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VOLUME IV

ARTICLE 55

(first part: Article 55 (a) and (b))

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TEXT OF ARTICLE 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- a. higher standards of living, full employment, and conditions of economic and social progress and development;*
- b. solutions of international economic, social, health, and related problems; and international cultural and educational co-operation;*
- c. [...]*

INTRODUCTORY NOTE

(1) The presentation and organization of the material in this study generally follows the pattern established in the previous studies of Article 55 of the *Repertory* and its *Supplements*. As in the previous *Supplements*, the material is divided into two parts – this first part dealing with economic and social matters under paragraphs (a) and (b) of Article 55, and the second one concentrating on promotion of human rights under paragraph (c) of that Article. This first part is further divided into a general survey and an analytical summary of practice.

(2) However, since this *Supplement* covers a period of ten years, thus much longer than the periods covered in previous *Supplements*, and since, at the same time, Part I related to paragraphs (a) and (b) of Article 55 attempts to explore vast areas of actions taken within the United Nations, mostly by the General Assembly, the Economic and Social Council (ECOSOC) and the Secretary-General, several adjustments to the internal structure were necessary with a view to offering the reader a comprehensive but still comprehensible guide to United Nations (UN) practice in those areas. The General Survey of Part I therefore gives only an essential view of the activities of the UN in the fields relevant to Article 55, while the Analytical Summary is divided into discrete sections, each of which addresses a specific problem or set of activities. The issues addressed relate to areas in which significant action was taken between 2000 and 2009 or areas in which the action that was taken differed, either in degree or in kind, from that of previous years. When possible, other issues are briefly addressed within these sections.

I. ECONOMIC AND SOCIAL FIELDS

A. GENERAL SURVEY

1. General remarks

(3) Though paragraphs (a) and (b) of Article 55 are rarely explicitly referenced in concrete documents,¹ their scope is such that a significant portion of the activities of the principal organs of the UN may be conceived as falling within its provisions. During the period under review, the principal organs continued to be active in established areas falling under the scope of those paragraphs, in particular social and economic development, environment, human settlement, employment and working conditions, rural development, education, trade, combating international crime or international migration. They also developed their actions in relatively new areas, such as sport for development, communication technologies and cybersecurity, groups of countries in special situations, international financial system or corruption.

(4) The principal organs also made considerable efforts to rationalize and streamline their policies in promoting the goals of Article 55(a) and (b). In particular, the General Assembly took steps to adopt an integrated and coordinated implementation of and follow-up to the outcomes of the major UN conferences and summits in the economic and social fields² and established an ad hoc committee to coordinate that effort.³ In the area of cooperation for development, the General Assembly decided that the UN development system should assist national Governments in creating an enabling environment in which the links between national Governments, the UN development system, civil society, national non-governmental organizations and the private sector that are involved in the development process are strengthened, with a view to seeking new and innovative solutions to development problems in accordance with national policies and priorities.⁴

(5) The actions of the principal organs during the period under review were in large part framed by two major events – the Millennium Summit of 2000 and the World Summit of 2005, which set up the main mid- and long-term objectives for both the UN and its Member States. Specific objectives adopted during those two events will be explored further in the respective sections of the Analytical Summary.

¹ For rare examples see G A resolutions 55/101, 56/152, 57/217, 58/188 and 59/204. *See also* Article 5 of the Agreement between the United Nations and the World Tourism Organization (annexed to GA resolution 58/232).

² G A resolution 57/270 B.

³ G A resolution 57/270 A.

⁴ G A resolution 59/250, para. 9.

2. The Millennium Summit

(6) The Millennium Summit was the largest gathering of world leaders before and since. Ninety-nine heads of state, three Crown Princes and forty-seven heads of government attended the Summit. The leaders met to consider the challenges posed by the problems of the new millennium. At the conclusion of the Summit, which was held in New York from 6 to 8 September 2000, the participants issued the United Nations Millennium Declaration, subsequently adopted by the General Assembly, without vote, as resolution 55/2. In so doing, the heads of state and government participating in the Summit reaffirmed their “faith in the Organization and its Charter as indispensable foundations for a more peaceful, prosperous and just world.”⁵

(7) The Millennium Declaration went on to elaborate the values, principles and goals of the United Nations for the early years of the new millennium. Among other things, the participants rededicated themselves to solving problems of an “economic, social, cultural, or humanitarian character.”⁶ Critically, the Declaration states that “Responsibility for managing worldwide economic and social development, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally.”⁷ While continuing to emphasize that the primary responsibility in resolving many economic, social and development problems lay with the relevant States, as will be shown in the next sections of the present study, the UN organs repeatedly reaffirmed the value of international action.

(8) Thus, according to the declaration, when the international community acts to address development problems, the United Nations must, “as the most universal and most representative organization in the world,” play the central role.⁸ Components of the Millennium Declaration that fall within Article 55’s rubric of development and cooperation include commitments to: ameliorate poverty and the ills it generates, create an environment conducive to sustainable development, support political and economic transparency, foster good governance, address the needs of developing and least developed countries, promote gender equality, combat law less behavior, and ensure that the benefits of new technologies are available to all.

(9) In the sections of the analytical summary below, several of the Millennium Development Goals feature prominently, as the Millennium Declaration played an important role in providing a framework in which issues of development were discussed during the period under review. Relevant goals include reducing the number of people living in extreme poverty by half and achieving significant improvement in the lives of at least 100 million slum dwellers by 2020.

3. 2005 World Summit

(10) The 2005 World Summit became the second main landmark of the period under review.⁹ From 14 to 16 September, world leaders from over 170 countries gathered at

⁵ G A resolution 55/2.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ Convened by G A resolution 58/291.

United Nations Headquarters in New York for a World Summit – a High-level Plenary Meeting of the General Assembly – to commemorate the sixtieth anniversary of the founding of the UN and to chart its future course in a changed world. The Summit was organized around six plenary meetings and four interactive roundtable sessions,¹⁰ which reviewed the status of implementation of the Millennium Declaration, as well as the integrated follow-up to other major UN conferences and summits in the economic, social and related fields.¹¹

(11) In its report entitled “In larger freedom: towards development, security and human rights for all,”¹² submitted to the General Assembly to assist the Summit’s preparations and negotiations, the Secretary-General warned: “The Millennium Development Goals must no longer be floating targets, referred to now and then to measure progress. They must inform, on a daily basis, national strategies and international assistance alike. Without a bold breakthrough in 2005 that lays the groundwork for a rapid progress in coming years, we will miss the targets. Let us be clear about the costs of missing this opportunity: millions of lives that could have been saved will be lost; many freedoms that could have been secured will be denied; and we shall inhabit a more dangerous and unstable world.”¹³

(12) In approving the 2005 World Summit outcome,¹⁴ the Heads of State and Government reiterated their determination to implement the outcome of the Millennium Summit, and identified development as one of the four areas of problems¹⁵ for which it resolved to provide multilateral solutions. They reaffirmed that “development is a central goal in itself and that sustainable development in its economic, social and environmental aspects constitutes a key element of the overarching framework of United Nations activities,” and stressed the particular importance of good governance and the rule of law at the national and international levels as essential conditions for sustained economic growth, sustainable development and the eradication of poverty and hunger.

(13) They underlined the primary responsibility of each country for its own development and the importance of “supportive global programmes, measures and policies aimed at expanding the development opportunities of developing countries, while taking into account national conditions and ensuring respect for national ownership, strategies and sovereignty,” as part of the global partnership for development framed by the Millennium Declaration,¹⁶ the Monterrey Consensus¹⁷ and the Johannesburg Plan of Implementation.¹⁸ In that context, the adoption and implementation of comprehensive national development strategies to achieve the Millennium Development Goals and other internationally agreed goals and objectives were identified among the main tasks.

¹⁰ See G A resolution 59/291.

¹¹ See G A resolution 58/291.

¹² A/59/2005.

¹³ *Id.*, para 72.

¹⁴ G A resolution 60/1.

¹⁵ The other three areas being peace and collective security, human rights and the rule of law, and strengthening of the United Nations.

¹⁶ G A resolution 55/2.

¹⁷ DPI/2329.

¹⁸ DPI/2305.

(14) The Heads of State and Government stressed the importance of the increase of financing for development and recognized the value of developing innovative sources, provided that those sources do not unduly burden developing countries. They acknowledged the vital role the private sector can play in generating new investments, employment and financing for development.

(15) The Heads of State and Government resolved to adopt, by 2006, and implement comprehensive national development strategies; to manage public finances effectively and to ensure that development assistance is used to build national capacities; to support efforts by developing countries to adopt and implement national development policies and strategies through increased development assistance, the promotion of international trade as an engine for development, the transfer of technology on mutually agreed terms, increased investment flows and wider and deeper debt relief; to enhance the contribution of non-governmental organizations, civil society, the private sector and other stakeholders in national development efforts, as well as in the promotion of the global partnership for development; to ensure that the United Nations funds and programmes and the specialized agencies support the efforts of developing countries through the common country assessment and United Nations Development Assistance Framework process, enhancing their support for capacity-building; and to protect the natural resource base in support of development.¹⁹

(16) The outcome document highlighted as main issues related to development: global partnership, financing for development, domestic resource mobilization, investment, debt, trade, commodities, quick-impact initiatives, systemic issues and global economic decision-making, South-South cooperation, education rural and agricultural development, employment, sustainable development and protection of environment, health issues related to HIV/AIDS, malaria and tuberculosis, gender equality and empowerment of women, science and technology, migration, countries with special needs, and special needs of Africa.

B. ANALYTICAL SUMMARY

1. Social development

(17) During the period under review, UN initiatives for social development were guided by the goals and framework for action articulated by the General Assembly during a special session held from 26 June to 1 July 2000 in Geneva. Entitled the “World Summit for Social Development and beyond: achieving social development for all in a globalizing world,” the goal of the Summit was to review and evaluate the implementation of the Copenhagen Declaration on Social Development and the Programme for Action adopted at the 1995 World Summit for Social Development.²⁰

(18) Summit participants noted that, contrary to the goals of the Copenhagen Declaration, which depended on an increase in foreign assistance to the developing world, official development assistance had actually declined from 1995 to 2000. In an effort to

¹⁹ G A resolution 60/1, para. 22.

²⁰ G A resolution S-24/2.

reaffirm the commitment of the international community to social development and to increase official development assistance, Summit participants agreed on a plan entitled “Further Issues for Social Development,” (“The Plan”) which was subsequently adopted by the General Assembly.²¹

(19) The plan adopted by the General Assembly reaffirms the goals of the Copenhagen Declaration and the desire of the participating delegations to abide by its ten commitments. The plan draws a clear distinction between economic and social development. The latter requires economic activity, but it also requires reducing inequality in the “distribution of wealth and more equitable distribution of the benefits of economic growth within and among nations, including the realization of an open, equitable, secure, non-discriminatory, predictable, transparent and multilateral rule-based international trading system . . . and recognizing the interrelationship between social development and economic growth.”²² Two additional themes present in the General Assembly’s political declaration are the importance of the participation of civil society, including of people who live in poverty, in efforts to achieve social development, and the consequences of failing to make progress on social development: “Unless the benefits of social and economic development are extended to all countries, a growing number of people in all countries and even entire regions will remain marginalized from the global economy.”²³ The political declaration also affirmed that the “ultimate goals of development are to improve living conditions for people and to empower them to participate fully in the economic, social and political arenas.”²⁴

(20) With those goals in mind, the Summit addressed the actions that Member States and the international community needed to take over the subsequent five years. As was often the case during the period under review, the General Assembly recognized the dual nature of globalization and interdependence; a globalized world is one in which more opportunities exist, but it is also one in which the economic and social forces at work can and do create problems that tax the powers of governments to ameliorate. Specific problems raised in the General Assembly’s political declaration include: “chronic hunger; malnutrition; illicit drug problems; organized crime; corruption; foreign occupation; armed conflicts; illicit arms trafficking; terrorism; intolerance and incitement to racial, ethnic, religious and other hatreds; xenophobia; endemic, communicable and chronic diseases, in particular HIV/AIDS, malaria and tuberculosis.”²⁵ The Assembly also expressed concern over the effect of economic sanctions at variance with international law and with principles in the United Nations Charter.²⁶

(21) The Summit participants recommended that governments take a series of specific actions in order to promote social development. Recommended actions include: desisting from engaging in unilateral sanctions or other actions at variance with international law, ensuring protection for workers marginalized from the labor market, promoting social integration by instituting zero-tolerance policies for discrimination, and adopting an integrated focus to ensure that the effects of government decisions on social development

²¹ G A resolution S-24/2.

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

are clear and that those effects can be taken into account by decision-makers *ex ante*. The Plan also called on the international community to abide by the ten commitments enshrined in the Copenhagen Declaration by, among other things, cooperating with the International Labor Organization, cooperating with developing countries to “augment the productive potential” of people and to help the private sector function more efficiently, helping countries with economies in transition develop more effective regulatory frameworks, and “encouraging efforts to integrate non-governmental organizations, trade unions, employer organizations and other organizations of civil society into the operation of social policy.”²⁷

(22) After the “World Summit for Social Development and beyond: achieving social development for all in a globalizing world,” the General Assembly continued to reaffirm the connection between the social and economic sectors. In particular, it placed an emphasis on putting people at the centre of development by working to eradicate poverty, to promote full and productive employment, and to foster social integration.²⁸

(23) During the period under review, much of the work done within the UN to identify specific policies the implementation of which would lead to greater social development was done by the Commission for Social Development.²⁹ The Commission identified and considered priority themes within the broader category of social development. The critical role of the Commission was underscored by the General Assembly which went on to emphasize “the importance of the active participation in and contribution to the work of the Commission by the relevant funds and programmes and the specialized agencies of the United Nations system.”³⁰ The work program of the Commission for Social Development during the period under review, as formulated by the Commission and approved by the Economic and Social Council (ECOSOC), included as its major themes: “Integration of social and economic policy,” in which the Commission addressed the social aspects of macroeconomic policies, social assessment as a policy tool, and expenditures in the social sector as a productive factor; “National and international cooperation for social development,” in which the Commission addressed the sharing of experiences and practices in social development, forging partnerships for social development, the social responsibility of the private sector, the impact of employment strategies on social development, and the “policies and role of international financial institutions and their effect on national social development strategies”; and “Improving public sector effectiveness.”³¹

(24) Though various UN bodies emphasized that action by the international community was required if higher levels of social development were to be achieved, the General Assembly recognized that for social development policies to have the greatest possible impact, “greater social justice and improved equity in societies,” stemming from

²⁷ *Id.*

²⁸ *See, e.g.*, G A resolutions 55/46, 56/177 and 58/130.

²⁹ The Commission for Social Development is a functional commission of ECOSOC, composed of 46 members elected by ECOSOC. Since the convening of the World Summit for Social Development in Copenhagen in 1995, the Commission has been the key UN body in charge of the follow-up and implementation of the Copenhagen Declaration and Programme of Action.

³⁰ G A resolution 56/177.

³¹ E S C resolution 2001/7.

national polices would be necessary.³² Some of the conditions necessary for social development – respect for cultural and religious diversity, the special needs of vulnerable and disadvantaged groups, respect for democratic participation and the rule of law – were considered to be more subject to the good auspices of national governments than to efforts by the international community. The General Assembly also stressed that social development requires “supportive and coherent short-term and long-term economic policies at the national” level.³³ Supportive and coherent national policies should, in turn, be supplemented by international cooperation.³⁴ The Secretary-General, among others, recognized that “international support was important for developing countries to achieve development objectives within reasonable time frames.”³⁵ Specifically, “international cooperation has a vital role in assisting developing countries as well as some countries with economies in transition in the strengthening of their human, institutional and technological capacity”; without this cooperation, it would be difficult to ensure that “social policy concerns are integrated within the policy planning and budgeting processes.”³⁶

(25) In order to assess the efficacy of social development policies as implemented during the period under review, the General Assembly called upon the Commission for Social Development to prepare a report on these policies. The report, to be submitted to the General Assembly in 2005, was to review the further implementation of the goals codified by the report issued after the World Summit for Social Development³⁷ and reaffirmed during the World Summit for Social Development and beyond: achieving social development for all in a globalizing world.³⁸

(26) The report submitted to the General Assembly stressed that “people, and the improvement of their living conditions in dignity and freedom, are the ultimate objective of public policies,” and “their degree of participation largely determines the legitimacy and quality of these public policies.” Nonetheless, “such a people-centred approach to social progress and development is still to be achieved,” and “concrete and efficient means of implementation still leave much to be desired.” The social aspects of globalization, the compatibility and contribution of macroeconomic policies with and to social development goals and the capacity of national Governments to define and implement their own social policies were identified as related problems that are at the core of the search for equity and reduction of poverty and inequality and, at the same time, “appear to be of general relevance for countries at different levels of development and of particular interest to those that are struggling to define their position and role in a globalizing and interdependent world economy.”³⁹

(27) In its report to ECOSOC entitled “Creating an environment at the national and international levels conducive to generating full and productive employment and decent

³² G A resolution 57/163.

³³ G A resolution 58/130.

³⁴ *Id.*

³⁵ E/CN.5/2003/5 & Corr.1.

³⁶ E S C 2003/15.

³⁷ G A resolution S-24/2.

³⁸ G A resolution 58/130.

³⁹ A/59/120, para. 23.

work for all, and its impact on sustainable development,”⁴⁰ the Secretary-General observed that the productive integration of youth — especially from poor households — into the labour market is relevant for present and future growth prospects, social mobility and cohesion, and the interruption of the intergenerational transmission of poverty. He underscored the positive interaction between rural on- and of farm economic activities and the importance of productive diversification for rural employment generation and growth and recommended that Governments should proactively facilitate the development of productive and remunerative non-farm activities as means to create employment and to deepen linkages between the agricultural sector and the broader economy. In light of the large informal economy in many developing countries, particularly in Africa, the Secretary-General urged to give serious considerations to developing the institutional capacities necessary for gradually formalizing informal economies in order to extend the outreach of social protection and other benefits of decent work to all. He stressed that efficient and effective government is essential to encourage entrepreneurship, improve the access of workers to social protection and strengthen the supervisory system to ensure the observation of protection norms.

(28) The General Assembly emphasized the importance of integrating economic and social policies in promoting human resources development and enhancing the process of development.⁴¹ It also stressed the necessity of ensuring the effective involvement of developing countries in the international economic decision-making process through, inter alia, greater participation in international economic forums, thereby ensuring the transparency and accountability of international financial institutions with respect to according a central position to social development in their policies and programmes.⁴² It nonetheless recognized that “the broad concept of social development affirmed by the World Summit for Social Development and the twenty-fourth special session of the General Assembly has been weakened in national and international policymaking and that, while poverty eradication is a central part of development policy and discourse, further attention should be given to the other commitments agreed to at the Summit, in particular those concerning employment and social integration, which have also suffered from a general disconnect between economic and social policymaking.”⁴³

(29) According to the Assembly, an enabling environment for social development and poverty eradication is to be created through increasing market access for developing countries, technology transfer, financial aid and a comprehensive solution to the external debt problem.⁴⁴ The General Assembly identified full and productive employment and decent work for all, which encompass social protection, fundamental principles and rights at work and social dialogue, as key elements of sustainable development and priority objectives of international cooperation.⁴⁵ It recognized that promoting full employment and decent work also requires investing in education, training and skills development for women and men, and girls and boys, strengthening social protection and health systems

⁴⁰ E/2006/55, in particular, paras. 30-39.

⁴¹ G A resolution 59/146, para. 14.

⁴² *Id.*, para 17.

⁴³ G A resolution 60/130, para. 7.

⁴⁴ G A resolution 61/141, para. 20.

⁴⁵ G A resolution 63/152, para. 22.

and applying labour standards.⁴⁶ It therefore requested the United Nations funds, programmes and agencies, and invited financial institutions, to support efforts to mainstream the goals of full and productive employment and decent work for all in their policies, programmes and activities,⁴⁷ and encouraged States to promote youth employment and the concerns of older persons and persons with disabilities.⁴⁸

(30) Priority should be given to agricultural and non-farm sectors, as well as to investing in and further contributing to sustainable agricultural development and microenterprises, small and medium-sized enterprises and entrepreneurship cooperatives and other forms of social enterprises and the participation and entrepreneurship of women, and steps should be taken to anticipate and offset the negative social and economic consequences of globalization and to maximize its benefits for poor people living and working in rural areas.⁴⁹ The General Assembly also pointed to international trade and stable financial systems as effective tools to create favourable conditions for development.⁵⁰

(31) Furthermore, the General Assembly repeatedly recognized that “cooperatives, in their various forms, promote the fullest possible participation in the economic and social development of all people, including women, youth, older persons, persons with disabilities and indigenous peoples, are becoming a major factor of economic and social development and contribute to the eradication of poverty,” and urged for encouragement and facilitation of their establishment.⁵¹

(32) The General Assembly also urged Member States to create a conducive environment to strengthen and support all families, noting the importance of the reconciliation of work and family life, and recognizing the principle that both parents have common responsibilities for the upbringing and development of the child.⁵²

(33) Moreover, the principal organs also continued to promote the social development of persons with disabilities.⁵³ By its resolution 61/106, the General Assembly adopted the Convention on the Rights of Persons with Disabilities, which in its preamble recognized “the valued existing and potential contributions made by persons with disabilities to the overall well-being and diversity of their communities and that the promotion of full enjoyment of their rights and of their full participation will result in their enhanced sense of belonging and in significant advances in the human, social and economic development of society and the eradication of poverty.”

⁴⁶ *Id.*, para. 21.

⁴⁷ *Id.*, para. 20.

⁴⁸ *Id.*, paras. 25 and 26.

⁴⁹ *See id.*, paras. 35 and 36.

⁵⁰ G A resolution 64/135, para. 47.

⁵¹ *See e.g.* G A resolutions 56/114 and 64/136.

⁵² G A resolution 60/133, para. 6.

⁵³ *See e.g.* G A resolution 60/131 or E S C resolutions 2005/9 and 2008/20.

2. Human settlements and sustainable development

Human settlements

(34) Prior to the period under review, the Habitat Agenda of 1996 adopted at the United Nations Conference on Human Settlements (Habitat II) was the basis for UN actions in the field of human settlements. The twin goals of the Habitat Agenda were shelter for all and sustainable human settlements development.⁵⁴ The period under review began with preparations by the Commission on Human Settlements to prepare for the General Assembly's twenty-fifth special session, at which it was to conduct "review and appraisal of the implementation of the outcome of the Conference."⁵⁵ To that end, the Commission solicited national reports on the progress made in implementing the Habitat Agenda. By November of 2000, it had received reports from 69 countries indicating both successes and areas in which room for improvement remained.⁵⁶ The main agenda for the General Assembly session addressing Habitat II were the review and evaluation of "progress made in the implementation of the Habitat Agenda," actions and ideas "for overcoming obstacles to the implementation of the Habitat Agenda," and, finally, drafting a "declaration on cities and other human settlements in the new millennium."⁵⁷

(35) At its twenty-fifth special session, held in New York from 6 to 9 June 2001, the General Assembly adopted the Declaration on Cities and Other Human Settlements in the New Millennium.⁵⁸ The Declaration reaffirmed Member States' "will and commitment to implement fully the Istanbul Declaration on Human Settlements and the Habitat Agenda," which "will remain the basic framework for sustainable human settlements development in the years to come."⁵⁹ The major commitments renewed by the Assembly included commitments to "adequate shelter for all, sustainable human settlements, enablement and participation, gender equality, [and] financing shelter and human settlements," as well as the international cooperation and periodic assessment required to meet the substantive goals the Declaration contained.⁶⁰ The Declaration also noted successes in human settlement policy, most notably the growing awareness about the need to integrate policies addressing poverty, homelessness, unemployment and the plight of marginalized groups in any effort to create better, more liveable human settlements. On the other hand, participants in the special session raised concerns about outstanding issues including poverty, environmental conditions, and the difficulty of the poor in gaining access to adequate shelter or, for those people who had shelter, to legal security of tenure.⁶¹ Strikingly, the Declaration noted that in the five years since Habitat II, "Many people have experienced deterioration in their living environment, not an

⁵⁴ G A resolution 55/194.

⁵⁵ G A resolution 55/194.

⁵⁶ HS/C/PC.2/27Add.1.

⁵⁷ G A resolution 55/195.

⁵⁸ G A resolution S-25/2.

⁵⁹ *Id.* at preamble.

⁶⁰ *Id.*, para. 6.

⁶¹ *Id.*, at paras. 6 and 17.

improvement.”⁶² The bulk of the Declaration was drafted with a view to capitalizing on the successes of the previous five years and remedying the failures.

(36) Some of the key provisions of the Declaration on Cities and other Human Settlements in the New Millennium were designed to: help developing countries alleviate poverty, reduce vulnerability to natural disasters, recognize and address the links between poverty, human settlements and sustainable development, and address consumption patterns in human settlements. Recognizing the importance of alleviating poverty for improving the quality of human settlement, the Declaration emphasized aid to developing countries. However, though it mentioned the “allocation of new and additional resources at both the national and international levels,”⁶³ the Declaration also acknowledged alternative ways in which the international community could and should help developing countries alleviate poverty. Specifically, it called for “creating an enabling environment that would facilitate the integration of developing countries into the world economy, improving their market access, facilitating the flow of financial resources and implementing fully and effectively all initiatives already launched regarding debt relief.”⁶⁴ The Declaration also committed States to “improving prevention, preparedness, mitigation and response capacities,” to ensure that the adverse effect of natural disasters was confined to a minimum.⁶⁵ The Declaration further emphasized the interdependence of the pursuit of the implementation of the Habitat Agenda and the pursuit of sustainable development. This connection was particularly important in light of the World Summit on Sustainable Development held in Johannesburg in 2002.

(37) In order to implement the Declaration as efficiently as possible, in 2001 the General Assembly decided to combine the Commission on Human Settlements, the United Nations Centre for Human Settlements, and the United Nations Human Settlements Foundation into the United Nations Human Settlements Programme, also known as UN-Habitat.⁶⁶

(38) Among other activities, UN-Habitat conducted the Global Campaign for Secure Tenure and the Global Campaign on Urban Governance to promote “administration of land and property rights” and to help enhance “access to affordable credit by the urban poor.”⁶⁷ Still, even after the establishment of UN-Habitat, the General Assembly recognized the need to “achieve greater coherence and effectiveness in the implementation of the Habitat Agenda.”⁶⁸ To that end, the General Assembly encouraged “Governments and their Habitat Agenda partners to evaluate and report to UN-Habitat on their implementation of the Habitat Agenda and the Declaration on Cities and Other Human Settlements in the New Millennium.”⁶⁹

(39) Other relevant conferences held during the period under review include the 2002 UN Environment Programme Governing Council’s eighth special session on the environmental dimensions of water, sanitation and human settlements, the Fourth Global

⁶² *Id.*, para. 28.

⁶³ *Id.*, para. 33.

⁶⁴ *Id.*, para. 33.

⁶⁵ *Id.*, para. 43.

⁶⁶ G A resolution 56/206.

⁶⁷ G A resolution 59/239.

⁶⁸ G A resolution 57/275.

⁶⁹ *Id.*

Forum of Parliamentarians on Habitat, held from 12 to 14 May 2003 in Berlin, which addressed, among other things, government policies toward slums, and the World Urban Forum held in Barcelona in 2004.

(40) In the outcome of the 2005 World Summit, under the heading “Sustainable development: managing and protecting our common environment,” the Heads of State and Government committed themselves to take further action to achieve significant improvement in the lives of at least 100 million slum-dwellers by 2020. They recognized the urgent need for the provision of increased resources for affordable housing and housing-related infrastructure, prioritizing slum prevention and slum upgrading and encouraged support for the United Nations Habitat and Human Settlements Foundation and its Slum Upgrading Facility.⁷⁰

(41) The General Assembly stressed that that “the affordability of housing has become a major issue that needs to be addressed by mobilizing resources for the poor and other vulnerable groups.”⁷¹

(42) The General Assembly emphasized the need for UN-Habitat to develop a results-based and less fragmented budget structure with a view to securing maximum efficiency, accountability and transparency in programme delivery regardless of funding source, and invited the international donor community and financial institutions to contribute generously to the Water and Sanitation Trust Fund, the Slum Upgrading Facility and the technical cooperation trust funds to enable UN-Habitat to assist developing countries to mobilize public investment and private capital for slum upgrading, shelter and basic services.⁷² It called for continued financial support to UN-Habitat through increased voluntary contributions, and invited Governments to provide predictable multi-year funding and increased non-earmarked contributions to support programme implementation.⁷³ It also invited the international donor community and financial institutions to support the experimental reimbursable seeding operations trust fund of the United Nations Habitat and Human Settlements Foundation.⁷⁴

(43) The General Assembly requested UN-Habitat to strengthen its regional approach to the coordination and implementation of its normative and operational activities, and invited all countries in a position to do so to support the activities of UN-Habitat in this regard.⁷⁵ It also encouraged governments to establish local, national and regional urban observatories and to provide financial and substantive support to UN-Habitat for the further development of methodologies for data collection, analysis and dissemination,⁷⁶ and to strengthen or establish broad-based national Habitat committees with a view to mainstreaming sustainable urbanization and urban poverty reduction in their respective national development strategies.⁷⁷

(44) The General Assembly welcomed the vision, sharpened thematic focus and emphasis on management excellence of the UN-Habitat medium-term strategic and

⁷⁰ G A resolution 60/1, para. 56(m).

⁷¹ G A resolution 64/207, para. 7.

⁷² G A resolution 60/203, paras. 7 and 9.

⁷³ G A resolution 62/198, para. 10.

⁷⁴ *Id.*, para. 12.

⁷⁵ G A resolution 61/206, para. 11.

⁷⁶ G A resolution 60/203, para. 14.

⁷⁷ G A resolution 62/198, para. 22.

institutional plan for the period 2008–2013,⁷⁸ and encouraged ongoing efforts towards its effective implementation, including through improvements in the internal operations and programme management of UN-Habitat. It took note of the decision of the Governing Council of UN-Habitat to enable UN-Habitat to undertake from 2007 to 2011 a four-year phase of experimental reimbursable seeding operations and other innovative financing arrangements, as defined in Governing Council resolution 21/10.⁷⁹ It also requested UN-Habitat to assist interested Governments in adapting the guidelines on decentralization and strengthening of local authorities, approved by the Governing Council of UN-Habitat,⁸⁰ to their national contexts and in further developing tools and indicators as part of its support for the application of the guidelines. However, it stressed that those guidelines did not constitute a uniform or rigid blueprint applicable to all States Members of the United Nations.⁸¹

(45) The General Assembly also encouraged ECOSOC to include sustainable urbanization, urban poverty reduction and slum upgrading as a cross-cutting issue in the follow-up to the outcome of relevant summits and major international conferences.⁸²

Sustainable development

(46) In order to reinvigorate the global commitment to sustainable development, the General Assembly decided to organize the ten-year review of progress achieved in the implementation of the outcome of the Rio de Janeiro United Nations Conference on Environment and Development of 1992 at the summit level⁸³ and convoked the World Summit on Sustainable Development held in Johannesburg, South Africa, from 26 August to 4 September 2002.⁸⁴ It subsequently reiterated the outcome of the Summit – Johannesburg Declaration on Sustainable Development and the Johannesburg Plan of Implementation,⁸⁵ and scrutinized its implementation.⁸⁶ At the end of the period under review, the General Assembly decided to organize the United Nations Conference on Sustainable Development at the highest possible level in Brazil in 2012.⁸⁷

(47) The General Assembly noted that the Caribbean Sea area includes a large number of States, countries and territories, most of which are developing countries and small island developing States that are ecologically fragile, structurally weak and economically vulnerable and are also affected, inter alia, by their limited capacity, narrow resource base, need for financial resources, high levels of poverty and the resulting social problems and the challenges and opportunities of globalization and trade liberalization, and that the Caribbean countries have a high degree of vulnerability occasioned by climate change, climate variability and associated phenomena. It therefore recognized the importance of

⁷⁸ A/62/8, annex I.B.

⁷⁹ G A resolution 62/198, paras. 4 and 6.

⁸⁰ A/62/8, annex I.B, resolution 21/3.

⁸¹ G A resolution 62/198, para. 7.

⁸² G A resolution 63/221, para. 13.

⁸³ G A resolution 55/199.

⁸⁴ G A resolution 56/226.

⁸⁵ G A resolution 58/218.

⁸⁶ G A resolutions 60/193, 61/195, 62/189 and 63/212.

⁸⁷ G A resolution 64/236.

adopting an integrated management approach to the Caribbean Sea area in the context of sustainable development and continued to develop a specific policy.⁸⁸

(48) The General Assembly strongly reiterated the role of indigenous people in the sustainable development by proclaiming the Second International Decade of the World's Indigenous People (2005 – 2014)⁸⁹ and by adopting the United Nations Declaration on the Rights of Indigenous Peoples.⁹⁰ It stressed, in particular, that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs, and recognized that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment.⁹¹

(49) The General Assembly also continued to adopt resolutions related to the protection of global climate,⁹² sustainable mountain development,⁹³ sustainable tourism,⁹⁴ promotion of new and renewable sources of energy,⁹⁵ desertification⁹⁶ and biological diversity.⁹⁷ Furthermore, ECOSOC adopted global objectives on forests.⁹⁸ In order to promote various issues, the General Assembly declared 2006 the International Year of Deserts and Desertification,⁹⁹ 2008 the International Year of Planet Earth,¹⁰⁰ 2010 the International Year of Biodiversity¹⁰¹ and 2011 the International Year of Forest.¹⁰² It also decided to proclaim the period from 2005 to 2015 the International Decade for Action, “Water for Life”, to commence on World Water Day, 22 March 2005,¹⁰³ and declare the decade 2010–2020 as the United Nations Decade for Deserts and the Fight against Desertification.¹⁰⁴

(50) Eradication of poverty became another topical issue of the actions of the principal organs which recognized that for the poverty eradication strategy to be effective, it was imperative for developing countries to be integrated into the world economy and equitably share the benefits of globalization.¹⁰⁵ During the First United Nations Decade for the Eradication of Poverty (1997-2006), the principal organs adopted, in addition to

⁸⁸ See G A resolutions 55/203, 57/261, 59/230, 61/197 and 63/214.

⁸⁹ G A resolution 59/174. See also G A resolution 60/142 adopting the Programme of Action (A/60/270, sect. II).

⁹⁰ G A resolution 61/295.

⁹¹ *Id.*

⁹² E.g. G A resolutions 56/199, 60/197 and 64/73.

⁹³ G A resolutions 60/198, 62/196 and 64/205.

⁹⁴ G A resolutions 56/212 and 60/190.

⁹⁵ G A resolution 56/200.

⁹⁶ E.g. G A resolutions 55/204, 60/201 and 64/202.

⁹⁷ E.g. G A resolutions 57/260, 60/202 and 64/203.

⁹⁸ E S C resolution 2006/49.

⁹⁹ G A resolution 58/211. See also G A resolution 60/200.

¹⁰⁰ G A Resolution 60/192.

¹⁰¹ G A Resolution 61/203.

¹⁰² G A resolution 61/193.

¹⁰³ G A resolution 58/217.

¹⁰⁴ G A resolution 62/195.

¹⁰⁵ G A resolution 55/210.

resolutions of a general nature,¹⁰⁶ several specific measures aiming at empowerment and advancement of women,¹⁰⁷ promotion of rural development in developing countries¹⁰⁸ or the role of microcredit and microfinance.¹⁰⁹ The General Assembly initiated the establishment of the World Solidarity Fund for poverty eradication to contribute to the eradication of poverty and the promotion of social and human development in the poorest regions of the world, based on voluntary contributions.¹¹⁰ In order to support, in an efficient and coordinated manner, the internationally agreed development goals related to poverty eradication, the General Assembly proclaimed the Second United Nations Decade for the Eradication of Poverty (2008–2017), reiterating that “eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, in particular for developing countries,”¹¹¹ and considered that a theme for that Decade should be “Full employment and decent work for all”.¹¹² During the period under review, the General Assembly also welcomed¹¹³ the outcomes of the Second and Third High-level Forum on Aid Effectiveness, organized by the Organization for Economic Cooperation and Development (OECD) in Paris in 2005 and Accra in 2008 respectively – the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action.¹¹⁴

3. Women in development

(51) From 2000 to 2005, United Nations organs continued to try to meet the goals articulated in the Nairobi Forward Looking Strategies for the Advancement of Women and the Beijing Declaration and Platform for Action. Their efforts were informed by the political declaration adopted by the General Assembly during its twenty-third special session held from 5 to 10 June 2000. The session’s theme was “Women 2000: gender equality, development and peace for the twenty-first century.” The political declaration adopted during this special session, which is also known as Beijing +5, contained an assessment of the progress made toward meeting the goals of the Beijing Declaration and Plan for Action, and addressed the obstacles which limited progress in the past and those which had the potential to do so in the future.

(52) While adopting the political declaration, the General Assembly agreed “to assess regularly further implementation of the Beijing Platform for Action with a view to bringing together all parties involved in 2005 to assess progress and consider new initiatives, as appropriate, ten years after the adoption of the Beijing Platform for Action.”¹¹⁵ In the course of Beijing +5, the General Assembly assessed the role of women in a variety of contexts. Those that appear to be most relevant to development are women and poverty, women and the economy and the General Assembly’s recommended tactics,

¹⁰⁶ G A resolutions 55/210, 56/207, 57/266, 58/222, 59/247, 60/209 and 61/213; E S C resolution 2001/42.

¹⁰⁷ E S C resolution 2000/26.

¹⁰⁸ E S C resolutions 2004/48 and 2005/45.

¹⁰⁹ G A resolutions 59/246 and 61/214.

¹¹⁰ G A resolution 55/210, para. 14. *See also* G A resolutions 56/207 and 60/209.

¹¹¹ G A resolution 62/205.

¹¹² G A resolution 63/230.

¹¹³ G A resolutions 60/209 and 63/230.

¹¹⁴ A/63/539, annex.

¹¹⁵ G A resolution S/23-2.

on both the national and international level, for meeting the goals of the Beijing Declaration and Plan for Action.¹¹⁶

(53) Regarding the relationship between women and poverty, the General Assembly concluded that many governments and multilateral, regional and international financial institutions integrated “a gender perspective into poverty eradication policies.”¹¹⁷ This success, along with research which “enhanced the understanding of the differing impacts of poverty on women and men,”¹¹⁸ has led to poverty-alleviating strategies which focus on “promoting employment and income-generating activities for women and providing access to basic social services, including education and health care.”¹¹⁹ Increasing the availability of microcredit to women, particularly rural women, has also proved to be successful in helping to combat poverty. Obstacles to reducing the female poverty level included: unequal distribution of unremunerated work, a paucity of financial and technological support for women’s entrepreneurship and the difficulty women face in gaining access to land, credit or labor markets.

(54) Economic achievements identified by the General Assembly included the completion of research on the relationship between remunerated and unremunerated work and greater access to labor markets and safer working conditions for women in some countries. However, as the General Assembly indicated, “The importance of a gender perspective in the development of macroeconomic policy is still not widely recognized.”¹²⁰ This lack of recognition can contribute to a number of other obstacles to integrating effectively women into the economy. Attempting to correct this problem was a focus of several General Assembly and Economic and Social Council (ECOSOC) resolutions during the period under review.¹²¹ Other problems included gender discrimination in hiring and promotion and lack of family friendly policies.¹²²

(55) After evaluating the steps taken towards enabling women to play an equal role in development, and after assessing the obstacles to further progress, the General Assembly announced that member governments “recommit themselves to the Beijing Declaration and Platform for Action and also commit themselves to further actions and initiatives to overcome the obstacles and address the challenges.”¹²³ The General Assembly further commented that doing so would require attention to the effect of macroeconomic policies on women, a gendered analysis of budget processes on the national and international level, and more participation by women in the decision-making and implementation process.

(56) A commitment to addressing the role of women in development was also apparent during the Millennium Summit held from 6 to 8 September 2000 in New York. The Summit produced the Millennium Declaration in which the participants resolved to “promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable.”¹²⁴ At

¹¹⁶ G A resolution S-23/3.

¹¹⁷ *Id.*, para. 7.

¹¹⁸ *Id.*, para. 7.

¹¹⁹ *Id.*, para. 7.

¹²⁰ *Id.*, para. 21.

¹²¹ See G A resolutions 55/71, 56/132, 56/188 and 57/182; E S C resolutions 2000/26, 2002/5 and 2004/4.

¹²² G A resolution S-23/3.

¹²³ *Id.*

¹²⁴ G A resolution 55/2.

the Women Leaders Summit, held a day before the Millennium Summit of the General Assembly, women heads of state and government called on the United Nations to, among other things, reaffirm its commitment to development which takes into account the role of women and to improving women's access to education, credit and affordable healthcare.

(57) The General Assembly urged political participation as a way to give women an equal role in development. Among other things, it recommended career development programs and research addressing the link between poverty and the empowerment of women, particularly with regard to political participation.¹²⁵

(58) The special meeting of the Commission on the Status of Women took place on the occasion of International Women's Day.¹²⁶ The Secretary-General in his report to the Commission pointed out that "over the past 10 years, the status and role of women had undergone a significant change on a global scale although not at an equal pace in all regions."¹²⁷ The draft declaration adopted at that meeting was submitted to ECOSOC which decided to communicate it to the General Assembly.¹²⁸ The occasion of the tenth anniversary of the 1995 Fourth World Conference on Women inspired renewed efforts to implement the Beijing Declaration and Platform for Action, which continued to be a driving force behind many other high-level meetings and commemorative events throughout the year 2005, such as Beijing Plus 10 Conference where representatives of Governments, intergovernmental organizations and civil society adopted Beijing Plus 10 Declaration.¹²⁹

(59) The issue of gender equality and empowerment of women also remained one of the focal topics of the 2005 World Summit. The Heads of State and Government resolved to promote gender equality and eliminate pervasive gender discrimination by: eliminating gender inequalities in primary and secondary education by the earliest possible date and at all educational levels by 2015; guaranteeing the free and equal right of women to own and inherit property and ensuring secure tenure of property and housing by women; ensuring equal access to reproductive health; promoting women's equal access to labour markets, sustainable employment and adequate labour protection; ensuring equal access of women to productive assets and resources, including land, credit and technology; eliminating all forms of discrimination and violence against women and the girl child, including by ending impunity and by ensuring their protection during and after armed conflicts; as well as promoting increased representation of women in Government decisionmaking bodies.¹³⁰

(60) The Heads of State and Government also undertook to actively promote the mainstreaming of a gender perspective in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres, and to strengthen the capabilities of the United Nations system in the area of gender.¹³¹ In that respect, ECOSOC continued to expressly address that issue.¹³² The Secretary-General in his reports nevertheless concluded that reports submitted to the various Committees

¹²⁵ G A resolution 58/142.

¹²⁶ E/2005/27.

¹²⁷ E/CN.6/2005/2 & Corr.1.

¹²⁸ E S C decision 2005/232.

¹²⁹ A/60/371.

¹³⁰ G A resolution 60/1, para. 59.

¹³¹ *Id.*, para. 59.

¹³² *See e.g.* E C S resolutions 2005/31 and 2009/12.

contained a certain degree of gender analysis but did not systematically include recommendations on further action, and resolutions did not always include an analysis of gender perspectives or recommendations for specific action on gender equality and the advancement of women.¹³³ On his recommendation, the General Assembly requested all bodies that deal with programme and budgetary matters to ensure that programmes, plans and budgets visibly mainstream gender perspectives.¹³⁴ Despite that request, the Secretary-General stated that “gender perspectives were not fully incorporated into resolutions adopted by the Main Committees of the General Assembly and into the outcomes of major events.”¹³⁵ The General Assembly resolved to intensify the efforts of its Main Committees and subsidiary bodies to fully mainstream a gender perspective in their work, as well as in all United Nations summits, conferences and special sessions and in their follow-up processes. It also requested that reports of the Secretary-General submitted to the General Assembly and its subsidiary bodies systematically address gender perspectives through qualitative gender analysis and, where available, quantitative data.¹³⁶

(61) The principal organs also continued their efforts to strengthen the position of women within the UN system. The Security Council reaffirmed “the importance of full and equal participation of women in peace processes at all levels” and recognized their “constant underrepresentation” therein. It reaffirmed “its commitment to integrate gender perspectives into the terms of reference of Council visits and missions and to include gender specialists in its teams wherever possible.”¹³⁷ The General Assembly requested the Secretary-General and the executive heads of the organizations of the United Nations system to ensure that recruitment strategies, promotion and retention policies, career development, justice, anti-harassment and sexual harassment policies, human resources and succession planning, work/family policies, management culture and mechanisms for managerial accountability accelerate the goal of 50/50 gender distribution.¹³⁸

(62) The General Assembly continuously expressed its deep concern about “the persistence of the gender gap in education, which is reflected by the fact that nearly two thirds of the world’s adult illiterates are women”,¹³⁹ and requested all relevant entities of the United Nations system, particularly the United Nations Educational, Scientific and Cultural Organization, in cooperation with national Governments, to take immediate, concrete steps to address the needs of countries with high illiteracy rates and/or with large populations of illiterate adults, with particular regard to women, including through programmes that promote low-cost and effective literacy provisions.¹⁴⁰

¹³³ A/60/170.

¹³⁴ G A resolution 60/140, para. 14.

¹³⁵ A/61/174.

¹³⁶ G A resolution 61/145, paras. 10 and 11. *See also* G A resolutions 62/137, 63/159 and 64/141.

¹³⁷ S C President statement S/PRST/2005/52.

¹³⁸ G A resolution 59/164, para. 10. *See also* G A resolution 57/180.

¹³⁹ G A resolutions 56/16, 57/166, 59/149, 61/140 and 63/154.

¹⁴⁰ G A resolution 61/140, para. 10, and G A resolution 63/154, para. 14.

4. Science and Technology

(63) During the period under review, the importance of using advances in science and in technology to aid in development was affirmed by various United Nations bodies.¹⁴¹ To reflect the increased emphasis placed on science and technology in the wake of the Millennium Summit, the Economic and Social Council (ECOSOC) decided that the Commission on Science and Technology for Development would meet annually, rather than every other year as it had previously.¹⁴² ECOSOC also requested that the Secretary-General form an Information and Communication Technologies task force¹⁴³ and held a high level meeting from 5 to 7 July 2000, which addressed the theme of “Development and International Cooperation in the twenty-first century: the role of information technology in the context of a knowledge-based global economy.”¹⁴⁴ At the meeting, the Council adopted a Ministerial Declaration which acknowledged a wide consensus that information and communication technologies were “central to the creation of the emerging global knowledge-based economy and could play an important role in accelerating growth, promoting sustainable development and eradicating poverty in developing countries and economies in transition, and in facilitating their effective integration into the global economy.”¹⁴⁵

(64) For its part, the General Assembly decided to convene three plenary meetings devoted to bridging the digital divide and promoting digital opportunities.¹⁴⁶ The General Assembly recognized that information and communication technologies were “among the critical determinants for creating a global knowledge-based economy, accelerating growth, raising competitiveness, promoting sustainable development, eradicating poverty and facilitating the effective integration of all countries into the global economy.”¹⁴⁷ It also affirmed the importance of using technology as a “strategic tool to enhance the efficiency, effectiveness and impact of the development programmes and technical cooperation activities of the United Nations system.”¹⁴⁸

(65) The importance of science and technology also resonated in the political realm as political leaders from 175 countries, including 44 heads of state or heads of government, attended the first phase of the World Summit on the Information Society held in Geneva from 10 to 12 December 2003.

(66) The Secretary-General noted that indiscriminate investment in information and communication technologies by developed countries could lead to large-scale waste.¹⁴⁹ The General Assembly and ECOSOC repeatedly expressed concern over the widening North-South “digital divide,”¹⁵⁰ and noted the growing “technology gap” between

¹⁴¹ See E S C resolution 2001/31; G A resolution 56/183.

¹⁴² E S C resolution 2002/37.

¹⁴³ E S C resolution 2001/210.

¹⁴⁴ E S C resolution 1999/281.

¹⁴⁵ A/55/3/Rev.1.

¹⁴⁶ G A resolution 56/258.

¹⁴⁷ G A resolution 56/258.

¹⁴⁸ G A resolution 57/295.

¹⁴⁹ E/2000/52.

¹⁵⁰ G A resolutions 56/182, 56/258, and 58/200; E S C 2000/29.

developed and developing countries.¹⁵¹ Problems identified as contributing to the digital divide included limited telecommunications infrastructure in developing countries, lack of a regulatory framework, low literacy levels,¹⁵² fragmented and uncoordinated science and technology institutions, and poorly developed or non-existent links between those institutions and the private and business sectors.¹⁵³

(67) As the General Assembly affirmed in its resolution on the World Summit on the Information Society, the UN has a “pivotal role” to play in solving these problems by “promoting development, in particular with respect to access to and transfer of technology, especially information and communication technologies and services.”¹⁵⁴ Action taken by the UN during the period under review constituted an attempt to fulfill this role by increasing the ability of developing countries to leverage advances in science and technology for the purpose of development.

(68) Though the General Assembly and ECOSOC recognized that the critical role of the UN and of the international community, they also recognized that national action would be critical to the success of any plan for the dissemination to, and effective use by, developing countries of cutting edge science and technology. At its second session, held in New York from 3 to 7 April 2000, the Committee for Development Policy called on developing countries to devise strategies for creating or enhancing human capacity in IT and national information infrastructure.¹⁵⁵ Similarly, the General Assembly took note of the Plan of Action adopted by the UN Commission for Trade and Development at its tenth session, which stressed national action to *inter alia* establish “appropriate policy and legal frameworks, human resource development and the provision of technical assistance and, where possible, financial assistance and other incentives” to narrow the digital divide and promote the transfer and diffusion of technology to developing countries.¹⁵⁶ ECOSOC called for developing countries to make “a clear political commitment to making science and technology top priorities in their development agenda,” and to review and analyze the role of “of national science, technology and innovation policies and institutional and legal frameworks, including advisory bodies and mechanisms . . . to ensure that they serve the needs of development effectively.”¹⁵⁷ ECOSOC also endorsed the finding of the Commission on Science and Technology for Development that meeting the goals in the Millennium Declaration would require “significant reorientation in the use of science, technology and innovation policies to ensure that they serve the needs of development, especially for poverty reduction.”¹⁵⁸

(69) Thus, the Committee for Development Policy called for “international assistance to developing countries to ensure wide access to communication and information services and application of IT to solve pressing problems of human and economic development.”¹⁵⁹ ECOSOC called on developed countries and the international

¹⁵¹ G A resolution 55/185; E S C 2001/31.

¹⁵² E S C resolution 2003/56.

¹⁵³ E S C resolution 2004/68.

¹⁵⁴ G A resolution 56/183; *see also* 2003/19.

¹⁵⁵ E/2000/33.

¹⁵⁶ G A resolution 55/185.

¹⁵⁷ E S C resolution 2004/68.

¹⁵⁸ E S C resolution 2004/68.

¹⁵⁹ E/2000/33.

community to assist developing countries to “develop strategies and national plans, including through the undertaking of national capacity needs assessments,” and requested the Commission on Science and Technology for Development to “use the newly established Science and Technology for Development Network as a gateway to disseminate information on activities on science and technology for development and to update information on scientific and technological developments that are particularly important for developing countries.”¹⁶⁰ ECOSOC noted that information and communication technologies would continue to play an important role in development but that most developing countries were not able to compete with the industrialized world “at the frontier of innovation.”¹⁶¹ ECOSOC went on to suggest, after drawing a parallel with the experience of industrialized countries, that the “most effective way of raising the level of technology in developing countries is therefore through acquisition of technology from the industrialized countries.”¹⁶² ECOSOC confirmed that for developing countries to meet the Millennium Summit goals, they would need access to new and emerging technologies, access which could best be achieved through technology transfer and technical cooperation with the international community.¹⁶³ In the same resolution, ECOSOC called on the Commission on Science and Technology to work with UNDP and other institutions to review, evaluate, and analyze national strategies for meeting the goals in Millennium Declaration to ensure that science and technology played “a central role.”¹⁶⁴

(70) In its resolution on the Global Biotechnology Forum held in Chile in 2003, the General Assembly stressed that “international cooperation, including North-South as well as South-South cooperation, is an important means of offering viable opportunities to developing countries in their individual and collective pursuit of sustainable development, and of ensuring their effective and meaningful participation in the emerging global economic system.”¹⁶⁵ The General Assembly reaffirmed this sentiment the following year when it recognized the role of international cooperation in helping to close the digital divide and the technological gap between North and South.¹⁶⁶

(71) Technological sectors which ECOSOC identified as particularly likely to assist in development include biotechnology, information and communication technologies, as well as biomedical and environmental technologies.¹⁶⁷ The Secretary-General issued a report in 2003 which emphasized the importance of biotechnology to sustainable development, particularly with reference to food security, health and economic productivity.¹⁶⁸

(72) The Heads of State and Government, meeting at the 2005 World Summit, recognized that “science and technology, including information and communication technology, are vital for the achievement of the development goals and that international

¹⁶⁰ E S C resolution 2001/31.

¹⁶¹ E S C resolution 2003/56.

¹⁶² *Id.*

¹⁶³ E S C resolution 2004/68.

¹⁶⁴ *Id.*

¹⁶⁵ G A resolution 57/237.

¹⁶⁶ G A resolution 58/200.

¹⁶⁷ E S C resolution 2004/68.

¹⁶⁸ A/58/76; *see also* E S C 2001/31.

support can help developing countries to benefit from technological advancements and enhance their productive capacity,” and committed themselves to:

- (a) strengthening and enhancing existing mechanisms and supporting initiatives for research and development to address the special needs of developing countries in the areas of health, agriculture, conservation, sustainable use of natural resources and environmental management, energy, forestry and the impact of climate change;
- (b) promoting and facilitating access to and the development, transfer and diffusion of technologies to developing countries;
- (c) assisting developing countries in their efforts to promote and develop national strategies for human resources and science and technology;
- (d) promoting and supporting greater efforts to develop renewable sources of energy;
- (e) implementing policies at the national and international levels to attract both public and private investment, domestic and foreign, that enhances knowledge, transfers technology on mutually agreed terms and raises productivity;
- (f) supporting the efforts of developing countries, individually and collectively, to harness new agricultural technologies in order to increase agricultural productivity through environmentally sustainable means;
- (g) building a people-centred and inclusive information society by implementing the outcomes of the Geneva phase of the World Summit on the Information Society.¹⁶⁹

The General Assembly repeatedly confirmed those commitments.¹⁷⁰

(73) The General Assembly endorsed¹⁷¹ the Tunis Commitment¹⁷² and the Tunis Agenda for the Information Society¹⁷³ adopted during the second phase of the World Summit on the Information Society, which took place in Tunis from 16 to 18 November 2005¹⁷⁴ and requested the Economic and Social Council to oversee the system-wide follow-up of the Geneva and Tunis outcomes of the Summit.¹⁷⁵ In order “to help to raise awareness of the possibilities that the use of the Internet and other information and communication technologies can bring to societies and economies, as well as of ways to bridge the digital divide,” the General Assembly proclaimed 17 May “World Information Society Day.”¹⁷⁶

(74) On the basis of paragraph 72 of the Tunis Agenda and on the General Assembly express invitation,¹⁷⁷ the Secretary-General formally convened the Internet Governance Forum, a new forum for multi-stakeholder policy dialogue, the inaugural meeting of which took place in Athens from 30 October to 2 November 2006.

¹⁶⁹ G A resolution 60/1.

¹⁷⁰ G A resolutions 60/205 and 62/201.

¹⁷¹ G A resolution 60/252, para. 3.

¹⁷² WSIS-05/TUNIS/DOC/7-E.

¹⁷³ WSIS-05/TUNIS/DOC/6(Rev. 1)-E.

¹⁷⁴ A/60/687.

¹⁷⁵ G A resolution 60/252, para. 12.

¹⁷⁶ *Id.*, para. 13.

¹⁷⁷ *Id.*, para. 9.

(75) At the request of the General Assembly,¹⁷⁸ ECOSOC reviewed the mandate, agenda and composition of the Commission on Science and Technology for Development and decided that, in addition to its original mandate, the Commission shall effectively assist the Economic and Social Council as the focal point in the system-wide follow-up, in particular the review and assessment of progress made in implementing the outcomes of the World Summit on the Information Society, in accordance with General Assembly resolutions 57/270 B and 60/252,¹⁷⁹ and agreed that the system-wide follow-up shall have a strong development orientation.¹⁸⁰ The Commission was enlarged by the inclusion of ten new members.¹⁸¹ ECOSOC allowed, on exceptional basis, certain non-accredited NGOs and private entities to participate in the sessions of the Commission; it nonetheless stressed that, “while using the multi-stakeholder approach effectively, the intergovernmental nature of the Commission should be preserved.”¹⁸²

(76) In assessing the follow-up to the Geneva and Tunis World Summit, ECOSOC noted the constant change of the forms of digital divide, that the disparity continues between developed and developing countries in respect of the cost and quality of access, that the gender disparity of access persists, that the number of mobile telephony subscriptions is strongly growing in the developing countries, and that there is a growing number of incidents affecting global network safety and security and provoking service outages in large regions of the world.¹⁸³ It consequently called upon all stakeholders to increase their efforts to reduce the disparity in cost of access, to continue the development and spread of easy-to-use applications and services for mobile phones and related devices, especially those that are useful in rural areas, and recommended that all States strive for gender equality in access to the Internet and in building the information society in both developed and developing countries.¹⁸⁴ It also called upon all stakeholders to assist developing countries in their efforts towards narrowing the digital divide and encourages them to continue to focus on pro-poor information and communications technology policies and applications, including the need for access to broadband at the grass-roots level, with a view to narrowing the digital divide between and within countries.¹⁸⁵

(77) The General Assembly recognized “the immense potential that information and communication technologies have in promoting the transfer of technologies in a wide spectrum of socio-economic activity,” and considered those technologies “as a critical enabler of development and a catalyst for the achievement of the internationally agreed development goals.”¹⁸⁶ It stressed the importance, for the Governments, of making effective use of information and communication technologies to support national development effort, and encouraged the United Nations development system to continue its effort to promote it.¹⁸⁷ It underlined “a pressing need to address the major

¹⁷⁸ *Id.*, para. 12.

¹⁷⁹ E S C resolution 2006/46, para. 4.

¹⁸⁰ *Id.*, para. 5.

¹⁸¹ *Id.*, para. 7.

¹⁸² *Id.*, para. 14. *See also* E S C resolution 2007/8.

¹⁸³ E S C resolution 2008/3.

¹⁸⁴ *Id.*, paras. 11-13.

¹⁸⁵ E S C resolution 2009/7, paras. 26 and 30.

¹⁸⁶ G A resolution 63/202, paras. 5 and 11.

¹⁸⁷ *Id.*, paras. 2 and 11.

impediments that developing countries face in accessing the new technologies” and called upon all stakeholders to provide adequate resources, enhanced capacity-building and technology transfer to developing countries.¹⁸⁸ The General Assembly further encouraged Member States, the private sector and all other relevant stakeholders to consider strengthening the secretariat of the Internet Governance Forum in order to support its activities and operations, in accordance with its mandate, including by providing additional funds, where possible, to the Trust Fund in support of the secretariat.¹⁸⁹

(78) The General Assembly stressed the importance of combating the criminal misuse of information technologies¹⁹⁰ and invited Member States, when developing relevant national law, policy and practice, to take into account the work and achievements of the Commission on Crime Prevention and Criminal Justice and of other international and regional organizations.¹⁹¹ It repeatedly called upon Member States to promote further at multilateral levels the consideration of existing and potential threats in the field of information security, as well as possible measures to limit the threats emerging in this field, consistent with the need to preserve the free flow of information.¹⁹² It requested the Secretary-General, with the assistance of a group of governmental experts, established in 2009, to continue to study existing and potential threats in the sphere of information security and possible cooperative measures to address them, and to submit a report on the results of this study to the General Assembly at its sixty-fifth session.¹⁹³ The General Assembly also stressed that “technology alone cannot ensure cybersecurity and that priority must be given to cybersecurity planning and management throughout society” and adopted “elements for creating a global culture of cybersecurity” to be considered by Member States and relevant international organizations.¹⁹⁴

(79) In response to General Assembly resolution 58/200, the Secretary-General submitted, in August 2005, a report¹⁹⁵, which reviewed UN system biotechnology-related activities in agriculture and food, health, biosafety and the environment, trade and development and capacity-building. The report proposed that UN-Biotech an interagency cooperation network on biotechnology should serve as an advisory unit for developing countries on new trends in biotechnology innovations, policy and trade. It should focus on building productive capacity in all areas of biotechnology to help developing countries become leaders in formulating policies as the technology was developed. It should also explore mechanisms to help those countries build the human resources and infrastructure needed to participate in the bioeconomy. The General Assembly took a note with interest of the existence of UN-Biotech in its resolution 60/205 and encouraged the relevant bodies of the United Nations system engaged in biotechnology to collaborate with a view to enhancing effectiveness in the implementation of programmes designed to assist

¹⁸⁸ *Id.*, para. 4.

¹⁸⁹ G A resolution 64/187, para. 17.

¹⁹⁰ G A resolution 55/63.

¹⁹¹ G A resolution 56/121.

¹⁹² *E.g.* G A resolutions 56/19 and 57/53.

¹⁹³ G A resolution 60/45, para. 4.

¹⁹⁴ G A resolutions 57/239, 58/199 and 64/211.

¹⁹⁵ A/60/184.

developing countries in building capacity in all areas of biotechnology, including for industry and agriculture, as well as for risk assessment and management of biosafety.¹⁹⁶

(80) The General Assembly called upon Member States and relevant United Nations organizations to make greater efforts to promote the development and transfer of appropriate technologies in and to developing countries under fair, transparent and mutually agreed terms, as well as to support national efforts to foster the effective utilization of local know-how and technology and promote agricultural research and technologies to enable poor rural men and women to increase agricultural productivity and enhanced food security.¹⁹⁷ It also called upon public and private institutions to further develop improved varieties of crops that are appropriate for various regions, especially those challenged by environmental factors, including climate change, and to develop and manage these crops in a sustainable manner, and pledged for further efforts to be made by all stakeholders to ensure that improved crop varieties are made available and affordable to smallholder farmers.¹⁹⁸

(81) In response to General Assembly resolution 62/190, the Secretary-General articulated, in his report,¹⁹⁹ the call of the Commission on Sustainable Development for “a green revolution that revitalizes agricultural sectors in developing countries by enhancing agricultural production, productivity, and sustainability through the use of science-based approaches and local indigenous knowledge in a manner that protects and conserves natural resources, limits the use of scarce inputs and pollutants, and enhances the quality of natural resources,” and for “mobilization of funding for research and development of drought tolerant seed varieties, the promotion of technical solutions and practices in combination with traditional knowledge for drought forecasting, impact assessment, and early warning systems.”

5. Transnational Organized Crime

(82) Throughout the period under review, United Nations bodies expressed concern about the impact that transnational organized crime can have and does have on the ability of a country, particularly a developing country, to achieve higher levels of social and economic development. The General Assembly remarked that it was “deeply concerned at the impact of transnational organized crime on the political, social and economic stability and development of societies.”²⁰⁰ In successive session, it repeatedly reiterated its concern.²⁰¹ In addition to its effect on the economy, the General Assembly identified the links between assorted illegal activities, including terrorism, and organized crime as an “additional threat to security and the quality of life, hindering economic and social development.”²⁰² Finally, as part of its plan “Further initiatives for social development,”

¹⁹⁶ G A resolution 60/205, para. 4.

¹⁹⁷ *Id.*, para. 1.

¹⁹⁸ *Id.*, para. 6.

¹⁹⁹ A/64/258.

²⁰⁰ G A resolution 56/120.

²⁰¹ G A resolution 57/168, 58/135, and 59/157.

²⁰² G A resolution 59/154.

the General Assembly labeled organized crime one of the “world wide conditions that pose severe threats to the health, safety, peace, security and well-being of our people.”²⁰³

(83) ECOSOC also expressed deep concern about the effect of transnational organized crime on the “political, social and economic stability and development of societies.”²⁰⁴ ECOSOC went on to highlight the portion of a report by the Executive Director of the United Nations Office on Drugs and Crime, entitled “Development, security and justice for all,” which identified organized crime as one of the factors that had impeded sustainable development in Africa.²⁰⁵

(84) The Secretary-General also addressed the connection between transnational organized crime and development. He summarized his conclusions in a note entitled “Thematic discussion on the rule of law and development: the contribution of operational activities in crime prevention and criminal justice.”²⁰⁶ The report noted that significant achievements in social and economic development had repeatedly been undermined by lawlessness and criminal behavior and that, in many countries, there was a close relationship between institutional failure in the justice sector and the scope of organized crime.²⁰⁷ The relationship between transnational organized crime and development was one of the factors that influenced United Nations action in this area during the period under review.

(85) During the period under review, the most significant developments addressing the relationship between transnational organized crime and development were the adoption of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century and the drafting, opening for signature and entering into force of the United Nations Convention against Transnational Organized Crime.²⁰⁸ The Vienna Declaration on Crime and Justice was, in part, a response to a concern on the part of the State Members of the United Nations about transnational organized crime, the relationship between its various forms and its impact on societies.²⁰⁹ In what would become a theme during the period under review, the Vienna Declaration, though acknowledging the responsibility of individual States for crime prevention, recognized the necessity of “closer cooperation and coordination among States in combating the world crime problem . . . [and of] technical cooperation activities to assist States in their efforts to strengthen their domestic criminal justice systems and their capacity for international cooperation.”²¹⁰ The Vienna Declaration also emphasized, once again, the “high priority” accorded to the negotiation and completion of the United Nations Convention against Transnational Organized Crime.²¹¹

(86) Creating the Convention fulfilled a long-time goal; one of the recommended actions listed in the General Assembly’s “Further issues for social development” was

²⁰³ G A resolution S-24/2.

²⁰⁴ E S C resolution 2001/10, 2003/21, and 2004/23.

²⁰⁵ E S C resolution 2004/32.

²⁰⁶ E/CN.15/2004/3.

²⁰⁷ *Id.*

²⁰⁸ Two of the Convention’s supplementary legal instruments, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and Protocol Against the Smuggling of Migrants by Land, Sea and Air were completed at the same time.

²⁰⁹ G A resolution 55/59.

²¹⁰ *Id.*

²¹¹ *Id.*

encouraging “the ongoing work on a draft convention against transnational organized crime and the additional protocols thereto, with a view to the speedy finalization of this work.”²¹² Even before the Convention was opened for signature on 12 December 2000 in Palermo, the General Assembly was encouraging States “to begin making adequate and regular voluntary contributions,” for its implementation.²¹³

(87) The main purpose of the Convention was to “promote cooperation to prevent and combat transnational organized more effectively.”²¹⁴ However, its drafting was informed by a deep concern, a concern shared, as noted above, by the General Assembly and by ECOSOC, about “the negative economic and social implications related to organized criminal activities,” and the belief in an “urgent need to strengthen cooperation to prevent and combat such activities more effectively at the national, regional and international levels.”²¹⁵ By the end of 2001, the Convention had 140 signatories and six parties. By the end of the following year, it had 147 signatories and twenty-eight parties. The Convention entered into force in September 2003, and by the end of the year it had 147 signatories and 97 parties.

(88) Early in the period under review, the Secretary-General released a report which noted that the overall medium-term objective was to strengthen international cooperation by assisting Governments in addressing problems of organized crimes; the role of the international community was to lend expertise and to build capacity rather than to address a particular situation.²¹⁶ The importance assigned to this objective was affirmed by the General Assembly. On multiple occasions, it adopted resolutions approving of the high priority given to “technical cooperation and advisory services in the field of crime prevention and criminal justice, including in the area of prevention and control of transnational organized crime, and stress[ing] the need . . . to assist, in particular, developing countries and countries with economies in transition.”²¹⁷

(89) The General Assembly also emphasized cooperation within the United Nations. It urged relevant entities, including the United Nations International Drug Control Programme, the UNDP, and the World Bank, to work with the Centre for International Crime Prevention – a body which provides Member States with “technical cooperation, advisory services and other forms of assistance in the fields of crime prevention and criminal justice” in order to avoid duplicating effort and, more importantly, to ensure that “activities related to the prevention of corruption, are considered in their sustainable development agenda.”²¹⁸ Finally, ECOSOC promoted various means of cooperation among States, including requesting the United Nations Office on Drugs and Crime to promote South-South cooperation.²¹⁹

(90) The Eleventh UN Crime Congress on Crime Prevention and Criminal Justice, which took place in Bangkok from 18 to 25 April 2005, considered five major topics, with corresponding working papers prepared by the secretariat on: effective measures to

²¹² G A resolution S-24/2.

²¹³ G A resolution 55/64.

²¹⁴ G A resolution 55/25.

²¹⁵ *Id.*

²¹⁶ A/55/6 (Prog. 12)

²¹⁷ G A resolution 55/64. *See also* G A resolutions 56/123 , 57/173, and 58/140.

²¹⁸ G A resolution 57/173

²¹⁹ E S C resolution 2004/32

combat transnational organized crime;²²⁰ international cooperation against terrorism and links between terrorism and other criminal activities in the context of the work of UNODC;²²¹ corruption: threats and trends in the twenty-first century;²²² economic and financial crimes: challenges to sustainable development;²²³ and making standards work: fifty years of standard-setting in crime prevention and criminal justice.²²⁴ The outcome of the Congress – the Bangkok Declaration – was endorsed both by ECOSOC²²⁵ and by the General Assembly,²²⁶ which also ensured the follow-up to its implementation.²²⁷ Both organs then undertook the preparation of the Twelfth UN Congress²²⁸ to be held in Salvador, Brazil, from 12 to 19 April 2010.²²⁹

(91) Following the 2nd session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, held in Vienna from 10 to 21 October 2005,²³⁰ ECOSOC urged all Member States to criminalize trafficking in persons; to promote cooperation among law enforcement authorities in combating trafficking in persons; to ensure the security and control of travel or identity documents; and to establish the offence of trafficking in persons as a predicate offence for money-laundering offences.²³¹ Furthermore, following the ECOSOC request, United Nations offices, funds and programmes met, in Tokyo on 26 and 27 September 2006, with other international organizations to enhance cooperation on trafficking in persons.²³²

(92) The General Assembly recognized that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery, and invited them to foster a global partnership against trafficking in persons and other contemporary forms of slavery.²³³ It also recognized both the need to arrive at a better understanding of what constitutes demand and how to combat it, and the need to address the factors that make persons, especially women and children, vulnerable to trafficking. The General Assembly therefore decided to strengthen efforts to counter the demand for victims of trafficking in persons. It also encouraged Member States to consider adopting legislative or other measures, such as educational, social or cultural measures, to discourage and reduce the demand that fosters all forms of exploitation of persons, and to adopt measures, including through bilateral or multilateral cooperation, to counter the factors that make persons vulnerable to trafficking. According to the General Assembly, those factors include “poverty, underdevelopment and lack of equal opportunities, lack of equal access to education and lack of equal access to the

²²⁰ A/CONF.203/4.

²²¹ A/CONF.203/5.

²²² A/CONF.203/6.

²²³ A/CONF.203/7.

²²⁴ A/CONF.203/8.

²²⁵ E C S resolution 2005/15.

²²⁶ G A resolution 60/177.

²²⁷ See E C S resolutions 2006/26 and 2007/17 and G A resolution 62/173.

²²⁸ See G A resolutions 62/173, 63/193 and 64/180 and E C S resolution 2008/22.

²²⁹ G A resolution 63/193, para. 2.

²³⁰ CTOC/COP/2005/8.

²³¹ E C S resolution 2006/27.

²³² See G A resolution 61/180, para. 11.

²³³ G A resolution 61/180, para. 1.

labour market.”²³⁴ The General Assembly also recognized the importance of comparable data disaggregated by types of trafficking in persons, sex and age, and of strengthening national capacity for the gathering, analysing and reporting of such data, and welcomed the efforts of the Inter-Agency Coordination Group against Trafficking in Persons to share information, experiences and good practices on anti-trafficking activities of the partner agencies with Governments, other international and regional organizations, non-governmental organizations and other relevant bodies.²³⁵

(93) The principal organs also adopted several resolutions related to the promotion of effective crime prevention,²³⁶ reporting on crime,²³⁷ protection of witnesses,²³⁸ kidnapping,²³⁹ trafficking in human organs,²⁴⁰ trafficking in cultural property,²⁴¹ crime data collection,²⁴² drugs,²⁴³ strengthening of the technical cooperation capacity of the United Nations Crime Prevention and Criminal Justice Programme,²⁴⁴ and strengthening the rule of law and the reform of criminal justice institutions.²⁴⁵ ECOSOC also adopted a model bilateral agreement on the sharing of confiscated proceeds of crime or property covered by the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.²⁴⁶ Furthermore, ECOSOC adopted the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime as “a useful framework that could assist Member States in enhancing the protection of child victims and witnesses in the criminal justice system.”²⁴⁷

6. Corruption and development

(94) During the period under review, the General Assembly identified corruption as a severe threat to health, safety and well-being.²⁴⁸ It also noted “the corrosive effect that

²³⁴ *See Id.*

²³⁵ G A resolution 63/194, para. 8 and G A resolution 64/178, para. 6.

²³⁶ E C S resolution 2005/22.

²³⁷ E C S resolution 2005/23.

²³⁸ E C S resolution 2005/16.

²³⁹ G A resolutions 59/154 and 61/179. E C S resolutions 2002/16, 2003/28, 2004/20, 2006/19 and 2009/24.

²⁴⁰ G A resolution 59/156. E C S resolutions 2004/22 and 2006/10.

²⁴¹ E C S resolutions 2004/34 and 2008/23.

²⁴² E C S resolution 2009/25.

²⁴³ *E.g.* G A resolutions 55/65 and 64/182. *E.g.* E C S resolutions 2001/18 (concerning the computer and telecommunication system for international and national drug control developed by the United Nations International Drug Control Programme), 2003/35 (prevention and suppression of illicit drug trafficking), 2003/36 (establishment of national networks to counter money-laundering in the framework of national and international drug control plans), 2003/33 (reduction of illicit drug demand), 2004/39 (drug control and related crime prevention assistance for countries emerging from conflict), 2007/10 (drug abuse data collection) and 2008/26 (drug control strategy in States where illicit crops are grown to produce drugs).

²⁴⁴ E C S resolution 2000/21 and G A resolutions 60/175, 61/181, 62/175, 63/195 and 64/179.

²⁴⁵ E C S resolution 2006/25, taking note of the S G Report “The rule of law and development: strengthening the rule of law and the reform of criminal justice institutions, including in post-conflict reconstruction” (E/CN.15/2006/3).

²⁴⁶ E C S resolution 2005/14.

²⁴⁷ E C S resolution 2005/20.

²⁴⁸ G A resolution S-24/2

corruption has on democracy, development, the rule of law and economic activity.”²⁴⁹ Both the General Assembly and the Economic and Social Council (ECOSOC) repeatedly expressed concern about the “seriousness of problems posed by corruption, which may endanger the stability and security of societies, undermine the values of democracy and morality and jeopardize social, economic and political development.”²⁵⁰ The General Assembly also underlined, in connection with a resolution on the transfer of funds of illicit origin, that “returning such funds is an important element in mobilizing resources for development.”²⁵¹ In determining actions and initiatives necessary to implement commitments made at the World Summit for Social Development, the General Assembly “Encouraged relevant bodies of the United Nations system to address the issue of corruption which undermines the efforts made and efficient use of resources for social development.”²⁵² The focus on corruption was due both to the deleterious effects described above and to the conviction, articulated by the General Assembly, that “corruption is no longer a local matter but a transnational phenomenon that affects all societies and economies, making international cooperation to prevent and control it essential.”²⁵³

(95) It was, in part, the increasingly transnational character of corruption that led the General Assembly to stress in the Vienna Declaration on Crime and Justice the “urgent need to develop an effective international legal instrument against corruption, independent of the United Nations Convention against Transnational Organized Crime.”²⁵⁴ This passage of the Vienna Declaration is of particularly significance given that the Convention on Transnational Organize Crime, which was adopted in 1995, contains several provisions on corruption. In its resolution adopting the Convention, the General Assembly stated that it was strongly convinced that that instrument would “constitute an effective tool and the necessary legal framework for international cooperation in combating, inter alia, such criminal activities as . . . corruption.”²⁵⁵ Relevant provisions include Article 8, which requires State Parties to adopt legislation criminalizing offering bribes to a public official or accepting bribes or an undue advantage as a public official, and Article 9, which requires State Parties to “take measures to ensure effective action by its authorities in the prevention, detection and punishment of the corruption of public officials, including providing such authorities with adequate independence to deter the exertion of inappropriate influence on their actions.”²⁵⁶

(96) In spite of the measures in the Convention on Transnational Organized Crime, calls for an “effective international legal instrument against corruption” continued.²⁵⁷ In response, the General Assembly decided to “begin the elaboration of such an

²⁴⁹ G A resolution 55/61

²⁵⁰ G A resolutions 55/188 and 56/260; E S C resolutions 2001/13, and 2001/46; *see also* G A resolution 56/186.

²⁵¹ G A resolution 56/186.

²⁵² G A resolution S-24/2.

²⁵³ G A resolution 58/4.

²⁵⁴ G A resolution 55/59.

²⁵⁵ G A resolution 55/25.

²⁵⁶ *Id.*

²⁵⁷ G A resolution S-24/2.

instrument.”²⁵⁸ In the same resolution, the General Assembly set forth procedures for adopting draft terms of reference and creating an *ad hoc* committee and an intergovernmental open-ended expert group to begin the drafting process.²⁵⁹ The General Assembly also invited the World Bank, UNDP, the UN International Drug Control Programme and other relevant agencies to participate in the process and asked them to ensure that “activities related to the prevention of corruption, are considered in their sustainable development agenda.”²⁶⁰ In a report to the Commission on Crime Prevention and Criminal Justice, the Secretary-General stated that the General Assembly’s mandate to develop a convention against corruption was a unique opportunity to address the concerns of the international community by attempting to stem the effect of corruption.²⁶¹

(97) In October 2003, the General Assembly adopted the United Nations Convention against Corruption, and in December the Convention was opened for signature in Merida, Mexico. In addition to adopting the Convention, the General Assembly also decided that 9 December should be designated International Anti-Corruption Day.²⁶² ECOSOC welcomed the Convention, underlining that “improvement of public sector effectiveness requires, inter alia, that all countries strive to eliminate corruption at all levels.”²⁶³ In adopting the Convention, the General Assembly reiterated that it was concerned “about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law.”²⁶⁴ The States Parties to the Convention went on to express specific concern about “cases of corruption that involve vast quantities of assets, which may constitute a substantial proportion of the resources of States, and that threaten the political stability and sustainable development of those States.”²⁶⁵

(98) Following the adoption of the Convention against Corruption, the General Assembly reaffirmed that “the prevention and eradication of corruption is a responsibility of all States.”²⁶⁶ However, in the same resolution it also indicated that, for their measures against corruption to be effective, States have to cooperate with each other and have the “support and involvement of individuals and groups outside the public sector, such as civil society, nongovernmental organizations and community-based organizations.”²⁶⁷

(99) To combat effectively corruption everywhere, the General Assembly called upon States to promote, through national action, “the mobilization of new and additional resources for social development.”²⁶⁸ After the Convention against Corruption was adopted and opened for signature, the General Assembly emphasized the importance of

²⁵⁸ G A resolution 55/61.

²⁵⁹ *Id.* See also G A resolution 55/188.

²⁶⁰ G A resolution 57/173.

²⁶¹ E/CN.15/2001/3 & Corr.1.

²⁶² G A resolution 58/4.

²⁶³ E S C resolution 2004/240.

²⁶⁴ G A resolution 58/4.

²⁶⁵ *Id.*

²⁶⁶ G A resolution 59/155.

²⁶⁷ *Id.*

²⁶⁸ G A resolution S-24/2.

the “effective participation of all relevant stakeholders from the least developed countries, developing countries and countries with economies in transition.”²⁶⁹

(100) In the outcome of the 2005 World Summit, under the heading “Domestic resource mobilization”, the Heads of State and Government resolved to make the fight against corruption a priority at all levels and urged all States that have not done so to consider signing, ratifying and implementing the United Nations Convention against Corruption.²⁷⁰

(101) The Convention entered into force on 14 December 2005 and was followed by three sessions of the Conference of the States Parties to the United Nations Convention against Corruption, held in Amman from 10 to 14 December 2006,²⁷¹ Nusa Dua, Indonesia, from 28 January to 1 February 2008,²⁷² and Doha, from 9 to 13 November 2009.²⁷³

(102) The General Assembly continued to scrutinize the implementation of the Convention.²⁷⁴ It encouraged Member States to provide adequate financial and human resources to the United Nations Office on Drugs and Crime (UNODC) for the effective implementation of the Convention, and requested the Office to give high priority to technical cooperation to promote and facilitate the ratification, acceptance, approval of or accession to and the implementation of the Convention.²⁷⁵ The General Assembly called for further international cooperation, through the United Nations system, in support of national, subregional and regional efforts to prevent and combat corrupt practices and the transfer of assets of illicit origin and welcomed the cooperation of the UNODC with relevant partners, including the International Centre for Asset Recovery.²⁷⁶ It stressed the importance of the role that the Global Compact can play in fighting corruption and promoting transparency and urged the private sector, at both the international and the national levels, including small and large companies and transnational corporations, to remain fully engaged in the fight against corruption and to continue to promote corporate responsibility and accountability.²⁷⁷ The General Assembly furthermore called upon States parties to continue to support the work carried out by the Open-ended Intergovernmental Expert Working Groups on Asset Recovery, Technical Assistance and Review of Implementation in order to facilitate the full implementation of the Convention.²⁷⁸ The General Assembly also continued to take note of various international initiatives such as the Stolen Asset Recovery Initiative of the UNODC and the World Bank²⁷⁹ or the establishment of the International Anti-Corruption Academy based on the partnership between the UNODC, the International Criminal Police Organization and the Government of Austria, with the support of the European Anti-Fraud Agency.²⁸⁰

²⁶⁹ G A resolution 59/152.

²⁷⁰ G A resolution 60/1.

²⁷¹ CAC/COSP/2006/12.

²⁷² CAC/COSP/2008/1.

²⁷³ CAC/COSP/2009/15.

²⁷⁴ G A resolutions 60/207, 61/209, 62/202, 63/226 and 64/237.

²⁷⁵ G A resolution 60/207, para. 10.

²⁷⁶ G A resolution 62/202, paras. 11 and 15.

²⁷⁷ G A resolution 63/226, para. 18.

²⁷⁸ *Id.*, para. 9.

²⁷⁹ G A resolution 62/202, para. 11.

²⁸⁰ G A resolution 64/237, para. 22.

(103) ECOSOC adopted resolutions in relation to the implementation of the Convention against corruption, concerning assistance to States in capacity-building²⁸¹ and international cooperation.²⁸²

(104) The General Assembly repeatedly emphasized “the urgent need for taking concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery” in connection with the right to development.²⁸³ The fight against corruption at all levels was reiterated as a priority also by the Doha Declaration on Financing for Development.²⁸⁴

7. Other Areas of Action

a. Financing for Development

(105) During the period under review, the UN treated financing for development and, in particular, the relation between the international financial system and development as a topical issue, recognizing that “mobilizing financial resources for development and the effective use of those resources in developing countries and countries with economies in transition are central to a global partnership for development in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals.”²⁸⁵ In that context, the principal organs concentrated on the emerging interaction between the international financial system and development²⁸⁶ and the importance of external debts and possible debt relieve for developing countries,²⁸⁷ recognizing that “the increasing globalization of financial markets and capital flows has presented Governments, the multilateral financial institutions and the international community at large with new challenges and opportunities for the mobilization of adequate and more stable resources for promoting economic development and social welfare,” and emphasizing “the need to renew national, regional and international efforts to promote international financial stability and, to this end, to improve early warning, prevention and response capabilities for dealing with the emergence and spread of financial crises in a timely manner.”²⁸⁸

(106) The General Assembly underlined “the important role that private sector creditors play in debt relief and debt sustainability” and recognized that “creditors and debtors must share the responsibility for preventing and resolving unsustainable debt situations and that debt relief can play a key role in liberating resources that should be directed towards activities consistent with attaining poverty eradication, sustainable economic

²⁸¹ E C S resolution 2005/18.

²⁸² E C S resolution 2006/24.

²⁸³ E.g. G A resolutions 62/161 and 64/172.

²⁸⁴ G A resolution 63/239, annex, para. 21.

²⁸⁵ *Id.*, para. 23.

²⁸⁶ G A resolutions 57/241, 58/202, 59/222, 60/186, 61/187, 62/185, 63/205 and 64/190.

²⁸⁷ G A resolutions 58/203, 59/223, 60/187 and 61/188.

²⁸⁸ G A resolution 54/197.

growth and sustainable development and with the achievement of the internationally agreed development goals.”²⁸⁹ It stressed the need to implement speedily, effectively and fully the enhanced Heavily Indebted Poor Countries (HIPC) Initiative, launched by the International Monetary Fund in 1996, to further explore options to address the difficult issues of HIPC-to-HIPC debt relief and creditor litigation, and to establish effective debt-tracking mechanisms in developing countries and strengthen technical assistance for external debt management and debt tracking in order to ensure that resources provided for debt relief do not detract from official development assistance resources.²⁹⁰

(107) The principal organs also strongly promoted the role of microcredit and microfinance as an innovative tool for eradication of poverty,²⁹¹ stressing that “that microfinance, including microcredit programmes, has succeeded in generating productive self-employment and proved to be an effective tool in assisting people in overcoming poverty and reducing their vulnerability to crisis, and has led to their growing participation, in particular the participation of women, in the mainstream economic and political processes of society.”²⁹² They invited Member States, the United Nations system, the Bretton Woods institutions, regional development banks and other relevant stakeholders to fully maximize the role of microfinance tools, to support financially and technically the efforts of developing countries in capacity-building for microcredit and microfinance institutions and to adopt policies to facilitate their expansion, as well as to provide for greater access to microfinance, including microcredit, in developing countries, in particular for small farmers, which can contribute to increased agricultural productivity and rural development.²⁹³ The main activities culminated around the International Year of Microcredit 2005.²⁹⁴

(108) In 2001, the General Assembly convened the International Conference on Financing for Development,²⁹⁵ which took place in Monterrey, Mexico, from 18 to 22 March 2002.²⁹⁶ The General Assembly endorsed the outcome of the conference – the Monterrey Consensus.²⁹⁷ The principal organs supported the follow-up to the Conference²⁹⁸ and subsequently continued to scrutinize its implementation.²⁹⁹ The General Assembly also decided to hold biennially the High-level Dialogue on Financing for Development at ministerial level starting from 2003.³⁰⁰ In 2006, the General Assembly decided to convene the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, which took place in Doha, Qatar, from 29 November to 2 December 2008. The Doha Declaration on Financing for Development, the outcome document of the Conference subsequently

²⁸⁹ G A resolution 58/203.

²⁹⁰ *Id.*, para. 10.

²⁹¹ *E.g.* G A resolutions 59/246, 61/214 and 63/229.

²⁹² G A resolution 59/246.

²⁹³ *See* G A resolution 59/246, paras. 5 to 7, and G A resolution 63/229, paras. 4 and 9.

²⁹⁴ *See* G A resolution 58/221 and Secretary-General report A/61/307.

²⁹⁵ G A resolution 55/245 A. *See also* G A decisions 56/445 and 56/446 and G A resolution 56/210 A.

²⁹⁶ A/CONF.198/11.

²⁹⁷ G A resolution 56/210 B.

²⁹⁸ *See e.g.* G A resolution 57/273 and E S C decision 2002/306.

²⁹⁹ *E.g.* G A resolutions 57/272, 58/230 and 61/191 and E S C resolutions 2003/47, 2004/64 and 2007/30.

³⁰⁰ G A resolution 57/250, paras. 3 and 4. *See also e.g.* G A Resolutions 59/145, 59/293 and 64/194.

endorsed by the General Assembly,³⁰¹ *inter alia* recognized that that the international context has changed in profound ways since the Conference in Monterrey and pointed out that the international community is currently challenged by “the severe impact on development of multiple, interrelated global crises and challenges, such as increased food insecurity, volatile energy and commodity prices, climate change and a global financial crisis, as well as the lack of results so far in the multilateral trade negotiations and a loss of confidence in the international economic system.”³⁰²

(109) The outbreak of the world financial crisis in the second half of the period under review severely marked the fragile system of development financing. The General Assembly expressed its concern that “the impact of the current financial crisis and global economic slowdown on the ability of developing countries to gain access to the financing necessary for their development objectives, and [...] that developing countries and countries with economies in transition risk suffering very serious setbacks to their development objectives, in particular the achievement of the internationally agreed development goals, including the Millennium Development Goals.”³⁰³

(110) Following paragraph 79 of the Doha Declaration, the General Assembly convened the Conference on the World Financial and Economic Crisis and Its Impact on Development at United Nations Headquarters from 1 to 3 June 2009.³⁰⁴ The Outcome of the Conference, endorsed by the General Assembly,³⁰⁵ observed that “Developing countries, which did not cause the global economic and financial crisis, are nonetheless severely affected by it. The economic and social progress achieved during recent years, in particular on internationally agreed development goals, including the Millennium Development Goals, is now being threatened in developing countries, particularly least developed countries.”³⁰⁶ It underlined that “strong and urgent actions are needed to counter the impact of the crisis on the most vulnerable populations and help to restore strong growth and recover lost ground in their progress towards our internationally agreed development goals, including the Millennium Development Goals. Therefore, an adequate share of any additional resources – both short-term liquidity and long-term development financing – will need to be made available to developing countries.”³⁰⁷ It also stressed that “the urgent need for further reform of the governance of the Bretton Woods institutions, on the basis of a fair and equitable representation of developing countries, in order to increase the credibility and accountability of these institutions,”³⁰⁸ and that “it is imperative that the reformed World Bank emerge with the requisite technical capacities, credit facilities and financial resources needed to assist and complement the efforts of developing countries aimed at achieving their overall development needs.”³⁰⁹ The General Assembly consequently established an ad hoc open-

³⁰¹ G A resolution 63/239.

³⁰² *Id.*, annex, para. 3.

³⁰³ G A resolution 63/222, para. 2.

³⁰⁴ G A resolution 63/277.

³⁰⁵ G A resolution 63/303.

³⁰⁶ *Id.*, para. 3.

³⁰⁷ *Id.*, para. 10.

³⁰⁸ *Id.*, para. 43.

³⁰⁹ *Id.*, para. 45.

ended working group of the General Assembly to follow up on the issues contained in the Outcome³¹⁰ and ECOSOC took implementing measures.³¹¹

b. Groups of countries in special situations

(111) In the framework of the Programme of Action for the Least Developed Countries for the Decade 2001-2010, the General Assembly convened a high-level meeting on the midterm comprehensive global review of the implementation of that Programme, in New York, on 19 and 20 September 2006.³¹² The Declaration³¹³ subsequently adopted stressed that many least developed countries are unlikely to achieve the goals and objectives set out in the Programme of Action but that many of those countries nevertheless produced notable achievements through wide-ranging and far-reaching reforms.

(112) The General Assembly also endorsed³¹⁴ the Mauritius Declaration³¹⁵ and the Mauritius Strategy for Implementation³¹⁶ adopted at the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, held in Port Louis from 10 to 14 January 2005, and followed its implementation.³¹⁷

(113) In respect of Landlocked Developing Countries, the General Assembly reaffirmed the right of access of landlocked countries to and from the sea and freedom of transit through the territory of transit countries by all means of transport, in accordance with the applicable rules of international law, and the right of the transit countries, in the exercise of their full sovereignty over their territory, to take all measures necessary to ensure that the rights and facilities provided for landlocked countries in no way infringe their legitimate interests.³¹⁸ It also stressed³¹⁹ the need to implement paragraphs 66 and 84 of the São Paulo Consensus³²⁰ adopted at the eleventh session of the United Nations Conference on Trade and Development, held in São Paulo, Brazil, from 13 to 18 June 2004.

(114) Furthermore, it endorsed³²¹ the Almaty Programme of Action³²² and the Almaty Declaration³²³ adopted on the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation held in Almaty, Kazakhstan, from 25-29 August 2003, and subsequently decided to hold a high-level plenary meeting

³¹⁰ G A resolution 63/305.

³¹¹ E S C decision 2009/258.

³¹² G A resolution 60/228.

³¹³ G A resolution 61/1.

³¹⁴ G A resolution 59/311.

³¹⁵ A/CONF.207/L.6, annex I.

³¹⁶ A/CONF.207/L.6, annex II.

³¹⁷ *E.g.* G A resolutions 60/194 and 64/199.

³¹⁸ *E.g.* G A resolutions 59/245 and 64/214.

³¹⁹ G A resolutions 59/245

³²⁰ TD/412, part II.

³²¹ G A resolution 58/201.

³²² A/CONF.202/3, annex I.

³²³ *Id.* annex II.

devoted to the midterm review of that Programme in October 2008.³²⁴ The outcome Declaration adopted on that meeting³²⁵ stated that the economic growth and social well-being of landlocked developing countries remain very vulnerable to external shocks and that those countries, while still dependent on the export of a limited number of commodities, continue to be marginalized from international trade, which prevents them from fully using trade as an instrument for achieving their development goals. It suggested several measures to be taken in order to facilitate the implementation of the Almaty Programme of Action, including strengthening, improvements and harmonisation of the legal framework with respect to transit transport cooperation and technical standards, promotion of inter-railway cooperation, limitation of administrative burden and designation of focal points in each country concerned.³²⁶

(115) The General Assembly also put on its agenda the assistance to poor mountain countries.³²⁷ It identified as key challenges to implementing sustainable development in fragile mountain ecosystems and eradicating poverty in mountains growing demand for natural resources, the consequences of erosion, deforestation and other forms of watershed degradation, the occurrence of natural disasters, increasing outmigration, the pressures of industry, transport, tourism, mining, agriculture and the consequences of global climate change.³²⁸

c. Global Partnership

(116) In its report entitled “We the peoples: the role of the United Nations in the twenty-first century”,³²⁹ the Secretary-General pointed out that “better governance means greater participation, coupled with accountability. Therefore, the international public domain — including the United Nations — must be opened up further to the participation of the many actors whose contributions are essential to managing the path of globalization. Depending on the issues at hand, this may include civil society organizations, the private sector, parliamentarians, local authorities, scientific associations, educational institutions and many others.”³³⁰ He constantly stressed the need to include private sector in the programmes, policies and actions undertaken by the UN in the area of development, referring, in particular, to the Global Compact – a joint undertaking of the International Labour Organization, the United Nations Environment Programme and the Office of the United Nations High Commissioner for Human Rights, launched in 1999.³³¹ In the Millennium Declaration, the Heads of State and Government resolved “to develop strong partnerships with the private sector and with civil society organizations in pursuit of development and poverty eradication.”³³²

³²⁴ G A resolution 62/204.

³²⁵ G A resolution 63/2.

³²⁶ *Id.*, para. 25.

³²⁷ G A resolution 59/238.

³²⁸ G A resolution 60/198.

³²⁹ A/54/2000.

³³⁰ *Id.*, para. 46.

³³¹ *Id.*, box 4.

³³² G A resolution 55/2, para. 20.

(117) Consequently, the General Assembly initiated the UN policy of Global Partnership, stressing that “efforts to meet the challenges of globalization could benefit from enhanced cooperation between the United Nations and all relevant partners, in particular the private sector, in order to ensure that globalization becomes a positive force for all,” and reaffirming “the central role of the United Nations, in particular the General Assembly, in the promotion of partnerships in the context of globalization.”³³³

(118) The principal organs then continued to adopt general measures,³³⁴ as well as specific measures related to partnerships for sustainable development³³⁵ and social development.³³⁶ The Heads of State and Government confirmed their strong commitment to the idea of global partnership in the Outcome of the 2005 World Summit.³³⁷

d. Trade and Commodities

(119) During the period under review, the UN closely scrutinized the evolution of the WTO Doha Development Round negotiations.³³⁸ It concentrated, in particular, on the negotiations concerning the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPs) with regard to issues of making intellectual property rules fully support the objectives of the Convention on Biological Diversity and the issues related to the Agreement and public health afflicting many developing countries, especially those issues arising from the HIV/AIDS, tuberculosis, malaria and other epidemics, aiming at facilitating the access of developing countries to generic medicines and medical equipment.³³⁹ It reaffirmed that international trade can be an engine for development and sustained economic growth, underlining the need to fully harness its potential in that regard, and stressed the importance of upholding a universal, rule-based, open, non-discriminatory and equitable multilateral trading system that contributes to growth, sustainable development and employment, particularly in developing countries.³⁴⁰

(120) In respect to trade, the 2005 World Summit Outcome stressed that “it is for each Government to evaluate the trade-off between the benefits of accepting international rules and commitments and the constraints posed by the loss of policy space. It is particularly important for developing countries, bearing in mind development goals and objectives, that all countries take into account the need for appropriate balance between national policy space and international disciplines and commitments.”³⁴¹ It further recognized that “a universal, rule-based, open, non-discriminatory and equitable multilateral trading system, as well as meaningful trade liberalization, can substantially stimulate development worldwide, benefiting countries at all stages of development,” and

³³³ G A resolution 55/215.

³³⁴ G A resolutions 56/76, 58/129, 60/215, 62/211 and 64/223.

³³⁵ E S C resolution 61/2003.

³³⁶ E S C resolution 15/2003.

³³⁷ G A resolution 60/1, para. 20.

³³⁸ See e.g. G A resolutions 59/221, 60/184, 61/186, 62/184, 63/203 and 64/188.

³³⁹ See G A resolution 62/184, para. 13 and G A resolution 64/188, para. 7.

³⁴⁰ G A resolution 64/188.

³⁴¹ G A resolution 60/1, para. 22(d).

reaffirmed the commitment to trade liberalization and to ensure that trade plays its full part in promoting economic growth, employment and development for all.”³⁴²

(121) In respect to commodities, the General Assembly reiterated the importance of expanded South-South trade and investment in commodities.³⁴³ It encouraged developing countries to create an enabling environment that encourages the participation of rural producers and small farmers, to continue the diversification of the commodity sector, to increase technology development and improve information systems, institutions and human resources,³⁴⁴ and underscored the need for further efforts to address excessive commodity price volatility, in particular by assisting producers, especially small-scale producers, in managing risk.³⁴⁵

e. International Migration

(122) During the period under review, the principal organs continued to develop policies on international migration³⁴⁶ and protection of migrants³⁴⁷ and migrant workers,³⁴⁸ in particular women.³⁴⁹ The General Assembly also decided to hold a High-level Dialogue on International Migration and Development in New York on 14 and 15 September 2006,³⁵⁰ which focused on the effects of international migration on economic and social development; on the measures to ensure respect for and protection of the human rights of all migrants, and to prevent and combat smuggling of migrants and trafficking in persons; on the multidimensional aspects of international migration and development, including remittances; on promoting the building of partnerships and capacity-building and the sharing of best practices at all levels, and decided to hold the next High-level Dialogue in 2013.³⁵¹ Furthermore, the General Assembly granted observer status to the International Centre for Migration Policy Development.³⁵² It also took note of the Global Forum on Migration and Development, as an informal, voluntary, open, State-led initiative, which held its first meeting in Brussels from 9 to 11 July 2007, its second meeting in Manila from 27 to 30 October 2008 and its third meeting in Athens on 4 and 5 November 2009.³⁵³ The General Assembly recognized that exchanges of information and expertise, consultation and closer cooperation between the Global Forum and the UN could have a positive impact and encouraged Member States to participate actively therein.³⁵⁴

(123) In his report to ECOSOC entitled “Creating an environment at the national and international levels conducive to generating full and productive employment and decent

³⁴² *Id.*, para. 27.

³⁴³ G A resolution 61/190, para. 4.

³⁴⁴ *Id.*, para. 10.

³⁴⁵ G A resolution 64/192, para. 2.

³⁴⁶ G A resolutions 56/203, 58/208, 59/241, 60/227, 61/208 and 63/225.

³⁴⁷ G A resolutions 55/92, 56/170, 57/218, 58/190, 59/194, 60/169, 61/165, 62/156, 63/184 and 64/166.

³⁴⁸ G A resolutions 55/88, 56/145, 57/201, 58/166 and 59/262.

³⁴⁹ G A resolutions 56/131, 58/143, 60/139, 62/132 and 64/139.

³⁵⁰ G A resolution 60/227.

³⁵¹ G A resolution 63/225.

³⁵² G A resolution 57/31.

³⁵³ G A resolution 63/225.

³⁵⁴ G A resolution 62/270.

work for all, and its impact on sustainable development,”³⁵⁵ the Secretary-General pointed out the importance of migration, arguing that “labour migration contributes to sustaining economic activity and growth in industrialized countries, where labour forces contract owing to ageing, where there is shortage of high technology skills and where national workers shun certain sectors and occupations. International migration could play a critical role in stabilizing the labour markets of both labour importing and exporting countries if balanced, for example, against the adverse effects of the “brain drain” of skilled personnel from developing to developed countries.” The General Assembly stressed “the important nexus between international migration and development”³⁵⁶ and “the importance of migration as a phenomenon accompanying increased globalization, including its impact on economies and [...] the need for greater coordination and cooperation among countries as well as relevant regional and international organizations.”³⁵⁷ It acknowledged and the need to deal with the challenges and opportunities that migration presents to countries of origin, destination and transit, and recognized that migration brings benefits as well as challenges to the global community.

(124) The General Assembly, in particular, focused on the facilitation and reduction of the cost of transfer of migrant remittances, recognizing that remittance flows constitute sources of private capital and that remittances have increased over time, complement domestic savings and are instrumental in improving the well-being of recipients, and that remittance flows constitute one of the important aspects of international migration and that they particularly benefit the households of migrants and could impact the economies of recipient countries. It stressed the need to address and to promote conditions for cheaper, faster and safer transfers of remittances in both source and recipient countries, and the need to facilitate the potential of their productive use in recipient countries by beneficiaries that are willing and able to do so.³⁵⁸

f. Health

(125) During the period under review, the fight against HIV/AIDS, malaria and tuberculosis became one of the priorities of the principal organs, in accordance with the Millennium Declaration and the 2005 World Summit Outcome. In 2001, the General Assembly adopted a Declaration of Commitment on HIV/AIDS³⁵⁹ and, in 2006, a Political Declaration on HIV/AIDS,³⁶⁰ and scrutinized the implementation of those instruments.³⁶¹ ECOSOC continued to adopt measures³⁶² concerning the operations of the Joint United Nations Programme on Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (UNAIDS), created in 1994, and other specific measures such as combating the spread of HIV/AIDS in criminal justice pre-trial and correctional

³⁵⁵ E/2006/55.

³⁵⁶ G A resolution 60/206.

³⁵⁷ G A resolution 60/204, para. 20.

³⁵⁸ G A resolution 60/206.

³⁵⁹ G A resolution S-26/2.

³⁶⁰ G A resolution 60/262.

³⁶¹ E.g. G A resolutions 62/178 and 63/560.

³⁶² E.g. E S C resolutions 2001/23, 2003/18, 2005/47 and 2009/6.

facilities.³⁶³ The General Assembly recognized that “access to medication in the context of pandemics such as HIV/AIDS, tuberculosis and malaria is one fundamental element for achieving progressively the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health” and called upon Member States, *inter alia*, to develop and implement national strategies, in accordance with applicable international law, including international agreements acceded to, to progressively realize access for all to prevention-related goods, services and information as well as access to comprehensive treatment, care and support for all individuals infected and affected by pandemics such as HIV/AIDS, tuberculosis and malaria.³⁶⁴ The General Assembly also proclaimed the period 2001–2010 the Decade to Roll Back Malaria in Developing Countries, Particularly in Africa.³⁶⁵

(126) Considering that “strengthening public health is critical to the development of all Member States, and that economic and social development are enhanced through measures that strengthen capacity-building in public health, including systems of prevention of and immunization against infectious diseases,” that “the control of outbreaks of diseases, particularly new diseases whose origins remain unknown, requires international and regional cooperation,”³⁶⁶ and that “global health is also a long-term objective which is local, national, regional and international in scope and requires sustained attention, commitment and closer international cooperation beyond emergency,”³⁶⁷ the principal organs started to focus on enhancing capacity-building in global public health³⁶⁸ and on the relation between global health and foreign policy.³⁶⁹ In relation to women, the General Assembly also adopted specific measures aimed at ending obstetric fistula.³⁷⁰

g. Education and culture

(127) During the period under review, the principal organs continued to promote actively the policy of Culture of Peace, in particular by promoting interreligious dialogue and cooperation for peace³⁷¹ and religious and cultural understanding, harmony and cooperation,³⁷² as well as in the framework of the International Year for the Culture of Peace in 2000 and the International Decade for a Culture of Peace and Non-Violence for the Children of the World (2001–2010).³⁷³

(128) The General Assembly also focused on policies and programmes involving youth, recognizing in particular that information and communications technology plays a crucial role as a potential means of promoting participation, access to information and education

³⁶³ E S C resolution 2004/35.

³⁶⁴ G A resolution 58/179.

³⁶⁵ G A resolution 55/284.

³⁶⁶ G A resolution 58/3.

³⁶⁷ G A resolution 63/33.

³⁶⁸ G A resolutions 58/3, 59/27, 60/35 and 61/383.

³⁶⁹ G A resolutions 63/33 and 64/108.

³⁷⁰ G A resolution 62/138. *See also* G A resolution 63/158 and S G report A/63/222.

³⁷¹ G A resolution 60/10.

³⁷² G A resolution 60/11.

³⁷³ *E.g.* G A resolutions 55/47, 60/3 and 64/80.

and networking possibilities for young people and the great importance of the empowerment of youth through building the capacity of young people to achieve greater independence, overcoming constraints to their participation and providing them with opportunities to make decisions that affect their life and well-being, and reaffirming the importance of schooling and education, in particular for girls and young women, and recognized the value of all forms of life-long learning, including formal education and training and non-formal education.³⁷⁴

(129) The 2005 World Summit Outcome confirmed the commitment of Member States “to support developing country efforts to ensure that all children have access to and complete free and compulsory primary education of good quality, to eliminate gender inequality and imbalance and to renew efforts to improve girls’ education.”³⁷⁵ The General Assembly also urged States and the international community to make secondary education “generally available, through the progressive introduction of free education.”³⁷⁶ The General Assembly also continued to promote education through measure concerning teaching of international law.³⁷⁷

h. Sport for development and peace

(130) The UN recognized the role of sport and physical education as a means to promote education, health, development and peace.³⁷⁸ In 2001, the Secretary-General appointed the first Special Adviser on Sport for Development and Peace to enhance the network of relations between UN organizations and the sports sector and, in 2002, convened the UN Inter-Agency Task Force on Sport for Development and Peace to review activities that involve sport within the UN system. In February 2003, the first International Conference on Sport and Development took place in Magglingen, Switzerland. In October 2003, the Secretary-General published the report of the Task Force entitled: “Sport for Development and Peace: Towards Achieving the Millennium Development Goals,” which represented a synthesis of the long-standing relationship between the world of sport and the UN system.³⁷⁹ On basis of that report, the General Assembly invited Governments, the United Nations, its funds and programmes, the specialized agencies and sport-related institutions, when furthering their development programmes and policies, to promote the role of sport and physical education for all as a tool for health, education, social and cultural development and towards achieving the internationally agreed development goals, to encourage the building and restoration of sports infrastructures, and to strengthen cooperation and partnership between all actors, to ensure that young talents can develop their athletic potential without any threat to their safety and physical and moral integrity. It also stressed the need for all parties to cooperate closely with international sports bodies to elaborate a “code of good practice” and to accelerate the elaboration of an international anti-doping convention in all sports

³⁷⁴ G A resolution 56/117.

³⁷⁵ G A resolution 60/1, para. 44.

³⁷⁶ G A resolution 61/146, para. 12(b).

³⁷⁷ E.g. G A resolutions 56/77, 60/19 and 64/113.

³⁷⁸ G A resolution 58/5.

³⁷⁹ ODG/2004/12.

activities. It proclaimed year 2005 as the International Year for Sport and Physical Education.³⁸⁰

(131) The commemoration of the International Year was launched in November 2004³⁸¹ and was guided by the United Nations Office for the International Year of Sport and Physical Education, set up in May 2004.³⁸² The General Assembly welcomed the widespread commitment demonstrated by Member States, sport-related organizations and the private sector through the organization of activities and events at national, regional and international levels, including the holding of international conferences, setting up of a network of national focal points, organization of youth leadership summits, strengthening of cooperation with the International Olympic Committee, sport-related associations and other partners and appointment of sport celebrities as spokespersons.³⁸³ In the framework of the International Year, the second International Conference on Sport and Development in Magglingen, organized under the International Platform for Sport and Development, adopted the Magglingen Call to Action.³⁸⁴

(132) The Outcome of the 2005 World Summit expressly underlined that sports can foster peace and development and can contribute to an atmosphere of tolerance and understanding, and encouraged discussions in the General Assembly with a view to formulating proposals leading to a plan of action on sport and development.³⁸⁵ Consequently, the General Assembly requested the Secretary-General to elaborate an action plan and strengthen advocacy and social mobilization.³⁸⁶

(133) In 2006, the General Assembly reiterated the triennial United Nations Action Plan on Sport for Development and Peace, presented by the Secretary-General,³⁸⁷ and invited Member States to provide voluntary contributions to ensure adequate execution of, and follow-up to, the activities being implemented by the Office of Sport for Development and Peace in Geneva and in New York, to initiate sports programmes to promote gender equality and the empowerment of women and to assist developing countries in their capacity-building efforts in sport and physical education. It also encouraged the Secretary-General to maintain the mandate of Special Adviser on Sport for Development and Peace and to provide guidance on the institutional future of sport for development and peace within the United Nations system.³⁸⁸

(134) In 2008, the Secretary-General appointed a new Special Adviser on Sport for Development and Peace. The General Assembly welcomed the Secretary-General's decision to renew the mandate of a Special Adviser and to incorporate the Sport for Development and Peace International Working Group into the United Nations Office on Sport for Development and Peace under his leadership. In order to implement the Action Plan, it also encouraged Member States to designate focal points for sport for development and peace within their governments; to provide institutional structures,

³⁸⁰ G A resolution 58/5, para. 8.

³⁸¹ G A resolution 59/10.

³⁸² A/60/217.

³⁸³ G A resolution 60/9.

³⁸⁴ G A resolution 61/10.

³⁸⁵ G A resolution 60/1.

³⁸⁶ G A resolution 60/9.

³⁸⁷ A/61/373.

³⁸⁸ G A resolution 61/10.

appropriate quality standards and competencies and promote academic research and expertise in the field to enable ongoing training, capacity-building and education of physical education teachers, coaches and community leaders in sport for development and peace programmes; to use the sport as a vehicle to foster development and strengthen education for children and young persons, prevent disease and promote health, empower girls and women, foster the inclusion and well-being of persons with disabilities, and facilitate social inclusion, conflict prevention and peacebuilding. It also recommended using mass sport events to promote and support sport for development and peace initiatives.³⁸⁹

³⁸⁹ G A resolution 63/135.