

Annual Review
2004-2005

About the Council

The International Council was established in 1998 to conduct useful research into problems and dilemmas facing organisations that work in the field of human rights. The Council is interdisciplinary, strictly independent, international in membership and activity, and consultative in its approach. All the Council's activities relate directly to human rights.

Independent of governments and inter-governmental organisations as well as voluntary and private sector organisations, the Council works closely with all such bodies in the pursuit of its research objectives.

The Council is governed by its Executive Board, which is responsible for direction of the Council's programme, finances and organisation. All decisions to start research are taken by the Board. The Board appoints the International Council, which may have up to 30 Members, including Board Members. Council Members meet annually to identify and discuss emerging international human rights issues and recommend themes for research to the Executive Board.

The Council's Secretariat, based in Geneva, ensures that projects are well designed and well managed and that research findings are brought to the attention of relevant authorities and those who have a direct interest in the policy areas concerned.

Mission Statement

The International Council on Human Rights Policy will provide a forum for applied research, reflection and forward thinking on matters of international human rights policy. In a complex world in which interests and priorities compete across the globe, the Council will identify issues that impede efforts to protect and promote human rights and propose approaches and strategies that will advance that purpose.

The Council will stimulate co-operation and exchange across the non-governmental, governmental and intergovernmental sectors, and strive to mediate between competing perspectives. It will bring together human rights practitioners, scholars and policy-makers, along with those from related disciplines and fields whose knowledge and analysis can inform discussion of human rights policy.

It will produce research reports and briefing papers with policy recommendations. These will be brought to the attention of policy-makers, within international and regional organisations, in governments and intergovernmental agencies and in voluntary organisations of all kinds.

In all its efforts, the Council will be global in perspective, inclusive and participatory in agenda-setting and collaborative in method.

The Council is registered as a not-for-profit foundation under Swiss law.

Contents

REVIEW OF THE YEAR	2
THE RESEARCH PROGRAMME IN 2004	
Longer projects in research during 2004	5
Local government and human rights	
Poverty-reduction programmes and human rights	
Smuggled people, migration and human rights	
Issues of accountability for human rights organisations	
New short projects started in 2004	8
International human rights standard-setting	
Benchmarks and indicators for national human rights institutions	
Human rights in peace agreements	
Human rights and political violence	
Projects in follow-up or closed during 2004	11
Projects in preparation during 2004	13
Translations and reprints	14
OTHER ACTIVITIES	
Institutional relationships	16
Eighth Assembly of the International Council	18
<i>Wilson's Cat Seminars</i>	18
Evaluation 2004-2005	19
FINANCE	20
Appendices	
i Members of the Council's Executive Board	22
ii Staff of the Secretariat	22
iii Members of the International Council	23
iv Diversity Chart	24

Review of the Year

This Annual report covers an important year of transition. In mid-year, all the Council's founding Members, including four long standing Members of the Board, stood down at the end of their terms of service, to be replaced by new Members and a substantially new Board. In 2003 and 2004 the Council replaced both its original Research Directors, accomplishing an important step in managing change. Thirdly, in association with the Ford Foundation and the Swedish International Development Agency (SIDA), the Board commissioned an independent evaluation of the Council's impact, which was positive, but led the staff and Board to review and make some changes to the Council's research methodology and programme.

Changes to the Council and Board

The Council wishes to thank outgoing Members of the Board, whose contributions to the organisation's identity and development can scarcely be exaggerated. Thomas Hammarberg first imagined the Council, together with Margo Picken and Philip Alston; he chaired the Board throughout the organisation's development between 1995 and 2004. Hina Jilani and Theo van Boven were also deeply involved in the long process of defining the organisation between 1995 and 1998 and, with Ayesha Imam, were members of the Board throughout all or most of the Council's first six years. We also thank very particularly Stanley Cohen, Bacre Waly N'diaye, and Virginia Leary, all former Board Members, as well as Margo Picken, who all left the Council in 2004 after making important personal contributions.

We welcomed Asma Jahangir who became the Council's new Chair in May 2004, as well as Ian Martin and Imrana Jalal, who joined the Board during the period. Other current Board Members are Charlotte Bunch, Stefanie Grant and Walter Kälin. We also welcomed the appointment of ten new Members of the International Council (see *Appendix iii*).

Important transition in the Secretariat

The Council's first two Research Directors, David Petrasek and Dr Mahmoud Mohamedou played a crucial role in defining the character of the organisation's work and setting a standard for its research. David Petrasek left in January 2003 to join Amnesty International and subsequently the Centre for Humanitarian Dialogue. A year later, Dr Mahmoud Mohamedou was appointed Associate Director of the Program on Humanitarian Policy and Conflict Research at Harvard University. The Research Directors are the Secretariat's creative engine and their departure in successive years, though normal, naturally slowed the Council's productivity. We are delighted therefore to report that in September 2004 Jean-Nicolas Beuze joined Monette Zard to complete a new team of Research Directors. The effect on the Council's activity was almost immediately apparent and the Council entered 2005 able once more to deliver a stable and productive work programme.

Review of impact

The Council evaluated its impact during the year. Kim Forss and Aubrey McCutcheon were asked by the Ford Foundation and SIDA to assess the impact of the Council's work. Their report was based on nearly 100 interviews with organisations and individuals in Ghana, Nigeria, South Africa, the Philippines, Indonesia, London and Geneva. Overall, it was broadly positive. The consultants found much evidence that the Council's work is used and valued and that the quality of its research is respected. They also found that more should be done to increase its impact and improve outreach. These findings were considered by the Board and then by Council Members in May 2004; and between May and September the Secretariat worked out their implications. The Board approved a range of decisions in September 2004, which were immediately applied to the new research programme for 2005. These decisions, to be reviewed by the Board in 2005, are summarised on page 19 of this Review.

The Research Programme

During the period, the Council worked actively on twelve projects: on international responsibilities (*Duties sans Frontières*, project 108), on crime (114), on human rights after September 11 (118), on issues of accountability for human rights NGOs (119), on challenges to international human rights standard-setting (120), on poverty-reduction programmes and human rights (121), on migration and human smuggling (122), on access to human rights (123), on the delivery of services by local government (124), on measuring the effectiveness of national human rights institutions (125), on the role of human rights in peace agreements (128), and on political violence (129).

In addition, the Secretariat undertook some initial scoping work on issues arising in relation to administrative detention (126) and the impunity of officials on international service (127). One report (*Enhancing Access to Human Rights*, project 123) was published in the calendar year 2004, and one report (*Performance & Legitimacy: National human rights institutions*, project 102) reprinted. We closed work on *Human Rights after September 11* (project 118); this report will be translated into Thai in 2005. We also closed work on *Crime, Public Order and Human Rights* (project 114); its Summary was translated into Russian.

Over the period, the Council continued to support several institutional relationships and developed some new ones. We confirmed our relationship with **Realizing Rights – The Ethical Globalization Initiative** (EGI), led by Mary Robinson: This relationship became operational at the end of 2003 and in 2004 was extended to 2006. The Council sits on EGI's Board with Columbia University and the Aspen Institute and collaborates with some of EGI's programmes. Secondly, the Council again participated in the **Global Governance Initiative** (GGI) of the World Economic Forum: the Council's Director chaired an expert group on human rights which contributed to GGI's first and second annual reports in 2004 and 2005. Thirdly, the Council worked with **Amnesty International** on a proposal, provisionally titled "Human

Rights 2020”, to develop a long-term reflection on trends in human rights activism. In 2004 the Council commissioned two consultants to take advice from human rights organisations in different regions on how the project might be organised; they reported in February 2005. Finally, the Secretariat entered into a discussion with Global Rights of a new “Global Dialogue Initiative” which **Global Rights** plans to develop with its partners during 2005-2006.

The Council continued to convene its informal human rights seminar, *Wilson’s Cat*, which moved during the period from the Office of the High Commissioner for Human Rights in the Palais Wilson to the Graduate Institute for Development Studies across the road.

Financially, the Council continued to restore its finances and put itself in a more stable position. It took forward small surpluses into both 2004 and 2005. Having made changes to the research programme following the evaluation and with a full research staff in place, however, activity in 2005 is certain to increase, bringing additional fundraising demands which will need to be met.

In May 2004, finally, the Council held its seventh annual meeting in Geneva. This was an exceptional event, celebrating the Council’s first six years, to which we invited all past as well as current and new Members. The meeting considered issues of current concern and also emerging trends that the Council may need to consider in years ahead. This assembly marked a major point of transition, the departure of the original Council Members, and the arrival of a new generation who will take the organisation forward into its next phase. Having accomplished three important transitions during the year – at Board level, in the Council, and in the Secretariat – the Council is now in a position to move forward with fresh energy. Implementing the decisions that emerged from the 2004 evaluation should enable the Council to increase its impact and spread knowledge of its work more widely. Building on strong foundations, real opportunities lie ahead within our reach: we need to take them.

Robert Archer

April 2005

The research programme in 2004

The consultants who evaluated the Council's impact in 2004 found that the Council's consultative research methodology was effective and did not recommend that it should be changed. They did suggest that the Council should increase the proportion of shorter projects; lengthen and strengthen the follow-up phase after publication; deepen its outreach to core human rights organisations; and develop strategic partnerships with regional and operational organisations that can help the Council to communicate and implement its research findings. These decisions were immediately applied to the work programme from mid-2004, and we have organised the Annual Review this year to reflect this.

Longer projects in research during 2004

Local government and human rights (124)

This project follows on from a report on local government, *Local Rule* (2003, project 116), which surveyed human rights issues that arise in relation to decentralisation. Started in late 2003, the new research asks whether local governments would deliver services and protect rights more effectively if they applied human rights principles more fully and explicitly. Country-studies were conducted in Tanzania, the Philippines, Senegal, India, Pakistan and Bolivia during 2004 and a draft report was circulated for comment in November. Consultations included a workshop with UNDP officials from the Middle East and North Africa region, in Damascus, Syria, in December; workshops with officials from the Swiss Agency for Development and Cooperation and the Canadian International Development Agency in December 2004 and January 2005 respectively; and meetings with researchers from Rights and Democracy in Montreal and with activists at the World Social Forum in Porto Alegre in January 2005. The final report will be prepared in the second quarter of 2005, and published in July with a separate Summary in several languages.

Research director:	Monette Zard.
Start:	November 2003.
Papers written:	January-June 2004.
Review meeting:	June 2004.
Draft report:	October 2004.
Consultation:	December 2004-February 2005.
Working title:	<i>Doing Good Service: Local government and human rights.</i>
Publication:	July 2005.
Research team:	Lead researcher: Nancy Thède. Researchers: Manuel de la Fuente, Josephat Vasquez (Bolivia); Harihar Bhattachariya (India); Soliman Santos (The Philippines); Cheikh Guèye, Assene Mbaye (Senegal); Rwekaza Mukandala, Christopher Maina Peter (Tanzania). [Abid Suleri, Nadeem Ayaz (Pakistan); Alicia Cabezudo (Argentina).]
Advisers:	Catherine Dom, Peter Kagwanja, Walter Kälin, Patrick van Weerelt, David Velásquez.

Poverty-reduction programmes and human rights (121)

Research on this project started in November 2004. It will examine the effectiveness of programmes to reduce or eliminate poverty, based on country research in Bangladesh, Bolivia, Chile, Ghana and Thailand, with additional input from Moldova. Though efforts have been made, in increasingly sophisticated ways, to “mainstream” human rights into development, obstacles to communication remain between development and human rights specialists. The project will therefore make a conscious effort to understand the strengths and weaknesses of development practice, and human rights analyses of poverty, in order to identify opportunities that might emerge if human rights methods and principles are applied more fully in poverty-reduction programmes. The project will give specific attention to gender and gender dimensions of poverty. The country research focuses on interviews with national government officials who have responsibility for implementing such programmes and civil society organisations that work with communities affected by them. The project’s primary audiences are government officials responsible for economic and development planning, and national civil society organisations that work on poverty. Officials in multilateral and donor agencies and international non-governmental organisations that campaign on poverty are secondary audiences. We hope the project will show in practical terms that poverty-reduction programmes can sometimes be strengthened by fuller use of human rights methods and principles. We also hope the methodology will help us write the report in accessible language that will facilitate communication between human rights and development practitioners.

Research director:	Robert Archer.
Start:	February 2004.
Papers written:	November 2004-May 2005.
Review meeting:	June 2005.
Draft report:	September 2005.
Consultation:	September-December 2005.
Working title:	<i>Making Human Progress – Poverty, development, rights.</i>
Publication:	March 2006 (provisional).
Research team:	Lead researchers: Peter Rosenblum, Alta Folscher. Researchers: Manuel de la Fuente, Edga Antonio Aramayo Tejada (Bolivia); Gonzalo de la Maza, Jorge Contesse (Chile); William Ahadzie, Raymond Atuguba (Ghana); Sriprapha Petcharamesree (Thailand); Meghna Guhathakurta (Bangladesh). Thematic papers: Roger Riddell, Agnès Picod (poverty approaches).
Advisers:	Akila Belembaogo, Shanthy Dairiam, Rosalind Eyben, Zie Gariyo, Agnès Picod, Roger Riddell, Peter Uvin.

Smuggled people, migration and human rights (122)

This project was initiated in early 2004 and began its research phase in September 2004. It explores the phenomenon of human smuggling and assesses how a human rights framework can inform a comprehensive policy approach to migration in general and human smuggling in particular. Dr.

Jacqueline Bhabha submitted a legal paper in January 2005 which analysed policy with regard to unregistered migrants and the impact of the 2000 United Nations Convention to Combat Transnational Organised Crime and its two Protocols on Trafficking and Smuggling. The paper discusses the often conflicting objectives of public policy, which cast migrants sometimes as “workers” and at other times as “criminals” or “victims”, and suggests that these competing perspectives undermine effective (and rights-respecting) policy outcomes in this area. To complement this analysis, country studies are being prepared in the United Kingdom, Italy, Mexico, Malaysia and Albania. The research team is also consulting carefully with legal advocates and officials responsible for law enforcement and policy in this field. In the period reviewed, meetings were held with the UN Office on Drugs and Crime in Vienna, former officials in the United States Administration, relevant NGOs, officials responsible for the UN Convention on Transnational Organised Crime and staff of the Global Commission on International Migration. The draft report will become available in the third quarter of 2005.

Research director:	Monette Zard.
Start:	July 2004.
Papers written:	November 2004 to January 2005 (legal analysis); December 2004 to May 2005 (country studies).
Review meeting:	June 2005.
Draft report:	September 2005.
Consultation:	September-December 2005.
Working title:	<i>Migration, Smuggled People and Human Rights.</i>
Publication:	January 2006 (provisional).
Research team:	Lead researchers: Jacqueline Bhabha (legal analysis), Philip Rudge (writer). Country researchers: Sue Conlan (UK); Paola Monzini (Italy); Ilir Gedeshi (Albania); Anni Santhiago (Malaysia). Chaloka Beyani, Stefanie Grant, Walter Kälin, Juan Mendez, Jyoti Sanghera.
Advisers:	

Issues of accountability for human rights organisations (119)

A first draft of this report was produced in 2003 and sent out for consultation. The responses demonstrated both the sensitivity of this issue and the need to address it well. We therefore decided to slow down the second draft, to allow time to consult further, work on the overall tone of the report, and above all collect practical and specific examples that would bring to life the issues which the report raises. Other commitments have made progress on this report even slower than had been expected. Consultation meetings took place in South Africa in January 2004 and in Botswana in March. Near the end of 2004, Patricia Armstrong was commissioned to research the international legal framework in which NGOs operate. She submitted this paper in January 2005. A new draft of the report is due in mid-year, and publication is expected in the fourth quarter.

Research director:	Monette Zard.
Start:	August 2002.
Papers written:	September-November 2002.
Draft report:	November 2002; revised April 2003; revised mid-2005 (expected).
Review meeting:	December 2002.
Consultation:	April-September 2003; February-December 2004; mid-2005.
Working title:	<i>Deserving Trust: Issues of accountability for human rights NGOs.</i>
Publication:	October 2005 (provisional).
Research team:	Lead researcher: Mike Dottridge (to 2004). Background paper: Hugo Slim. Additional writing: Monette Zard, Patricia Armstrong.
Advisers:	Fateh Azzam, Ibrahim Kane, Regan Ralph.

New short projects started in 2004

International human rights standard-setting (120B)

The Council is undertaking this new project in association with the International Commission of Jurists (ICJ). Drawing on experience of previous standard-setting exercises, it will lay out the practical options available to organisations involved in standard-setting, taking account of changes in the political environment, the emergence of new issues, and the importance of implementing existing standards. The Council and ICJ commissioned several short papers for a meeting of experts in February 2005. The participants included representatives of NGOs, governments and international organisations who have worked very closely on particular standards. The Council/ICJ are now preparing a short report that will identify methods and processes that, based on past experience, are likely to be useful and effective in the future. A second phase is foreseen, led by ICJ and organisations directly involved in standard-setting, which will identify a working agenda and priorities. The Council's objective is to work with ICJ to provide analysis that will help to create an effective process in support of responsible standard-setting work.*

Research director:	Jean-Nicolas Beuze (with Cordula Droege, ICJ).
Start:	September 2004.
Papers commissioned:	November 2004.
Expert meeting:	February 2005.
Draft report:	June 2005.
Consultation:	June-July 2005.
Working title:	<i>International Human Rights Standard-Setting Processes.</i>
Publication:	September 2005.
Research team:	N/A.
Advisers:	Hina Jilani, Bacre N'diaye, Nigel Rodley, Ulrika Sundberg.
In co-operation with:	International Commission of Jurists.

* This project replaces an earlier one on this subject, started in 2002, for which the researcher was Professor Makau Mutua. Professor Mutua produced a draft report in 2003. In 2004 the Council decided it would not meet the project's original objective, which was to provide rather specific advice to organisations working on standard-setting. This decision does not reflect on Professor Mutua and was due to sincerely-held differences of view about what the project required.

Benchmarks and indicators for national human rights institutions (125)

This project complements an earlier report, *Performance & Legitimacy – National human rights institutions* (2000, project 102), which the Council republished in 2004. Also written by Richard Carver, a draft of the new report was circulated in November 2004. Based on desk research, interviews with officials of national human rights institutions (NHRIs) and a questionnaire developed in association with the NHRI Unit at the Office of the United Nations High Commissioner for Human Rights, the report examines how NHRIs can use benchmarks and indicators to assess and improve their programmes and performance. The draft was substantially reviewed in early 2005 in light of comments received. The report will be published in mid-year after final consultations with national commissions in April.

Research director:	Jean-Nicolas Beuze (from September 2004).
Start:	First quarter 2004.
Draft report:	November 2004.
Consultation:	December 2004-February 2005.
Working title:	<i>National Human Rights Institutions: Impact assessment indicators.</i>
Publication:	July 2005.
Research team:	Lead researcher: Richard Carver.
Advisers:	Brice Dickson, Kim Forss, Imrana Jalal, Zonke Majodina, Orest Nowosad, Livingstone Sewanyana.
In co-operation with:	Office of the United Nations High Commissioner for Human Rights.

Human rights in peace agreements (128)

This project examines the human rights content of recent peace agreements, with the aim of assessing their role in the outcome of negotiations and their influence on the longer-term sustainability of peace processes. Too many factors are involved to expect simple connections and the project will aim to provide pointers indicating where inclusion of human rights principles may be valuable or essential. The project's methodology matches such a mapping exercise. In preparation for a Review Meeting (March 2005), papers were commissioned on peace agreements in Bosnia-Herzegovina, Burundi, Cambodia, El Salvador, Guatemala, Mozambique, Northern Ireland and Sierra Leone. In addition, thematic papers on transitional justice, forcible displacement, reform of the justice system and national human rights institutions were commissioned. The lead researcher is Christine Bell, an acknowledged authority on peace negotiations and human rights. The Council will publish a short report of findings for use by human rights advocates and others who are directly or indirectly involved in peace negotiations. Follow-up activities are envisioned in the United States, Europe and in other regions and are likely to include mediators as well as human rights advocates.

Research director:	Jean-Nicolas Beuze.
Start:	October 2004.
Papers commissioned:	October-November 2004.
Review meeting:	March 2005.
Draft report:	April/May 2005.
Consultation:	May-June 2005.
Working title:	<i>Human Rights in Peace Agreements.</i>
Publication:	July/September 2005.
Research team:	Lead researcher: Christine Bell. Country Researchers: Adrian Edwards (Cambodia); Ingrid Kircher, Martha Doggett (El Salvador); Marcie Mersky (Guatemala); Andrea Bartoli, Rati Jebashvili (Mozambique); Jasna Baksic Muftic (Bosnia-Herzegovina); Fionnuala Ni Aolain (Northern Ireland); Michael O'Flaherty (Sierra Leone); Fabienne Hara (Burundi). Thematic Researchers: Naomi Roht-Arriaza (transitional justice); Catherine Phuong (forcible displacement); Bill O'Neil (institutional reform in law enforcement); Michelle Parlevliet (national human rights institutions).
Advisers:	Suliman Baldo, Maggie Beirne, Frank LaRue, Ian Martin, Francesc Vendrell.

Human rights and political violence (Council meeting theme; project 129)

In recent years Council Members have organised a seminar at their annual meeting to discuss a current human rights issue. In May 2005 the Council, meeting in Lahore, will discuss political violence and acts of terror, and how human rights organisations should confront them. The seminar will build on two earlier reports by the Council – *Ends and Means*, which discussed the conduct of armed groups, and *Human Rights after September 11*, which analysed the dangers to civil liberties posed by the “war on terror”. At the end of 2004 the Council began commissioning background papers on a range of relevant issues. We hope the report will help human rights activists to frame an approach to political violence that addresses the problem effectively without appearing to marginalise or ignore the need to ensure that governments protect civil liberties.

Research director:	Jean-Nicolas Beuze and Monette Zard.
Start:	October 2004.
Papers commissioned:	November-February 2004.
Review meeting:	May 20-21 2005 (8 th Council meeting).
Draft report:	September 2005.
Consultation:	September-October 2005.
Working title:	<i>Responding to Political Violence.</i>
Publication:	December 2005.
Research team:	Rapporteur: Patricia Gossman. Researchers: Martin Scheinin (international law); Chaloka Beyani (international humanitarian law); Wilder Tayler (the evolution of human rights policy positions); Sidney Jones (Indonesia); Neil Hicks (state policies).
Advisers:	Charlotte Bunch, Stefanie Grant, Asma Jahangir, Imrana Jalal, Walter Kälin, Ian Martin.

Projects in follow-up or closed during 2004

Enhancing Access to Human Rights (2004; project 123)

Published at the beginning of 2004, this project examines why so many people across the world are unable to access rights, and services that protect rights, to which they are entitled in law. It looks at the experience of groups that tend to be socially and economically excluded (including the urban and rural poor, migrants, indigenous minorities, and women) and examines the performance of official institutions in delivering services, as well as the roles of unofficial and community organisations. The project challenges institutions to improve the access of such groups to services they provide. Excluded communities often relate weakly with official institutions, or avoid them, whereas the human rights approach assumes that states are central to the delivery of rights. The Council was not able to follow-up this report as it had planned, because the Research Director responsible for the project left soon after publication and the Secretariat lacked capacity. However, the research is very relevant to a range of projects in which the Council is engaged and will remain useful in the future. (For our collaboration with Global Rights on this report, see the section on *Institutional Relationships*.)

Research director:	Mahmoud Mohamedou; from September 2004 Jean-Nicolas Beuze.
Start:	August 2002.
Papers written:	September-December 2002.
Draft report:	May-August 2003.
Title:	<i>Enhancing Access to Human Rights</i> . In English. Summary in French, Spanish and English.
Publication:	February 2004.
Research:	Writer: Marguerite Garling. Researchers: Stephen Golub (overview); James Cavallaro (urban poor); Christopher Sidoti (rural poor); Bimal Ghosh (migrants); Rodolfo Stavenhagen (indigenous peoples); Ayesha Imam (gender); Martin Abregu (government, NGOs); Dimitrina Petrova (informal obstacles); Chidi Odinkalu (traditional authorities); Stephen Ellis (new approaches).
Advisers:	Charlotte Bunch, Thomas Hammarberg, Ayesha Imam, Hina Jilani, Walter Kälin, Theo van Boven.

Duties sans Frontières – Human rights and global social justice (2003; project 108)

This report examines the degree to which governments and societies have human rights obligations to protect economic and social rights in other countries. It sets out a preliminary framework for assessing such obligations and links them with ethical, self-interest and global goods arguments for acknowledging international responsibilities. The report has been used in different ways and the follow-up period was extended through 2004 for this reason. Its arguments underpinned, for example, a presentation the Council made to the IUCN Assembly in Bangkok in November 2004, on the environment and human rights, which was later summarised in IUCN's

newsletter. This project will be closed during 2005, but the Council recognises the growing importance of the issues it discusses and hopes that a second project designed to apply the arguments in specific policy areas, may be undertaken at a later date. Professor Martin Scheinin has also been reviewing the evolution of human rights law and thinking in this area during the time he spent with the Council in 2004-2005.

Research director:	Monette Zard (since September 2003).
Start:	November 2001.
Papers written:	March-October 2001; April-May 2002.
Draft report:	September-November 2002.
Title:	<i>Duties sans Frontières: Human rights and global social justice.</i>
Publication:	June 2003.
Research team:	Papers: Sigrun Skogly, Christopher Boyd, Martin Brookes, Zaki Wahhaj. Draft report: Anne Marie Smith. Additional writing: David Petrasek, Robert Archer. Preface: Mary Robinson.
Advisers:	Michael Freeman, Dharam Ghai, Paul Hunt, Mia Horn al Rantzien, Arjun Sengupta.

Crime, Public Order and Human Rights (2003; project 114)

This project examined issues and dilemmas that arise for human rights organisations when crime rates rise (or are perceived to rise), particularly in countries that have recently adopted more democratic forms of government. Research was conducted in South Africa, Nigeria, the Ukraine, Argentina and Brazil. The report was published in English in November 2003 and a separate Summary was published simultaneously in French, Spanish, English and Ukrainian. The Summary has been widely distributed to organisations with an interest in the issue; a Russian version of the Summary was produced in 2004 and distributed within Russian-speaking areas. The Council was unable to follow-up the report as planned, largely because the Research Director responsible left soon after publication and in his absence the Secretariat lacked capacity. Crime remains a major issue for human rights organisations in many countries, however, and the Council will make efforts to respond in the future when opportunities to follow-up arise. Activity on this project ceased in the second quarter of 2004. The project will close in 2005.

Research director:	Mahmoud Mohamedou; from April 2004 Robert Archer.
Start:	March 2002.
Papers written:	March-September 2002.
Draft report:	February-May 2003.
Title:	<i>Crime, Public Order and Human Rights.</i> In English. <i>Summary</i> in French, Spanish, English, Ukrainian and Russian.
Publication:	November 2003.
Research team:	Lead researcher: James Cavallaro. Researchers: Carlos Basombrio, Clifford Shearing (overview); Gustavo Federico Palmieri (Argentina); Andressa Caldas, Sandra Carvalho (Brazil); Innocent Chukwuma, Kole E. Shettima (Nigeria); Jody Kollapen, Makubetse Sekhonyane (South Africa); Halyna Senyk (Ukraine).
Advisers:	Carlos Basombrio, Stanley Cohen, Kakuna Kerina, Rachel Neild, Leigh Payne.

Also closed during 2004

- Journalism, Media and the Challenge of Human Rights Reporting (2002; project 106)
- Beyond Voluntarism: Human rights and the developing international legal obligations of businesses (2002; project107)
- Local Rule: Decentralisation and human rights (2002; project116)

Projects in preparation during 2004

During 2004 the Executive Board identified three projects on which the Secretariat did preliminary work in 2004, although research will not begin until late 2005 or 2006.

Administrative detention (126)

This project will examine use of administrative detention by governments, identify where issues of human rights concern arise, and recommend ways to respond. Recognising the urgency as well as the importance of this issue, the Board asked the Secretariat to conduct some preliminary work to identify the focus of the Council's eventual research. A preliminary note was discussed by the Board in September 2004, and Professor Martin Scheinin prepared a second proposal which the Board considered in March 2005. These discussions suggest that the project is likely to focus on administrative detention in the context of "anti-terrorism" procedures, while recognising that its widespread use on other grounds also gives reason for concern. The legal context is also important and should be included. The Council will give priority to developing this project as soon as a research space opens.

Research director:	Monette Zard to September 2004 then Jean-Nicolas Beuze.
Status:	In design. Feasibility: Martin Scheinin (January-April 2005).

Impunity of international officials and troops (127)

This project will examine cases where officials and soldiers on international service are alleged to have committed abuses and violations of rights, and assess how such cases have been handled. Key issues that the research is likely to address include: what legal parameters govern the performance and accountability of international officials (working for UN, international or non-

governmental institutions abroad)? To what extent are such actors in fact held accountable for their actions? What kinds of violations and abuses are managed well and managed badly? What further actions need to be taken to enforce accountability and to protect the rights and interests of people who are affected or injured by such malpractices or abuse? A significant amount of research is now being done on aspects of this issue and, when the time comes to determine the project's research focus, the Council will take account of this. The Secretariat commissioned a first scoping paper from Guglielmo Verdirame in August-September 2004, which set out some of the issues, but it is unlikely to begin the research phase of this project before the end of 2005.

Research director:	Jean-Nicolas Beuze and Monette Zard.
Status:	In development. Feasibility: Guglielmo Verdirame (September 2004).

Traditional authorities and human rights (109)

A first proposal in relation to this project was to have been prepared at the end of 2004, for consideration by the Board in 2005. It has been deferred to accommodate new work that the Board has prioritised, and to enable the Secretariat to introduce the decisions made following the 2004 impact assessment. This piece of work will therefore be defined and designed when a slot becomes available. Taking account of new work that the Board has prioritised, research is not likely to start before the fourth quarter of 2005 or early in 2006.

Research director:	Monette Zard.
Status:	Pre-design.

Translations and reprints

The 2004 evaluation recommended that the Council should keep its past work alive for as long as possible, while recognising that it is impossible to give the same amount of attention to past as well as current projects. With this in mind, the Council will keep older reports in print, where these are still relevant, and will continue to disseminate them actively when opportunities arise.

The Summary of *Crime, Public Order and Human Rights* (project 114) was translated into Russian and distributed to a variety of Russian organisations at the end of 2004.

The Council published its first report on the work of national human rights institutions, *Performance & Legitimacy – National human rights institutions* (project 102), in 2000 and it remains one of the few reports that examines the work of national institutions empirically. Out of print since 2003, it was reprinted in 2004 because the Council had begun a complementary piece of research on benchmarks and indicators that national institutions can use to assess their effectiveness. (See project 125 in this Review.) With a new postscript by Richard Carver, lead writer of both reports, the reprint of *Performance & Legitimacy* was distributed at an international meeting of national human rights institutions in Seoul in September 2004.

Title:	<i>Performance & Legitimacy – National human rights institutions</i> . In English.
Publication:	2000; reprinted 2004.
Research team:	Lead Researcher: Richard Carver. Country researchers: Nii Ashie Kotey (Ghana); Denny Yomaki, Benny Giay, HENDY Lukito (Indonesia); Aida Maria Noval, Phil Gunson (Mexico).
Advisers:	Kamal Hossain, Mercedes Contreras, Ian Hamilton, Juan Méndez, N. Barney Pitayana.

Human Rights after September 11 (project 118) was used as a point of reference, following the attacks on the United States in September 2001 and the subsequent “war on terrorism”. It was one of the first documents to set out the issues in a relatively accessible way, and in addition it raised some of the larger and longer-term political and economic implications for human rights work. Contacts were made in 2004 with Kobfai Publishing to have the report translated into Thai in 2005.

Title:	<i>Human Rights After September 11</i> . In English and German.
Publication:	2002.
Research team:	Rapporteur: Nejla Sammakia. Research papers: Abdullahi An-na'im (on cultural difference); Richard Carver (on civil rights and discrimination); Stephen Ellis (on institutional effects); Thomas Hammarberg (on international foreign policy); Nick Howen (on issues of international law); Makau Mutua (on culture and universality); Kumi Naidoo (on international protest movements); Deepa Narayan (on the World Bank's “Voices of the Poor” survey); Nejla Sammakia (on media coverage of the crisis); Hugo Slim (on NGO accountability); Patricia Williams (on political polarisation and public language).

Other activities

Institutional relationships

Realizing Rights – The Ethical Globalization Initiative (EGI)

In 2003-2004, the Council was one of three organisations that assisted Mary Robinson to establish The Ethical Globalization Initiative. During 2004, the Council signed a new agreement with Columbia University (New York), the Aspen Institute (United States), and EGI to support EGI for the next three years. Two Council representatives sit on EGI's Board; EGI's Policy Director, Scott Jerbi, continues to operate from the Council's offices; and Council staff directly support some of EGI's work – notably the work it is doing on migration. EGI is focusing its work in three important areas: trade policies with a focus on poverty and multilateral institutions; health policy with a focus on HIV-Aids in sub-Saharan Africa; and migration. The Initiative seeks to catalyse policy formation, by convening policy-makers from government, international institutions, business and civil society. In doing so, EGI can provide an outlet for some of the Council's research, while the Council's work can help to underpin elements of EGI's advocacy. Mary Robinson became a member of the Council in 2004.

The Global Governance Initiative (GGI) of the World Economic Forum

The World Economic Forum launched this initiative in 2003. It assesses the efforts of the international community (multilateral agencies, governments, business and civil society) to achieve the objectives set out in the Millennium Declaration and the Millennium Development Goals. The Council's Director chairs an expert group on human rights, one of six that submit chapters on different themes to GGI's annual report. A summary of GGI's first report was published in January 2004 at the World Economic Forum's Annual meeting in Davos; the main report was released in April. The 2005 report was launched at Davos in January 2005.

Global Rights

During 2004 the Council began discussions with Global Rights, based in Washington, on its proposal for a "Global Dialogue Initiative". The aim is to stimulate a focused policy discussion on selected issues among Global Rights' national partner organisations. Global Rights invited the Council to help design and facilitate this process, and it was agreed that the Council's report *Enhancing Access to Human Rights* (project 123) provided a good platform for testing the idea. (Please refer to the section on *Projects in follow-up or closed during 2004* for more details about this project.) If "Global Dialogue" proceeds, it will connect the report's analysis to policy and advocacy work in different national contexts, which would ensure that the

Council's research would be put to good use. It requires funding, however, and Global Rights is still exploring with its staff and partners how it should best organise a process that will be grounded and useful to them.

'Human Rights 2020' (under exploration)

In September 2003, Amnesty International and the Council convened a small meeting to discuss the development of a major international reflection about longer-term trends in human rights advocacy. Amnesty invited the Council to co-ordinate the initiative and in 2004 the Council organised a consultancy to evaluate the value of such a project to human rights organisations around the world, and how it might be organised. Two consultants, Aubrey McCutcheon and Gaby Oré Aguilar, travelled to Egypt, India, Mexico, Peru, South Africa, Spain, Thailand, Uganda and Ghana, and to London, Geneva and New York, to conduct interviews, and reported to the project's Advisers in February 2005. The Advisers – Thomas Hammarberg, Hina Jilani and Lydia Alpizar – recommended that the project should be undertaken, subject to funding. In March 2005 the Council's Board decided that the Council is not in a position to lead the co-ordination of such an ambitious project. The organisations involved will decide during the first half of 2005 how the project should be taken forward and organised.

Office of the High Commissioner for Human Rights

The Council's relationship with the Office evolved during the year. For logistical reasons, *Wilson's Cat* seminars moved from the Palais Wilson to the Graduate Institute for Development Studies of the University of Geneva, and in parallel the Council agreed a new initiative, whereby it will periodically organise small seminars to discuss its research with staff of the Office. The first of these meetings took place in September 2004 and discussed the Council's report *Enhancing Access to Human Rights* (project 123). The second took place early in 2005 and discussed the Council's draft report on benchmarks and indicators for national human rights institutions (project 125). In addition, as noted, the Council is co-operating with the Office of the High Commissioner on this project (125), which the Office has helped to fund.

Eighth Assembly of the International Council

The eighth assembly of the International Council will take place in Lahore in May 2005. For information about the theme of the meeting, please refer to the project on political violence (project 129) in the section on *New short projects started in 2004*. The 2004 meeting was reported in last year's Review. For a list of Members of the Council, please refer to *Appendix iii*.

Wilson's Cat Seminars

The Council continued to run *Wilson's Cat* seminars. Speakers in 2004 were:

Jelena Pejic, Adviser, Legal Division, International Committee of the Red Cross, *on international humanitarian law and human rights law (February 2004)*

Theo van Boven, United Nations Special Rapporteur on Torture and Professor of International Law at the University of Maastricht, Netherlands, *on the UN Commission on Human Rights (March 2004)*

Klaus Leisinger, President and Executive Director of the Novartis Foundation for Sustainable Development, *on business and human rights (May 2004)*

Kenneth Roth, Executive Director of Human Rights Watch, *on human rights and the "war on terrorism" (June 2004)*

Hina Jilani, Special Representative of the United Nations Secretary General on Human Rights Defenders, *on human rights defenders and current challenges to their security (June 2004)*

Martin Scheinin, Professor of constitutional and international law and Director of the Human Rights Centre at the Abo Akademi University, Finland, and Member of the UN Human Rights Committee, *on state non-compliance with UN treaty-monitoring bodies (October 2004)*

Swami Agnivesh, founder of Bandhua Mukti Morcha (BMM) in India, *on religious extremism, inter-religious advocacy (December 2004)*

Evaluation 2004-2005

At the request of the Ford Foundation and SIDA, in late 2003 and early 2004 two consultants, Kim Forss and Aubrey McCutcheon, visited seven countries (Ghana, Indonesia, Nigeria, the Philippines, South Africa, Switzerland and the United Kingdom) to interview nearly 100 individuals and organisations about the impact of the Council's work. Their report was positive about most aspects of the Council's research methodology. At the same time, they recommended that dissemination and communication could be improved. Guided by the Board and Council Members' advice, the Secretariat prepared proposals which the Board considered in September. The decisions made are summarised below:

- The Council will run more short projects. At any one time the Secretariat will manage slightly fewer projects than before (6 rather than 7).
- The follow-up phase after publication will lengthen. Follow-up plans will be more formal and will target the project's key audiences.
- At design, the Secretariat will assess the kind of impact each project aims to have. This decision will guide us in defining the audience, the follow-up plan, and markers or objectives to test the project's impact.
- The Council will build links with strategic institutional partners and will work with them to increase dissemination and outreach.
- The Council will hold more meetings outside Geneva in co-operation with Council Members and partners, to increase impact and outreach.
- The Council will enlarge its "core list" of contacts, in addition to specific project audiences, and develop its electronic address list accordingly.
- It will mail more copies of its reports and Summaries, electronically and by mail, and will translate more of its work into other languages.
- The Council will sharpen the messages that emerge from its research: there will be more key points, short summaries, and focused conclusions.

The above changes will be introduced gradually. During 2005 the Board will review financial and staffing implications. The 2005 budget was adjusted upwards to allow room to accommodate the impact of the changes made.

Finance

Financial management

The International Council's financial management is in accordance with and complies with International Accounting Standards. It is committed to ensuring institutional transparency and accountability at all times and to full and timely reporting.

The Council maintains strict financial controls to ensure the optimum use of its limited resources. Responsibility for its financial management rests with the Finance Director and ultimately with the Treasurer – Member of the Executive Board of the Council.

A key goal of the International Council's financial management is to guarantee the long-term sustainability and growth of the organisation.

Audit

The Council's 2004 accounts were audited by an independent auditor, Mr Marc Bétemps, in accordance with Swiss requirements, and approved by the Executive Board in March 2005.

Income

Total income in 2004 was CHF 1'972'995. Of this, grants provided CHF 1'866'332. The following organisations made grants to the Council in 2004:

Ministry of Foreign Affairs – Netherlands	CHF 311'400 (EUR 200'000)
Swedish Int'l Dev. Coop. Agency (SIDA)	CHF 255'540 (SEK 1'500'000)
Swiss Federal Dept. of Foreign Affairs (DFAE)	CHF 125'000
Swiss Agency for Development & Coop. (SDC)	CHF 166'000
Ministry of Foreign Affairs – Finland	CHF 138'870 (EUR 90'000)
British Department for Int'l Development (DFID)	CHF 281'437 (GBP 125'000)
Federal Ministry for Eco. Coop. & Dev. Germany	CHF 15'196 (EUR 10'000)
UN Office of the High Commissioner for HR	CHF 50'985 (USD 45'000)
Ford Foundation (USA)	CHF 441'216 (USD 360'000)
Oak Foundation (Switzerland)	CHF 51'938 (USD 41'667)
Christian Aid (UK)	CHF 28'750 (GBP 12'500)

Other income consisted of consultancy fees (CHF 54'908), sales of publications (CHF 7'415), and collaborative initiatives (CHF 52'300).

Expenditure

Total expenditure in 2004 was CHF 1'723'306. Projects absorbed 71.5% of all expenses. Non-project expenses included Governance costs of CHF 162'236 (9.4% of total expenditure); the general (non-project) costs of the Secretariat amounted to 19.1% of the total.

Project expenditure was CHF 1'231'456, compared with a budget of CHF 1'395'000. Each project has its own budget. In most cases, this covers more than one year. The annual expenditure on each project is based on the Project Design, and is included in the annual budget proposal that is presented to the Executive Board for approval.

At the end of 2004, the Council's activities resulted in a surplus of income in relation to expenditure of CHF 249'689.

Members of the Council's Executive Board

At 1 January 2005

Asma Jahangir
Walter Kälin
Charlotte Bunch
Stefanie Grant
Imrana Jalal
Ian Martin

Chair
Vice-Chair and Treasurer

Appendix ii

Staff of the Secretariat

At 1 January 2005

Robert Archer
Jean-Nicolas Beuze
Monette Zard
Anouchiravan Roustia
Fairouz El Tom
Corinne Baustert

Executive Director
Research Director
Research Director
Finance and Administration Director
Research and Publications Officer
Information Assistant

Scott Jerbi

Policy Director,
The Ethical Globalization Initiative

Martin Scheinin

Temporary Senior Consultant
(from December 2004)

Shivani Verma
Helena Tabakavova

Intern (from December 2004)
Intern (from January 2005)

During the year, the Secretariat employed five staff in addition to the Executive Director. Mr Jean-Nicolas Beuze was appointed to replace Dr Mohammad Mahmoud Mohamedou who left the International Council in April 2004 to become Associate Director of the Harvard Program on Humanitarian Policy and Conflict Research, Boston. In other respects the Secretariat staff remained unchanged during the year. Mr Scott Jerbi continued to work from the Council's offices, as a staff member of The Ethical Globalization Initiative.

Members of the International Council

At 1 January 2005

Lydia Alpizar	Feminist Organisational Development Theme Manager, AWID, Mexico. Costa Rica.
Akila Belembaogo	Lawyer; Head of the Human Rights Unit and Senior Programme Adviser of the Policy and Planning Division, UNICEF. Burkina Faso.
Tapan Kumar Bose	Documentary filmmaker, writer, and human rights and peace activist; Secretary General, South Asia Forum for Human Rights. India.
Charlotte Bunch	Director, Centre for Women's Global Leadership, Rutgers University. United States.
David Fernández Dávalos, sj	Education Assistant, Jesuit Mexican Programme; former President, Instituto Tecnológico y de Estudios Superiores de Occidente (ITESO University). Mexico.
Eyad Rajab El-Sarraj	Psychiatrist; Director, Gaza Community Mental Health Programme; Director, Independent Commission of Human Rights in Palestine. Palestine.
Dharam Ghai	Development Economist; Senior Adviser, International Labour Organization. Kenya.
Stefanie Grant	Lawyer. United Kingdom.
Asma Jahangir	Lawyer; Special Rapporteur on Freedom of Religion or Belief; Director, AGHS Legal Aid Cell, Lahore. Pakistan.
Imrana Jalal	Lawyer; Human Rights Adviser, Regional Rights Resources Team, Fiji. Fiji.
Walter Kälin	Professor of International Law, Institute of Public Law, University of Bern; Member of the UN Human Rights Committee; Special Representative of the UN Secretary General on Internally Displaced Persons. Switzerland.
Konstantin Korkelia	Deputy Director, Institute of State and Law, Georgian Academy of Sciences; Senior Lecturer, Faculty of International Law and International Relations, Tbilisi State University. Georgia.
Ian Martin	Vice President, International Center for Transitional Justice. United Kingdom.
Jessica Montell	Executive Director, B'Tselem. Israel.
Dimitrina Petrova	Director, European Roma Centre. Bulgaria.
Mary Robinson	Director, Realizing Rights – The Ethical Globalization Initiative; Former President of Ireland (1990-1997); Former High Commissioner for Human Rights (1997-2002). Ireland.
Anthony Romero	Executive Director, American Civil Liberties Union. United States.
Chaiwat Satha-Anand	Professor of Political Science, Thammasat University; Director, Thai Peace Information Centre, Foundation for Democracy and Development Studies, Bangkok. Thailand.
Sylvia Tamale	Lawyer; Senior Lecturer, Faculty of Law, Makerere University. Uganda.

Diversity Chart 2004

The Council seeks to be truly international and interdisciplinary. In 2004, the regional and professional backgrounds of those who collaborated with the Council were as follows. The list includes all those who conducted research for Council projects, acted as Advisers, attended research meetings or spoke at *Wilson's Cat*.

	Secretariat	%	Council	%	Consultants	%	Total	%
Western Europe	4	57	4	21	26	30	34	30
Eastern Europe	0	0	2	11	7	8	9	8
North America	1	14	2	11	12	14	15	13
South America	0	0	2	11	11	13	13	12
Middle East & North Africa	2	29	2	11	1	1	5	4
Sub-Saharan Africa	0	0	3	16	18	21	21	19
Asia	0	0	3	16	11	13	14	13
Australasia	0	0	1	5	0	0	1	1
Total	7	100	19	100	86	100	112	100
Women	3	43	10	53	36	42	49	44
Men	4	57	9	47	50	58	63	56
Total	7	100	19	100	86	100	112	100
International organisations	3	43	3	16	10	12	16	14
Government	0	0	0	0	5	6	5	4
Judiciary / Law	0	0	1	5	1	1	2	2
Private business	2	29	0	0	0	0	2	2
University	0	0	5	26	30	35	35	31
NGO	2	29	8	42	25	29	35	31
Journalism	0	0	0	0	0	0	0	0
Self-employed consultant	0	0	1	5	13	15	14	13
Other	0	0	1	5	2	2	3	3
Total	7	100	19	100	86	100	112	100

Note: Percentages are rounded off.

To come in 2005

- *How can local governments make best use of human rights?*
- *Challenges to international human rights standard-setting.*
 - *Benchmarks and indicators that will help national human rights institutions assess themselves.*
 - *What influence do human rights have on peace agreements?*
- *What should human rights organisations say about political violence?*

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