all States parties are obliged to submit regular reports to the committee in question on how the rights are being implemented and how they are fulfilling their obligations under the respective treaty.

In some cases, the committee is also competent to examine and consider inter-state complaints and even complaints where individuals allege that their rights under the treaty in question have been violated. These procedures may result in observations and/or recommendations. In my capacity as Legal Adviser of the Swedish Ministry for Foreign Affairs I had the interesting experience of appearing before two of these bodies when they examined reports submitted by my country and also in two cases of individual complaints.

You should also be aware that OHCHR provides a Universal Human Rights Index where you can seek human rights information from the whole UN system with respect to all countries, based on the observations and recommendations of the pertinent international expert bodies.¹³

Finally it should be added that there are many other United Nations agencies and partners that engage in the promotion and protection of human rights and that interact with the human rights bodies just mentioned.¹⁴

The contribution by civil society and business to the protection of human rights

I have now come to the third part of my address: the contribution by civil society and business to the protection of human rights and the role that the United Nations can play as a catalyst to enhance those efforts.

The importance of this contribution cannot be stressed enough. This is also emphasised in the resolution establishing the Human Rights Council with its mandate to work in close

cooperation in the field of human rights with Governments, regional organizations, national human rights institutions and civil society.¹⁵

The work done by your own organisation Amnesty International and by Human Rights Watch could be mentioned as examples.¹⁶

Reference can also be made to the International Law Association (ILA),¹⁷ the International Commission of Jurists (ICJ),¹⁸ and the Human Rights Institute of the International Bar Association (IBAHRI).¹⁹

Of special interest in these days is the *Berlin Declaration on Upholding Human Rights while Combating Terrorism* adopted by the ICJ in 2004,²⁰ and the recent Report *Assessing Damage, Urging Action* of the Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights, established by the ICJ.²¹

The task of the Panel was to examine the compatibility of laws, policies and practices, which are justified expressly or implicitly as necessary to counter terrorism, with international human rights law and, where applicable, with international humanitarian law. In its report, issued in 2009, the Panel concludes:

It is regrettable that during the last eight years many States have responded to terrorism in a manner that threatens the very core of the international human rights framework, that represents perhaps one of the most serious challenges ever posed to the integrity of a system carefully constructed after the Second World War.

Turning to the business community, it is natural to mention first the United Nations “Global Compact”, initiated by then UN Secretary-General Kofi Annan in January 1999 and launched in July 2000.²²

The Global Compact is a strategic policy initiative for businesses that are committed to aligning their operations and strategies with ten universally accepted principles in the areas of human rights, labour, environment and anti-corruption. It seeks to combine the moral authority and convening power of the UN with the private sector’s solution-finding strengths and resources, and the expertise and capacities of other key stakeholders.

As I already mentioned, I am following one issue with particular interest these days, namely the work of the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises. The comprehensive mandate of the SRSG, Professor John Ruggie (USA), appears in Resolution 2005/69 of the Commission on Human Rights.²³ The mandate has been renewed by the Human Rights Council, which has requested the SRSG to operationalize the framework as specified by the Council.²⁴

A study of Professor Ruggie’s latest report of 22 April 2009 *Business and human rights: Towards operationalizing the “protect, respect and remedy” framework* is recommended.²⁵

Further guidance on how business can contribute to enhancing the protection of human rights can be gleaned from the business community itself. Corporate Social Responsibility (CSR) has become a major issue in the boardrooms around the world in later years. It is

even considered as an element of risk management. Business can surely advance human rights standards through joining the Global Compact and respecting CSR standards.

The European Commission has defined CSR as a concept whereby companies integrate social and environmental concerns in their business operations and in their interaction with their stakeholders on a voluntary basis.²⁶ It is important to remember that CSR is not a substitute for public policy. But CSR can nevertheless contribute to a number of public policy objectives, e.g. greater respect for human rights, environmental protection and core labour standards, especially in developing countries.²⁷

As an example of business organisations that are engaged in promoting CSR could be mentioned CSR Europe. This is a European business network for corporate social responsibility with around 75 multinational corporations and 27 national partner organisations as members. Its mission is to support member companies in integrating CSR in everyday business.²⁸

Another example is Business Leaders Initiative on Human Rights²⁹ and its Guide for Integrating Human Rights into Business Management.³⁰

Reference can also be made to the Global Reporting Initiative (GRI), which is a network-based organisation that has developed a sustainability reporting framework also focusing on human rights.³¹

Two major challenges that lie ahead

I have now come to the fourth part of my presentation: two major challenges that lie ahead. Let me start by the first challenge: How to strengthen the ability of the United Nations to protect human rights by enhancing democracy and the rule of law.

My intention is not to dwell too long on this topic for the simple reason that it is so obvious that the United Nations needs to be strengthened in this respect.

It is often said that the United Nations cannot be stronger than its members allow it to become. One problem is that many Members of the Organisation are not democracies. By definition, these States violate in particular the human rights that would lead to democracy: freedom of opinion, freedom of expression and freedom of association.

It is reassuring that both the General Assembly³² and the Security Council³³ have made powerful statements in support of democracy and the rule of law. The problem is, however, that many States do not respect their obligations under international human rights law. What is most regrettable is the development in the wake of the so-called “war on terrorism”, where it is noted that even Western democracies are at fault. Reference is again made to the ICJ Panel Report *Assessing Damage, Urging Action*.³⁴

The best way to reform the United Nations and to strengthen the organisation is therefore that Member States look to themselves and see how they can ameliorate their own performance.³⁵ Needless to say, the members of the Security Council have a special responsibility in this respect.³⁶

Another way to strengthen the United Nations ability to protect human rights would be for the Human Rights Council to carefully apply the same standard in all situations that come before it. Unfortunately, the political bias that had crept into the Human Rights Commission – the very body that authored the UDHR in 1948 – is also present in the Council. It is symptomatic that Justice Richard Goldstone had to ask the Council to revise the mandate of the United Nations Fact Finding Mission on the Gaza Conflict before he felt that he could accept the task of chairing the Mission.³⁷

It is also important that States offer opportunities for civil society to participate in the work both at the national and international level. An active participation of civil society and in this context in particular the non-governmental organisations, is an indispensable ingredient in the work of that lies ahead.

This is true also in established democracies. The non-governmental organisations are needed in all societies to create the necessary dynamic in the political debate.

We have now come to the second major challenge: How to protect human rights in a world exposed to climate change in combination with a rapidly growing world population.

Let me first say that these questions may be viewed as extremely sensitive. However, I believe that it would be wrong not to raise the combined effects of these phenomena, in particular when addressing students representing the coming generation.

Let me take as a point of departure the United Nations Conference on the Human Environment that met in Stockholm in 1972, nearly 40 years ago. The task of this Conference was to consider the need for a common outlook and for common principles to inspire and guide the peoples of the world in the preservation and enhancement of the human environment.

The outcome of the Conference was the so-called Stockholm Declaration.³⁸ In its preambular paragraph 5 it is said that the natural growth of population continuously presents problems for the preservation of the environment, and adequate policies and measures should be adopted, as appropriate, to face these problems.

The Conference adopted a set of principles for the protection of the environment. Principle 16 should be seen against the background of paragraph 5 of the preamble:

Demographic policies which are without prejudice to basic human rights and which are deemed appropriate by Governments concerned should be applied in those regions where the rate of population growth or excessive population concentrations are likely to have adverse effects on the environment of the human environment and impede development.³⁹

It is interesting to note the connection between the environment and human rights. “[W]ithout prejudice to basic human rights” refers of course to the fundamental human right to form a family.

When this Declaration was adopted the world population had not reached 4 billion. In 2009, not even 40 years later, it reached 6.8 billion. According to the Population Division of the United Nations Department of Economic and Social Affairs the predictions for 2050 are

9.1-9.2 billion.⁴⁰ Furthermore, by 2050, 86 per cent of the world population is expected to live in the less developed regions, including 18 per cent in the least developed countries, whereas only 14 per cent will live in the more developed regions.⁴¹

It is true that, according to estimates of the world population up to the year 2300, the population peaks at 9.22 billion in 2075 and that after reaching its maximum, it declines slightly and then resumes increasing, slowly, to reach a level of 8.97 billion by 2300, not much different from the projected 2050 figure.⁴²

It is important to remember that these figures are projections. And above all, they do not take into consideration long-range international migration since reasonable assumptions about such migration are difficult to make. Therefore, as a default, in these projections zero net international migration per country is assumed beyond 2050.⁴³

Let us against this background return to the connection between the environment, the growing world population and human rights. There is obviously a close relationship between these factors. Time does not allow me to elaborate on this in detail. Suffice it to say that environmental degradation leads to human suffering. This was also recognized in the Stockholm Declaration, which in Principle 22 speaks about “liability and compensation for the victims of pollution and other environmental damage.”

However, it is also likely that the combination of environmental degradation and a growing world population will entail human rights violations in a much broader sense. This might in turn lead to increased long-range international migration which by definition carries with it a risk for further violations in countries where these migrants may not be welcome. The connection with the climate change is also obvious. Rising sea levels and desertification are potential contributors to such migration.

My intention by raising these issues is not to strike a pessimistic note. On the contrary, we must look forward with optimism. But at the same time it is important that we discuss these phenomena and take appropriate action. We must definitely see to it that such discussion is not avoided simply because they may cause embarrassment.⁴⁴

What is needed here is a strengthening of human rights protection in combination with effective measures to address climate change. There are many who are disappointed over the outcome of the COP15 in Copenhagen in December 2009. Let us hope that the continued international efforts in this matter we be more fruitful.

We should also bear in mind that there is a connection between climate change and human rights in one very specific field: empowerment of women.

Empowerment of women is one of the most important elements in our efforts to strengthen human rights. This must be through dedicated work in many fields, such as reproductive health, addressing maternal mortality and morbidity, stewardship of natural resources and empowerment in the economic, educational and political fields. The education of the girl child is often emphasised in this discussion. Reference can here be made to work of the United Nations Population Fund.⁴⁵

A key priority for another UN body, the United Nations Development Fund for Women (UNIFEM), is to promote women's role and participation in decision-making and politics.⁴⁶

It goes without saying that empowerment of women will have a determining effect on the dynamics of the world population. The human rights and climate change connection could not be more obvious.

In conclusion

As I said at the outset, the purpose my presentation was to give a broad overview of a very important, interesting and complex subject matter. I am sure that you are already familiar with at least part of the topic. Let me now express the hope that you will deepen your knowledge in this field. Irrespective of where your legal career will take you, knowledge of human rights is imperative. And I always emphasise that as lawyers we have a special responsibility in our respective societies. We must be at the forefront defending human rights.

Thank you for your attention!

- ¹ The Universal Declaration of Human Rights in many language versions can be found at <http://www.un.org/en/documents/udhr/>
- ² See <http://www2.ohchr.org/english/law/index.htm#core>
- ³ See <http://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>
- ⁴ See Hans Corell, “Human Rights Should Be Protected by the Rule of Law” at <http://www.havc.se/res/SelectedMaterial/20081114corellonudhrat60.pdf>
- ⁵ A/RES/60/251. See also <http://www2.ohchr.org/english/bodies/hrcouncil/index.htm>
- ⁶ According to the resolution, the seats are distributed among the regional groups in the following way: Group of African States, 13; Group of Asian States, 13; Group of Eastern European States, 6; Group of Latin American and Caribbean States, 8; and Group of Western European and other States, 7.
- ⁷ See <http://www2.ohchr.org/english/bodies/chr/complaints.htm>
- ⁸ See <http://www2.ohchr.org/english/bodies/chr/special/index.htm>
- ⁹ See <http://www2.ohchr.org/english/bodies/hrcouncil/advisorycommittee.htm>
- ¹⁰ A/RES/48/141. See also <http://www.un.org/documents/ga/res/48/a48r141.htm>
- ¹¹ See <http://www.ohchr.org/EN/Pages/WelcomePage.aspx>
- ¹² See <http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx>
- ¹³ See <http://www.universalhumanrightsindex.org/>
- ¹⁴ See <http://www.ohchr.org/EN/HRBodies/Pages/OtherUnitedNationsBodies.aspx>
- ¹⁵ A/RES/60/251, para. 5(h).
- ¹⁶ See <http://www.amnesty.org/> and <http://www.hrw.org/>
- ¹⁷ See <http://www.ila-hq.org/>
- ¹⁸ See <http://www.icj.org/>
- ¹⁹ See <http://www.ibanet.org/IBAHRI.aspx>
- ²⁰ See http://www.icj.org/IMG/pdf/Berlin_Declaration.pdf
- ²¹ See <http://icj.org/IMG/EJP-report.pdf>
- ²² See <http://www.unglobalcompact.org/>
- ²³ See http://ap.ohchr.org/documents/E/CHR/resolutions/E-CN_4-RES-2005-69.doc
- ²⁴ See http://www2.ohchr.org/english/issues/trans_corporations/index.htm
- ²⁵ A/HRC/11/13. See <http://www2.ohchr.org/english/bodies/hrcouncil/docs/11session/A.HRC.11.13.pdf>
- ²⁶ See http://ec.europa.eu/enterprise/policies/sustainable-business/corporate-social-responsibility/index_en.htm
- ²⁷ See e.g. Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee COM(2006) 136 final at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0136:FIN:en:PDF>
- ²⁸ See <http://www.csreurope.org/>
- ²⁹ See <http://www.blihr.org/>
- ³⁰ See <http://www.integrating-humanrights.org/>
- ³¹ See <http://www.globalreporting.org/CurrentPriorities/HumanRights/>
- ³² Reference is made in particular to the Summit resolution A/RES/60/1, adopted on 16 September 2005, at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N05/487/60/PDF/N0548760.pdf?OpenElement>
- ³³ Reference is made in particular to a presidential statement, adopted by the Security Council on 22 June 2006, S/PRST/2006/28, available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/401/59/PDF/N0640159.pdf?OpenElement>
- ³⁴ Supra note 21.
- ³⁵ See Hans Corell, Who Needs Reforming the Most – the UN or its Members? In: Nordic Journal of International Law, Vol. 76 (2007) No. 2-3 (p. 265-279). Also available at <http://www.havc.se/res/SelectedMaterial/20071108corellwhoneedsreforming.pdf>
- ³⁶ See Hans Corell. Security Council Reform: Rule of Law More Important Than Additional Members. Letter dated 10 December 2008 to the Governments of the Members of

the United Nations, available at

<http://www.havc.se/res/SelectedMaterial/20081210corelllettertounmembers.pdf>

³⁷ Based on an interview with Justice Goldstone and his letter of 29 October 2009 to the US Congress at <http://www.reliefweb.int/rw/rwb.nsf/db900sid/AZHU-7XF4XD?OpenDocument>

Reference is also made to Mary Robinson's remarks on 30 September 2009 on the Commission's mandate at <http://www.theelders.org/media/news/accounting-gaza>

³⁸ See

<http://www.unep.org/Documents.Multilingual/Default.asp?DocumentID=97&ArticleID=1503>

³⁹ The peculiar language in the last line should be read in conjunction with the French version:

Dans les régions où le taux d'accroissement de la population ou sa concentration excessive sont de nature à exercer une influence défavorable sur l'environnement ou le développement, et dans celles où la faible densité de population risque d'empêcher toute amélioration de l'environnement et de faire obstacle au développement, il faudrait mettre en oeuvre des politiques démographiques qui respectent les droits fondamentaux de l'homme et qui soient Jugées adéquates par les gouvernements intéressés.

⁴⁰ See World Population Prospects – The 2008 Revision – Highlights by the United Nations Department of Economic and Social Affairs/Population Division at

http://www.un.org/esa/population/publications/wpp2008/wpp2008_highlights.pdf

⁴¹ Ibid page 1.

⁴² See World Population to 2300 by the United Nations Department of Economic and Social Affairs/Population Division at

<http://www.un.org/esa/population/publications/longrange2/WorldPop2300final.pdf>

⁴³ Sudden large migrations have in the past, been a major source of error in projections. Ibid page 9. Charles F. Westoff of the Office of Population Research, Princeton University, New Jersey, concludes that the “population explosion” stage of the demographic transition is far from finished in many of the least developed countries of the world and continues (ibid page 172):

The increasing focus on below-replacement fertility in most of the developed countries should not obscure the rapid growth in many other parts of the world and the continuing increase in world population by another 50 per cent to 9 billion by the end of this century. The inevitable eventual slowing and ultimate cessation of that growth has little significance for the complications of that growth for social and economic development in this century. How much the slowing of population growth would facilitate development is not entirely clear but it seems abundantly clear that such development will certainly not benefit from the rapid population growth on the horizon.

⁴⁴ Cf. Westoff in op. cit. note 42, page 169.

⁴⁵ See <http://www.unfpa.org/gender/empowerment.htm>

⁴⁶ See <http://www.unifem.org/>