

# Teaming Up for Human Rights

Promoting Human Rights and Integrity in Government through UN Conventions

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## I. Background

Development in China in the past two and a half decades has resulted in unprecedented progress in reducing poverty and improving the lives of the people. Despite the achievements, major challenges remain. One of the challenges is to ensure that people's rights are further promoted and protected. China's increasingly complex development highlights the importance of international norms, conventions and standards, particularly of those concerning human rights. This calls for a collective, coherent and integrated UN system response to national priorities and needs, in accordance with international standards. UNDP's perspective strongly emphasizes equity issues and a rights-based approach to development. In the past few years, UNDP China has intensified its work to promote international norms, conventions and standards.

As China is gradually moving towards a market economy, the need for greater transparency and integrity in government becomes increasingly acute. The Chinese Government is setting up a comprehensive integrity system that emphasizes standard-setting, prevention and education and targets root causes of corruption. As a close partner of the Government, UNDP has provided support to these national anti-corruption initiatives, and will continue to do so in the future.

Through advocacy, policy dialogue, capacity building, networking and partnering, UNDP has supported China's process of ratifying, implementing and promoting key UN conventions for human rights and integrity in government. Our efforts have generated increasing support and collaboration among UN agencies, Government line ministries and civil society during the United Nations Development Assistance Framework for 2006-2010 (UNDAF) preparation process. This document recognizes UN conventions as a cross-cutting theme underlining UN's core values and as being conducive to attainment of the Millennium Development Goals (MDGs).

## II. Practices

### 1. Status Mapping: China and UN Conventions



UNDP has assumed an important role in conducting a study mapping out the status of key human rights conventions in China.

The Secretary General, in the context of the Millennium Summit in 2000, called on member states to review all multilateral conventions deposited with the UN and assess their commitment. The SG requested that UN agencies assist their host countries in this review process. In response, the UN country team in China (UNCT), through the UN Theme Group on the Rule of Law, sponsored a study mapping out the status of China's accession to and implementation of key UN conventions. UNDP has assumed an important role in this exercise. The study reviews the current situation and is intended to serve as a reference tool for the future work of the entire UN system in China. The report initially analyzes China's ratification and implementation process of key UN conventions from a broader perspective.

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It then conducts an in-depth study of China's implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), considered to be an international instrument of cross-cutting relevance to all UN agencies. The draft report along with its policy recommendations played an integral role in the preparation of the new UNDAF and the UNDP Country Programme Document for 2006-2010, both of which identify UN conventions as a focus area for our future work.

### 2. Promoting the Rights-Based Approach to Development



Supporting rights awareness-raising activities.

Since 2001, UNDP has taken steps to apply and advocate a rights-based approach to development. Through advocacy, capacity building of rights-holders, and policy studies and dialogue, our

programs have addressed various rights issues, such as training of migrant workers on labor rights and employment skills.

Another example is an international workshop on the rights-based approach taken place in early 2004. The workshop was jointly sponsored by the Department for International Development, UK (DFID), the Office of the UN High Commissioner for Human Rights (OHCHR), Peking University Law School and UNDP. It drew more than 150 participants and generated a better understanding of and support for the rights-based approach to development among government officials, legal personnel, academia and the general public. A publication is now in the making in order to further disseminate the concept to a more diverse audience.

### 3. Supporting China in the Ratification, Implementation and Reporting Processes of Key UN Conventions



Increasing access to justice for the poor.

Of the UN conventions on human rights, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) are considered to be key. China has ratified the ICESCR and is

currently considering ratifying the ICCPR. UNDP is actively supporting China's efforts of aligning its legislation and legal practices with the international standards set forth in the two conventions. Consequently, UNDP, in partnership with the Government of the Netherlands, sponsored a pilot project that placed lawyers as observers and/or legal counsels in initial police interrogations of criminal suspects. The purpose of the pilot project is to explore practical ways to bridge the gaps between China's criminal justice system and international standards. The project's findings were widely disseminated to policy makers in the legal community and contributed to a more favorable and constructive policy dialogue on criminal justice reforms. Meanwhile, UNDP, through the UN Resident Coordinator Office, has also provided input for UN treaty monitoring bodies, such as the Committee on Economic, Social and Cultural Rights, in their process of considering China's periodic reports on domestic implementation.

#### 4. Promoting the Rights of the Poor and the Disadvantaged, especially Persons with Disabilities



Kofi Annan presenting a UN award to Deng Pufang, a close partner of UNDP and a renowned champion for the rights of disabled persons.

UNDP China has supported through a variety of methods, such as capacity building, training, and policy dialogue, the creation of a nationwide legal aid system for the poor. UNDP initially got involved in the late 1990s when the government launched its campaign to set up legal aid services at both national and local levels. Our assistance played a catalytic role in facilitating the fulfillment of human rights for some of the most disadvantaged sectors of the Chinese society.

Within the past 25 years, China has made great progress in reducing poverty and promoting equality for persons with disabilities, who are among the most disadvantaged in the country. UNDP China attaches great importance to the rights of the more than 60 million disabled people and thus has worked closely with the China Federation of Disabled Persons (CFDP) to promote rights protection. In partnership with the Irish government and OHCHR, UNDP's assistance improved the knowledge and skills of rights protection workers of the federation. Another key output was the publication of a comparative study of international and national laws and practices on the protection of the rights of the disabled. The study was the first of its kind in the country and was designed to serve as a practical tool for rights protection workers. The response was overwhelmingly positive, and the publication was welcomed by practitioners from throughout the country. UNDP is committed to increasing the scale of its assistance to CFDP to protect the rights of persons with disabilities.



## 5. Strengthening Integrity in Government



UNDP works with the Government on enhancing integrity and combating corruption.

Recognizing the importance of fighting corruption through international cooperation, China is among the first few countries to have signed the recent UN conven-

tion on anti-corruption. UNDP's Legal System Reform Project supported the government in sending legal experts to the convention's negotiation sessions and in disseminating the convention to the anti-corruption personnel and the general public. Our projects also help government institutions develop codes of conduct, train anti-corruption personnel, and formulate their anti-corruption policies and legal frameworks.

### III Summary and Lessons Learned

#### 1. Why is this Good Practice?

Support for UN conventions in China is a relatively new, but

increasingly important, area of UNDP intervention. As China's socio-economic reform requires a system of governance consistent with international standards, UN conventions have become an integral component of UNDP's development assistance in China. Moreover, China's development has far reaching implications for the global MDG campaign. Many developing countries closely follow China's response to global standards during the integration process within the international community. Therefore, UNDP, in partnership with other UN agencies and the international community, has strived to support China in ratifying, implementing and promoting key international conventions as a basis for closer global integration and for establishing the standard of contributing to the achievement of MDGs.

UNDP China takes a holistic approach, designed to make a

#### 2. What has Been the Main Impact of UNDP's Work?

Our programs and activities focus on three key determinants fundamental to ensuring development effectiveness: capacity, ownership and policy environment. For instance, our support to legal aid workers and CFPD rights protection workers has improved their knowledge and skills to assist the poor and

disadvantaged. We have also contributed to strengthening the institutional capacity of key legal institutions and human rights CSOs. Our development assistance is demand driven and locally owned. Reforms are mainly framed by national stakeholders with UNDP's input and advice. Our projects help foster a favorable policy environment, encouraging well designed pilot programs and reforms suitable to the country's development context. Additionally, we encourage synergies among capacity, ownership and policy environment and seek to develop coordination with other donors' development activities.

### 3. Strategies and Lessons Learned

- Development programs and activities should be realistic and coincide with national development paths and priorities. A well-planned strategy and long-term partnership with key stakeholders are imperative towards achieving common goals.

- Since the operating environment is complex and rapidly changing, an umbrella modality has been used and proven effective to address emerging development needs. It can also lay the foundation for future cooperation on a larger scale.

- It is necessary to choose suitable entry points, identify strategic target groups, and build their capacity in order to ensure sustainable development results and achieve a critical mass for national impact.

- Where possible, a coordinated approach should result in optimal impact, both in terms of practical gain and of the synergy derived from pooling developmental thinking and experiences in areas of common concern. UNDP should act as a catalyst and facilitator, bringing together various stakeholders around development issues and initiatives.

UNDP is the UN's development agency focused on poverty reduction, advocating for change and connecting countries to knowledge, experience and resources to help people build a better life. We help developing countries attract and use aid effectively, and in doing so work to achieve sustainable development around the world. As the scorekeeper of the Millennium Development Goals, UNDP links and coordinates global and national efforts to reach these Goals.



United Nations Development Programme  
2 Liangmahe Nanlu, Beijing 100600, China  
[www.undp.org.cn](http://www.undp.org.cn)

Tel : 86 10 6532-3731  
Fax: 86 10 6532-2567

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