

How can you help?

Human rights are not solely the responsibility of the United Nations or of Governments. Every individual has a role to play in creating and promoting an environment in which human rights are respected. While individuals do not participate directly in the sessions of the Sub-Commission and the Commission on Human Rights, they do play a critical role in providing information to its mechanisms and in this way support the work of the Sub-Commission itself.

The Sub-Commission welcomes information from individuals and groups. You can draw the Sub-Commission's attention to specific issues in several ways.

With respect to human rights violations that reveal a pattern of serious violations, individuals can make use of the 1503 procedure. Communications under the 1503 procedure should be sent to the Support Services Branch at the Office of the High Commissioner in Geneva.

Non-governmental organizations in consultative status with the Economic and Social Council can send written statements and can be accredited to the annual session of the Sub-Commission. This will give them the opportunity to participate and take the floor on the agenda items during the session.

The same applies to the annual sessions of the working groups of the Sub-Commission, with the exception that consultative status is not a prerequisite for participation. Only the Working Group on Communications meets in closed session and cannot be attended by NGOs.

In 2004, the members of the Sub-Commission are:
Mr. Miguel Alfonso Martínez (Cuba), Mr. Gudmundur Alfredsson (Iceland), Mr. José Bengoa (Chile), Mr. Gáspár Bíró (Hungary), Mr. Marc Bossuyt (Belgium), Mr. Chen Shiqiu (China), Mr. Mohamed Habib Cherif (Tunisia), Mr. Chinsung Chung (Republic of Korea), Mr. Emmanuel Decaux (France), Mr. Rui Baltazar dos Santos Alves (Mozambique), Mr. El Hadji Guissé (Senegal), Ms. Françoise Jane Hampson (United Kingdom of Great Britain and Northern Ireland), Mr. Vladimir A. Kartashkin (Russian Federation), Ms. Kalliopi Koufa (Greece), Ms. Iulia-Antoanella Motoc (Romania), Ms. Florizelle O'Connor (Jamaica), Mr. Paulo Sérgio Pinheiro (Brazil), Ms. Lalaina Rakotoarisoa (Madagascar), Mr. David Rivkin (United States of America), Mr. Ibrahim Salama (Egypt), Mr. Abdul Sattar (Pakistan), Mr. Soli Jehangir Sorabjee (India), Mr. Janio Iván Tuñón Veilles (Panama), Mr. N.U.O. Wadibia-Anyanwu (Nigeria), Ms. Halima Embarek Warzazi (Morocco), Mr. Yozo Yokota (Japan).

Further information on human rights and on the work of the Sub-Commission on the Promotion and Protection of Human Rights

Sources for further information are

- the leaflets "The Commission on Human Rights" and "Treaty Bodies", as well as other human rights information, available at your local United Nations Development Programme office, the United Nations Information Centre and the web site of the United Nations High Commissioner for Human Rights (www.ohchr.ch);
- United Nations publications, available at the United Nations bookstore in Geneva and New York;
- The web site of the United Nations (www.un.org).

The Office of the United Nations High Commissioner for Human Rights, a part of the United Nations Secretariat, provides secretariat services to the Sub-Commission and to other human rights meetings and is located in Geneva (Switzerland).

For any questions regarding the work of the Sub-Commission on the Promotion and Protection of Human Rights, please contact its secretariat at the Office of the United Nations High Commissioner for Human Rights at the following address:

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High Commissioner for Human Rights
Palais Wilson
United Nations Office at Geneva
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**The Sub-Commission on the Promotion and Protection of
Human Rights
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What is the Sub-Commission on the Promotion and Protection of Human Rights?

The United Nations Sub-Commission on the Promotion and Protection of Human Rights is the main subsidiary body of the Commission on Human Rights. Originally the “Sub-Commission on Prevention of Discrimination and Protection of Minorities”, it was established in 1947 with 12 members and renamed in 1999. Today, it is comprised of 26 independent experts in the field of human rights who are elected by the Commission, with due regard to equitable geographical distribution, and who act in their personal capacity. Half the membership is elected every two years for a four-year term.

In 2004, the membership consists of seven experts from Africa, five from Asia, five from Latin America, three from Eastern Europe and six from Western European and other States (for the members, see page 5).

Each year the Sub-Commission holds its regular session in July/August for three weeks in Geneva. In addition to the members, the annual session is attended by over 1,000 observers, including representatives of States, United Nations bodies and specialized agencies, other intergovernmental organizations and non-governmental organizations having consultative status with the Economic and Social Council.

What does the Sub-Commission do?

The central task entrusted to the Sub-Commission is to assist the Commission in its work. Its main functions are to undertake studies on human rights issues, to make recommendations to the Commission concerning the prevention of discrimination of any kind relating to human rights and fundamental freedoms and the protection of racial, national, religious and linguistic minorities, and to carry out any other functions which may be entrusted to it by the Council or the Commission. The Sub-Commission is often described as a “think tank” for the Commission on Human Rights.

Studies undertaken have addressed various aspects of the realization of human rights, the administration of justice, combating discrimination and protecting the human rights of minorities, indigenous peoples and other vulnerable groups. On several occasions the Commission has highlighted the importance of those studies and the recommendations based on them to its work.

During its regular annual session, the Sub-Commission adopts about 50 resolutions and decisions. It contributes to the further development of human rights standards by drawing the attention of the Commission to certain issues and providing expert advice.

What issues are under discussion in the Sub-Commission?

The main issues currently under discussion are:

- questions of the violation of human rights and fundamental freedoms in all countries;
- the administration of justice, rule of law and democracy, inter alia discrimination in the administration of justice, human rights and states of emergency, the death penalty;

- economic, social and cultural rights, including the right to drinking water and sanitation, the right to development, the fight against extreme poverty;
- prevention of discrimination, including racism, racial discrimination and xenophobia, the protection of indigenous peoples and minorities;
- other specific human rights issues, such as women and human rights, contemporary forms of slavery, questions relating to refugees and displaced persons, reservations to human rights treaties, human rights and bioethics, and new priorities, in particular terrorism and counter-terrorism.

The members of the Sub-Commission regularly identify new issues for discussion in a human rights context and provide expert opinions. In recent years, such issues have included terrorism, globalization, activities of transnational corporations, discrimination based on work and descent and intellectual property rights.

How does the Sub-Commission work?

The Sub-Commission serves as a substantive research body, especially by identifying human rights issues and proposing solutions. The work of the Sub-Commission is assisted by a number of special rapporteurs and four working groups, nominated from among the members, whose tasks are to undertake research and make recommendations on specific human rights problems and to foster dialogue between Governments, the various United Nations bodies, other intergovernmental organizations, scholars and the civil society, notably NGOs. The members of the Sub-Commission are often asked to prepare working papers and reports and to undertake in-depth studies.

At present, studies and reports by special rapporteurs on the following topics are ongoing and will be submitted in 2004: traditional practices affecting the health of women and the girl child; terrorism and human rights; the right to drinking water and sanitation; discrimination in the criminal justice system; housing and property restitution in the context of refugees and other displaced persons; indigenous peoples’ permanent sovereignty over natural resources, prevention of human rights violations committed with small arms and light weapons, impact of corruption on realization of human rights, human rights and human genome, universality of international human rights treaties.

The four working groups, each consisting of five members of the Sub-Commission representing each region, meet before, after or during the annual session. Their sessions are attended by government officials and NGOs, and their small size and flexible procedures encourage dialogue.

The Working Group on Minorities reviews the practical realization of the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. It examines possible solutions and recommends measures to resolve problems involving minorities, and seeks to promote mutual understanding between and among minorities and Governments. Other topics it addresses are autonomy and integration, language rights, religious intolerance, intercultural and multicultural education, and the right of minorities to participate in political and public life and development.

The Working Group on Indigenous Populations focuses on a review of developments pertaining to the rights of indigenous people, centred around one or more principal themes, such as indigenous people and their right to development. The principal theme for the 2004 session of the Working Group was “Indigenous peoples and conflict resolution”.

The Working Group on Contemporary Forms of Slavery reviews the implementation of the conventions on slavery as well as developments in the field and measures to prevent all forms of slavery. This includes the discussion of topics such as economic or sexual exploitation, bonded and forced labour and traffic in persons, especially children. Each year a specific theme is addressed. In 2003, priority attention was devoted to the issue of contemporary forms of slavery related to and generated by discrimination, in particular gender discrimination, and in 2004, to the issue of forced labour.

At these working groups, the issues are discussed in depth and from a broad range of perspectives. The decisions adopted are sent in the form of recommendations to the Sub-Commission and then to the Commission.

The Working Group on Communications considers in closed meetings confidential communications that would seem to reveal a pattern of gross violations of human rights (see also the section on the 1503 procedure).

A forum on economic, social and cultural rights, known as the Social Forum, met for the second time in July 2004.

The Sub-Commission usually establishes working groups which meet during the annual session to discuss specific issues. In 2003, the working group on the administration of justice considered issues relating to, inter alia, deprivation of the right to life, with special reference to the imposition of the death penalty; privatization of prisons, current trends in international penal justice; mechanisms of truth and reconciliation.

The working group on the working methods and activities of transnational corporations examined the impact of TNCs on the enjoyment of civil, cultural, economic, political and social rights and approved draft norms on responsibilities of transnational corporations and other business enterprises with regard to human rights.

What is the 1503 procedure?

Anyone may bring a human rights problem to the attention of the United Nations and thousands of people do so every year. Under the 1503 procedure, named after the Council resolution establishing it in 1970, individual cases are not considered, but rather situations affecting a large number of people over a protracted period of time. For a communication to be allowed, the domestic remedies of the country concerned must have been exhausted, unless it can be shown that solutions at the national level would be ineffective.

The communications, as well as the concerned Government’s replies, are considered in the Working Group on Communications. Whenever a majority of the members identifies reasonable evidence of a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms, the case is referred to the Working Group on Situations of the Commission for further examination and which decides whether to refer any of the situations to the Commission itself. All these steps are confidential and are dealt with in meetings that are not open to the public.