INTERNATIONAL H MAN
COUNCIL
ON RIGHTS

POLICY

ANNUAL REVIEW 2003-2004

About the Council

The International Council was established in Geneva in 1998 to conduct useful research into problems and dilemmas that face organisations working 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.

The Council is independent of governments and inter-governmental organisations as well as voluntary and private sector organisations. It 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 original Council met for the first time in Cairo in June 1997. Subsequent meetings have taken place in Lima (1998), in Geneva (1999, 2002 and 2004), in Jakarta (2001), and in Guadalajara (2003). Council Members serve for a period of three years, renewable once.

The programme is implemented by a Secretariat based in Geneva. The Secretariat 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.

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

Contents

Review of the Year

In the last year, the Council published three reports; they illustrate (I hope not too neatly) some of the human rights challenges ahead. The first, *Crime, Public Order and Human Rights* argued that effective policing and the right of citizens to personal security are as important to human rights protection as the rights that prisoners and detainees have to due process and protection from abuse. The report showed that in Nigeria, Argentina, Ukraine, South Africa and other countries, human rights organisations are increasingly participating in judicial and political reform processes, in addition to their more traditional monitoring functions. A new and complicated transition is taking place, which balances the desire of human rights organisations to be effective with their obligation to monitor and avoid being compromised. The evolution of this transition is of vital importance to the long-term relevance of human rights.

The second report, *Enhancing Access to Human Rights*, raises even more profound questions. It showed, predictably, that numerous people across the world (notably those who are very poor) are not served effectively by their governments. Less obviously, it highlighted how reluctant many minorities, migrants, poor communities and other exposed groups are to engage with the state. Human rights organisations have always built their strategies around the principle that states are primarily responsible for protecting rights. If they are to be effective, however, this report suggests that they must not only transform the state's performance but create long-term relationships with large numbers of local communities of excluded people. With existing resources, this is impossible: it can only be done by working more closely with religious, development and community-based organisations that are already present in, and trusted by such communities. The report prefigures the need for a far more conscious strategy of building alliances to work on economic and social (as well as political and civil) rights.

The third report has implications that are at least as challenging, this time at international level. In a period characterised by acute international mistrust and division, international relations are awash with grand new commitments to end poverty and make the world less dangerous and fairer. Yet, nationally as well as internationally, governments rarely provide the resources required to implement such promises; as a result public cynicism is deepening across the globe. *Duties sans Frontières* links human rights principles to ethical, public goods and self-interest arguments to build up the case for a fairer, more generous system of international governance. In a world that becomes richer and more unequal by the hour, no issue is of more importance or more difficult to address practically. Here too, denunciation and protest are necessary – but building alliances and conviction among rich country decision-makers and electorates is no less important.

The Council has been stretched to manage this policy agenda, since it is also working on other sensitive topics, including the accountability of human rights organisations and migration, as well as preparing larger interdisciplinary projects about the provision of local government services and about programmes that address poverty. An evaluation of the Council's work, focusing on its impact and influence, was completed in March 2004. Based on interviews in several countries in Africa, Asia and Europe, it showed that the Council's reports are respected for the quality of their analysis and their accessible style, and for their consultative and international character. At the same time, it is clear that the Council would be more influential and effective if it could disseminate its reports more widely and follow them up in a more focused way. The task ahead is to sustain the quality of the Council's work *and* find ways to communicate its research more effectively to people who can use it. For a small organisation, this is a big challenge. In many respects, it reflects the task that faces human rights more generally: to meet the world's changing needs, human rights organisations will be asked to develop new kinds of relationships and to communicate much better with people from different circles. At the same time, they must protect the distinctive methods and values that they have fought to develop, in a period when these are under attack by many governments, and when public cynicism is widespread.

Robert Archer

Executive Director

The research programme in 2003

Published

Global social justice and human rights (108)

Duties sans Frontières – Human rights and global social justice.
May 2003

The report sets out a framework that might enable states (and other actors) to assess when they have a duty to take action to protect economic and social rights in other countries. It examines the relevance of arguments based on human rights law as they apply to economic and social issues and poverty. It goes on to consider the principle of state sovereignty, and its limits, making reference to "the duty to protect". It then positions human rights obligations in relation to ethical arguments for international action, including self-interest, global goods and common interest positions. The report's foreword is written by Mary Robinson, Director of the Ethical Globalisation Initiative and former United Nations High Commissioner for Human Rights.

The two primary audiences for the report are officials (especially in OECD states) who are sympathetic to international action but remain unconvinced that their governments have a *duty* to act to protect economic and social rights abroad; and organisations that campaign to reduce social and economic inequity world-wide.

Research began in 2001, when the Council commissioned three background papers. Sigrun Skogly set out what human rights law says; Christopher Boyd compared modern ethical theories on this question; and Martin Brookes and Zaki Wahhaj examined the relevance of economic arguments based on global public goods theory. In 2002, Anne-Marie Smith prepared a draft of the report, based on the above papers and further research. This was sent out for comment in September 2002 and subsequently re-organised and edited substantially before final publication.

The report was discussed at the founding meeting of ESC-Net in Thailand in June 2003, and presented at a meeting of agencies in Germany organised by INWENT, and at a meeting of MSF International in Brussels. Some 1000 copies were sent out to officials and other organisations on publication. It has been used by several organisations as a point of reference for arguments they have developed in relation to specific areas of policy. The Council will continue to draw attention to the report's arguments and encourage organisations to make use of them until the project is closed at the end of 2004.

Crime and human rights (114)

Crime, Public Order and Human Rights. November 2003

This project examines the 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. Many policy challenges can be identified – weak policing and police reform; public anger against human rights organisations when they call for protection of criminals' rights; vigilantism; issues associated with the rights of victims; the role of the media; and political reaction in favour of law and order. The report examines the experience that has been gathered in a number of countries, and seeks to provide useful guidance to human rights organisations that currently confront this problem.

In November 2001 the Council brought together a group of experts to focus the research and agree on methodology. They included representatives of NGOs working on relevant issues in South Africa, Latin America and Eastern Europe, as well as scholars from South Africa, Brazil, the United States, Canada, and the United Kingdom. The project was then designed in the first quarter of 2002, and research began in May. In the first phase of research, country papers were prepared in South Africa, Nigeria, Ukraine, Argentina and Brazil, and a general thematic paper was written in parallel. The lead researcher, James Cavallaro, Associate Director of the Human Rights programme at Harvard University, who is an expert on Brazil, visited Nigeria, Peru and Ukraine to familiarise himself with the issues in other regions. In October, the Council held a review meeting in New York, in partnership with the Carnegie Council on Ethics and International Affairs, to discuss the initial findings and agree the main lines of argument that should be developed in the final report. The meeting was attended by the researchers and advisers, and a number of additional experts.

A draft report, prepared by James Cavallaro, was circulated for comment between March and June 2003. The draft was discussed locally at meetings held in South Africa and in Ukraine. The final report was published in November 2003 in English. A separate Summary was published simultaneously in French, Spanish, English and Ukrainian. A Russian one will be published in mid-2004. The Summaries have been widely distributed to organisations with an interest in the issue. The project will close in the second quarter of 2004.

Research Director:	Mohammad-Mahmoud Ould Mohamedou.
Start:	March 2002.
Papers written:	March-September 2002.
Draft report:	February-May 2003.
Title:	*Crime, Public Order and Human Rights*. ISBN 2-940259-36-4. In English. *Summary of Findings* in French, Spanish, English, Ukrainian and Russian.
Publication:	November 2003.
Research:	Lead researcher: James Cavallaro. Researchers: Carlos Basombrio, Clifford Shearing (overview); Gustavo Federico Palmieri (Argentina); Andressa Caldas and Sandra Carvalho (Brazil); Innocent Chukwuma and Kole E. Shettima (Nigeria); Jody Kollapen and Makubetse Sekhonyane (South Africa); Halyna Senyk (Ukraine).
Advisers:	Carlos Basombrio, Stanley Cohen, Kakuna Kerina, Rachel Neild, Leigh Payne.
Closure:	Second quarter 2004.

Access and human rights (123)

Enhancing Access to Human Rights. February 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 are specially vulnerable to exclusion (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's main purpose is to identify ways in which institutions can improve the access of such groups to services they provide. Vulnerable 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. When laws are in place that protect rights, and when discrimination and exclusion are not explicit and are not sanctioned in law, what more must be done to ensure that excluded or marginalised groups benefit from their rights? What more must local and national government do?

Approved for development in June 2002, ten short papers on aspects of access were commissioned in September/October of that year. Some focus on the experience of groups vulnerable to exclusion, others on the performance of institutions in delivering services that protect rights. The papers were circulated to participants at the Council's Sixth Annual Meeting which took place in Guadalajara, Mexico, in January 2003. Two days of the meeting were devoted to discussion of access. Participants included Council Members and some 25 guests from Latin America and other regions.

A draft of the report, prepared by Marguerite Garling, was sent out for comment between May and August 2003. The final report was published in English in February 2004, simultaneously with a separate Summary in Spanish, English and French. Follow-up activities are being organised to draw the report's findings to the attention of relevant audiences in different parts of the world.

Research Director:	Mohammad-Mahmoud Ould Mohamedou.
Start:	August 2002.
Papers written:	September-December 2002.
Draft report:	May-August 2003.
Title:	*Enhancing Access to Human Rights*. ISBN 2-940259-58-5. In English. *Summary* in French, Spanish and English.
Publication:	February 2004.
Research:	Main writer: Marguerite Garling. Researchers: Stephen Golub (Overview); James Cavallaro (the urban poor); Christopher Sidoti (the rural poor); Bimal Ghosh (migrants); Rodolfo Stavenhagen (indigenous groups); Ayesha Imam (gender, overview); Martin Abregu (formal institutions including government and NGOs); Dimitrina Petrova (informal obstacles and responses); Chidi Anselm Odinkalu (traditional systems of protection and justice); Stephen Ellis (remedies, solutions, new approaches).
Advisers:	Thomas Hammarberg, Hina Jilani, Theo van Boven, Walter Kälin, Ayesha Imam, Charlotte Bunch.
Closure:	Third quarter 2004.

In research

Issues of accountability for human rights organisations (119)

This project considers steps that human rights NGOs should take to assure themselves and others that they are properly accountable and acting legitimately.

The Executive Board approved a first proposal in June 2002, after discussion at the Council meetings in Jakarta (2001) and Geneva (2002). Research began in September 2002, building on a paper by Hugo Slim. The lead researcher, Mike Dottridge, interviewed NGOs in London, Geneva and Bangkok and prepared an initial draft which was discussed in December 2002 at a meeting in Geneva. Those involved had experience of different kinds of NGOs in various regions and included David Bryer, Eitan Felner, Ahmed Motala, Emma Playfair, Agnès Callamard, Alexey Korataev, Usha Ramanathan, Regan Ralph, and Morris Tidball-Binz. The meeting endorsed the project's overall objectives and direction but suggested the draft should be re-organised and refocused. Mike Dottridge subsequently reworked the text and 400 draft reports went out for public consultation in April 2003. The draft was also discussed at local meetings in Nairobi and Johannesburg (in co-ordination with Civicus) as well as in Geneva (in co-ordination with Congo), London and New York.

The response was energetic and many of the comments were critical, confirming that this subject is complex as well as sensitive. Respondents raised a range of issues and challenged the Council to improve the text. Under Monette Zard, the report will therefore be edited significantly in 2004 and we will consult further before preparing a final publication in the third quarter of the year. As part of this consultation, Monette Zard has already led workshops at the World Movement for Democracy Workshop in Durban (February 2004) and at Civicus' Biennial Conference in Botswana (March 2004). An Advisory Group composed of Fattah Azam, Ibrahima Kane and Regan Ralph has been formed to support the Secretariat in the next phases of the work. The report will be published in English and, it is hoped, in other languages (French, Arabic); a summary will be printed simultaneously in several languages.

This project addresses important issues and we are committed to completing it in a manner that is useful to human rights organisations operating in different contexts, and that at the same time addresses some of the difficult questions. We hope that organisations which have worked in partnership with us during this project will participate in the project's further development and in post-publication activity, which we hope can be extensive.

The design is available.

Challenges to international human rights standard-setting (120)

Much effort has been invested in standard-setting and in recent years many new standards have been advocated and adopted. While efforts continue to set new standards, however, the process has been increasingly subject to criticism – in some cases by governments that feel international legal regulation is becoming excessive, in other cases by human rights advocates who are concerned by failure to implement existing standards or by poor drafting of proposed standards. This project analyses recent trends in international standard-setting, considers where the process might be improved, and proposes alternative strategies.

The project was designed in July-August 2002. Research started in September and focused particularly on four cases: the Draft Optional Protocol to the Convention against Torture; the Declaration on Human Rights Defenders; the Declaration on the Right to Development; and the Guiding Principles on Internal Displacement.

In the first phase of research, the lead researcher Makau Mutua carried out interviews in Geneva and the United States and prepared a draft report in March 2003. On the recommendation of the project's advisers, it was revised. The second version of the draft was under review at the end of the report period.

A design is available.

Poverty and human rights (121)

During 2003, the Council took forward the design for a project that will examine policy issues that arise in relation to poverty and human rights. The Research Director responsible consulted a number of experts during the year, including staff at the UN Office of the High Commissioner for Human Rights. In early July, a half-day consultation held in New York helped focus the research proposal.

The project will assess policies that have been implemented to reduce or eliminate poverty, in relation to human rights methods and principles. To do this, the research team will study poverty reduction programmes in several countries, and assess how far they have used human rights methods or taken account of human rights principles. Countries will be selected in different regions, including Africa, Latin America, Asia and Eastern Europe. Recognising that communication between human rights and development specialists is an issue, the country research teams will include both human rights specialists and specialists in development and economics. There will be an explicit emphasis on gender. On the basis of this research, and additional background papers, the project will assess the strengths and weaknesses of current programmes and seek to clarify where use of human rights methods and principles can bring *practical operational* benefits. Taking account of the amount of work that is being done on poverty and development, care will be taken to ensure that the Council's work complements and does not duplicate other research that is being done.

Research will start in 2004 when countries have been selected and the research team has been assembled. A review meeting will be organised to assess the research findings before a draft report is prepared for circulation and comment at the beginning of 2005. A final report will be published in mid 2005, with a separate summary translated into several languages.

One aim of the project will be to make the human rights framework as accessible as possible, in practical terms, to people working in other disciplines who do not have specialised knowledge of human rights.

A draft of this project design is available.

Research Director:	Mohammad-Mahmoud Ould Mohamedou (to April 2004).
Start:	Second quarter 2004.
Papers written:	November 2004.
Draft report:	February 2005.
Consultation:	February-April 2005.
Working title:	*Achieving Economic and Social Progress – Poverty and human rights*.
Publication:	July 2005 (provisional).
Research team:	To be appointed.
Advisers:	To be appointed.
Closure:	2006.

Migration and human rights (122)

In 2003, the Council defined the focus of research it will conduct on this politically complex question. Council Members held an initial debate at the Council meeting in Guadalajara in January 2003, for which a paper on migration was prepared (in the context of project 123 on access to human rights). The Board held further discussions in March and September 2003. The Council's thinking also benefited from preliminary work on migration that the Ethical Globalisation Initiative has been planning. The project was designed in the last quarter of 2003 and circulated for consultation. The Research Director responsible began to recruit the research team in early 2004 and research should begin in the second quarter of 2004.

The project will focus on people who are smuggled. Unofficial or illegal migration of this sort is common in many parts of the world but the rights of such migrants are not clearly understood and have not been researched in detail. As a group, moreover, they are frequently criminalised by national authorities if they are caught, and face many forms of exploitation and abuse if they are not. The fact that two international treaties came into force in 2003 that bear directly on the rights of migrants, including smuggled people, increases the relevance of research in this area. One of these treaties, the Convention to Combat Transnational Organised Crime, includes two protocols on Trafficking and Smuggling which provide few human rights protections for people defined as having been smuggled. The Council's research will aim to suggest how human rights' considerations might be reconciled with law enforcement in this area.

The subject is both sensitive and legally complex. The Council's aim will be to develop a realistic analysis, taking account of the political, social and economic context in which smuggling of people occurs, that will clarify what the rights of smuggled migrants are in law. The Council plans to co-operate with other organisations that are developing relevant work in this area, including the Ethical Globalisation Initiative, the Justice Initiative of the Open Society Institute, and academic centres. The decision of the governments of Sweden and Switzerland to convene a Global Commission on Migration, with the support of various governments and the United Nations Secretary General, gives this project added relevance, and we hope the Council will be in a position to contribute to the Commission's work.

It is planned to hold a review meeting to discuss the progress of research in mid-2004, and to produce a draft of the report by October or November 2004. The report will be circulated for comment until early 2005, and will also be discussed by specialists at expert meetings, one of which will be convened by the Ethical Globalisation Initiative. A final report will be published in the second quarter of 2005.

A design of this project is available.

Research Director:	Monette Zard.
Start:	February/March 2004.
Papers written:	May-July 2004.
Draft report:	November 2004.
Consultation:	November 2004-March 2005.
Working title:	*Migration, Smuggled People and Human Rights*.
Publication:	Second quarter 2005.
Review meetings:	June 2004; November 2004 (with EGI).
Research team:	To be appointed.
Advisers:	To be appointed.
Closure:	End 2005.

Local government and human rights (124)

In 2002, the Council published a short report that assessed human rights issues relevant to local government.[1] During 2003 the Council prepared a more detailed piece of work which will examine the extent to which local governments can improve their delivery of services, especially economic and social services by using a human rights framework. This is one of several Council projects addressing issues of economic and social rights.

The project was designed in 2003 and research started at the end of the year when a first meeting of the Advisers took place in Geneva, which the lead researcher, Nancy Thède, also attended. Nancy Thède, an anthropologist, is Professor in the Department of social work and social science at the University of Quebec at Outaouais. At this meeting the design was agreed and amended to include a preliminary phase of work to identify which local government municipalities should be researched and what the research focus in each area should be. An initial meeting of the researchers took place in Geneva in February 2004, to clarify the project's aims and discuss the research methodology. The main research phase began immediately after this meeting.

Research is being undertaken in the Philippines, Pakistan, India, Tanzania, Senegal, Bolivia and Argentina. A review meeting will be held in June 2004 to assess the findings, before the main researcher, Nancy Thède, prepares a draft report that will be circulated for comment in September/October. A final report in English will be prepared for publication in April 2005. A separate summary will be published simultaneously in English, French and Spanish.

The research team will study cases where, implicitly as well as explicitly, human rights methods have been used to improve local government performance. The introduction of direct elections would be an example; or improved regulation of local government by central government; or public campaigns to improve local government services. Wherever possible, the

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[1] *Local Rule – Decentralisation and human rights*, 2002.

researchers will look for statistical evidence of changes in performance related to changes in policy of the kind described above. The research will take into account the influence of central government, since the Council's earlier report confirmed that central governments exercise a strong financial and political influence on the performance and capacity of local governments.

The project will aim to assist local and national government officials to identify how human rights methods can improve the services they provide, for example by increasing accountability. If it can show that many human rights techniques are consistent with good development and administrative practice, the research may also help to make human rights seem more accessible and less abstract to people who do not have a specialist knowledge of human rights standards.

A design of this project is available.

Research Director:	Robert Archer to September 2003; then Monette Zard.
Start:	November 2003.
Papers written:	May 2004.
Review meeting:	June 2004.
Draft report:	September 2004.
Consultation:	September 2004-January 2005.
Working title:	*Local Government, Effectiveness and Human Rights*.
Publication:	Second quarter 2005.
Research team:	Lead researcher: Nancy Thède. Researchers: Alicia Cabezudo (Argentina), Cheikh Guèye and Assan Mbaye (Senegal), Harihar Bhattacharyaa (India), Rwekaza Mukandela and Chris Maina Peter (Tanzania), Soliman Santos (Philippines), Abid Suleri (Pakistan), Manuel de la Fuente (Bolivia).
Advisers:	Catherine Dom, Peter Kagwanja, Walter Kälin, Patrick Van Weerelt, David Velásquez.
Closure:	End 2005.

In preparation

National human rights institutions (II) (125)

In late 2003, the Executive Board agreed to reprint *Performance and Legitimacy – National human rights institutions* (102), one of the Council's earlier reports which is out of print. Alongside it, the Board asked the Secretariat to prepare a short analysis of indicators or benchmarks that national commissions might use to assess the impact and effectiveness of their programmes and activities. In early 2004, this new project was designed. Research will continue through 2004 and it is planned to publish a final report at the beginning of 2005.

This project aims to help national human rights institutions and organisations that work closely with them to measure the effectiveness of their work. Human Rights Commissions will be consulted and involved in the development of the document, which will be written by Richard Carver, who was lead researcher for *Performance and Legitimacy*. The report will be published in several languages.

Research Director:	Mohammad-Mahmoud Ould Mohamedou (to April 2004).
Start:	May 2004.
Draft report:	August 2004.
Consultation:	September-November 2004.
Working title:	*Knowing What Works: Benchmarking tools for national human rights institutions*.
Publication:	January 2005.
Lead researcher:	Richard Carver.
Closure:	End 2005.

Administrative detention (126)

Governments have recourse to administrative detention for different reasons – for example, to hold asylum-seekers whose claims have not been examined, to confine mentally-ill people who are considered a danger to the public, and to detain individuals who are suspected of being associated with terrorist groups or acts of terrorism. Recognising there is concern that the use of administrative detention has been increasing, in 2003 the Board asked the Council to find out how administrative detention is being used and for what purposes. Initially, the Council's aim will be to understand where problems are occurring and how serious they are. It may subsequently do further work to analyse what steps should be taken to curb improper use of administrative detention, or prevent violations of rights associated with it.

Research Director:	Monette Zard.
Expected date of design:	End 2004.
Expected start of research:	Early 2005.

Impunity of international officials and troops (127)

It has been alleged, in various contexts, that international officials and soldiers have sometimes escaped justice for crimes they committed while operating under a UN or international mandate. In such cases, it is claimed, the officials or soldiers concerned are protected by national or international authorities or are not subject to national justice systems because of the terms of their service; and that such impunity is unacceptable and should not be permitted. In 2003 the Board asked the Council to explore the scale and nature of this problem, and to identify ways in which these instances of impunity, when they occur, can be controlled and ended.

The Secretariat conducted some very preliminary research on this issue in late 2003, with the help of Loretta de Plevitz, who spent three months as a voluntary researcher with the Council in late 2003. The project will be designed at the end of 2004, when research will start.

Research Director:	Monette Zard.
Expected date of design:	End 2004.
Expected start of research:	End 2004, early 2005.

Traditional decision-making and human rights (109)

In many parts of the world, traditional or non-formal authorities take decisions that affect the lives of ordinary people and have a direct bearing on respect for human rights. Such institutions take many forms and deal with a variety of issues, including land settlements, marital disputes, issues of inheritance, inter-group conflicts etc. Local procedures have the great merit of being both affordable and accessible; those who use them also tend to regard them as legitimate. But when are their decisions and procedures likely to be compatible with human rights, and when not? In 2003 the Board asked the Council to develop a proposal to do practical research into the role that informal or traditional authorities play, in order to assess the benefits and risks that arise from the perspective of human rights. No detailed work began on this subject during the period under review.

Research Director:	To be determined.
Expected date of design:	To be determined.
Expected start of research:	To be determined.

Translations and reprints

The German Institute of Human Rights (Deutsches Institut für Menschenrechte), Berlin, translated into German the Council's report *Human Rights after September 11. Menschenrechte nach dem 11 September 2001* was published in January 2004.

The Summary of the Council report *Crime, Public Order and Human Rights* was translated into Ukrainian. A Russian translation is planned for 2004.

The Summary of the Council's report *Journalism, Media and the Challenge of Human Rights Reporting* was translated and published in Italian. The translation was featured in a book entitled *L'Inganno Quotidianno: I Media, l'Informazione e I Diritti Umani* published by the Commission on Human Rights and Culture in Genoa, Italy. The volume, which contains contributions by Amnesty International and Reporters sans Frontières, was launched on February 28, 2004.

Other activities

Institutional relationships

The Ethical Globalisation Initiative (EGI)

During 2002-03, the Council was one of three organisations – beside the Aspen Institute and the State of the World Forum – that helped Mary Robinson to establish the Ethical Globalisation Initiative when she stepped down as UN High Commissioner for Human Rights in September 2002.

Council staff attended five consultation meetings that Mary Robinson organised in the course of the year, to take advice and develop the project. The first took place at the Centre for the Study of Globalisation at Yale University in January 2003; several Council members assisted at this discussion, which was led by Ernesto Zedillo and Mary Robinson. The second was held at Aspen's Wye River Conference Centre, and brought together a variety of experts from different backgrounds to discuss trends in globalisation. The third was held in Pretoria, at the invitation of the University of Pretoria, and focused on sub-Saharan Africa and the issue of HIV-AIDS. The last two meetings, at the Aspen Conference Centre in Colorado, and the Rockefeller Conference Centre in Bellagio, focused on sharpening and finalising the programme focus and putting in place the alliances necessary to achieving EGI's goals in 2004.

The Council was a member of EGI's steering committee during 2003 and will continue to work with and support the initiative as a member of EGI's Board in 2004-2005. The Council will work particularly closely with EGI on the subject of migration, one of EGI's three principal themes in 2004-2005.

Global Governance Initiative (GGI)

In January 2003, the Council's Executive Director agreed to chair an expert group on human rights for the Global Governance Initiative, a new project sponsored by the World Economic Forum (WEF). Each year the Initiative will prepare a report assessing the efforts of international organisations, national governments, businesses and civil society organisations to implement the UN Millennium Declaration and the UN Millennium Development Goals. The human rights expert group is one of seven that report to a high level steering committee at the WEF's annual meeting in Davos, Switzerland.

The Initiative was piloted in 2003 and the inaugural report prepared at the end of 2003. Publicly previewed in January 2004, the full report was released in April 2004.

In 2003, the Council convened two meetings of the human rights expert group, in April and August. At these, it first defined a preliminary methodology and identified key issues, and then reviewed a draft of its report. Four issues were highlighted in 2003: torture; migration; labour rights and business responsibilities; and delivery of the rule of law. The following were Members

of the GGI expert group on human rights in 2003: Robert Archer, Executive Director, International Council; Rachel Brett, Human Rights Officer, the Quaker UN Office's human rights programme in Geneva; Aron Cramer, Vice President, Business for Social Responsibility, Paris; Marcia Kran, lawyer and human rights consultant, Chief Technical Adviser of UNDP's Democratic Governance Programme in Europe and the CIS, Bratislava; Janek Kuczkiewicz, Director, Department of Trade Union Rights, the ICFTU, Brussels; and Chidi Anselm Odinkalu, Senior Legal Adviser, Open Society Justice Initiative, Abuja.

Amnesty International

In September 2003, the Council jointly organised with Amnesty International a two-day reflection to discuss long-term trends in human rights.

In addition to Irene Khan, Amnesty's Secretary General, Martin Abregu (Ford Foundation), William Aceves (Amnesty USA), Robert Archer (International Council), David Bryer (Oxfam international), Stephen Hopgood (School of Oriental & African Studies, London), Hina Jilani (UN Special Representative on Human Rights Defenders, International Council), Rama Mani (independent consultant), Kumi Naidoo (Civicus), David Petrasek (Amnesty), Dimitrina Petrova (European Roma Rights Centre), Balakrishnan Rajagopal (Human Rights Centre, MIT), and Javier Zuniga (Amnesty) attended the meeting.

Amnesty has invited the Council to facilitate an independent policy reflection on trends in human rights, and in 2004 the Council will develop more detailed proposals for this ambitious piece of work.

Office of the High Commissioner for Human Rights (OHCHR)

The Council offers its support to the Office of the UN High Commissioner for Human Rights, although it is not part of the Council's mandate to engage formally with the UN's main human rights processes in Geneva. In 2003 the Council was granted Consultative Status at the UN. Staff attended or presented papers at a number of meetings organised during the year by the Office of the High Commissioner. They included meetings on democracy, on national human rights institutions, and on UN co-ordination of programmes in the Democratic Republic of the Congo. The Council also held its *Wilson's Cat* seminars at the Palais Wilson during 2003 by kind permission of the High Commissioner. The Council is currently exploring proposals to widen the range of contacts between the Office and the Council, by organising regular presentations of new reports, and wider distribution of Council reports through the OHCHR country offices for example. We welcome the opportunity to contribute to the Office's work in such ways.

Ford Foundation

In early 2004, the Council was pleased to facilitate a two-day meeting, organised by the Ford Foundation, at which an international group of human rights activists and economists discussed issues of common interest.

Academic links

The Council has begun to build informal links with human rights departments in a number of universities, including Yale and Pretoria, both of which organised graduate discussions during 2003 to assess and comment on draft Council reports. We hope gradually to institutionalise such links in the future, with the aim of improving Council drafts and reaching out more effectively to centres of human rights study.

Seventh Assembly of the International Council

The seventh annual assembly of Council Members took place at the *Perle du Lac* in Geneva on May 7-9, 2004. This was a Council of transition. Nine members of the original Council came to the end of their term and stood down. They include several who have been deeply involved in defining the Council's identity and direction from the very beginning: Thomas Hammarberg, who chaired the organisation from its inception; Hina Jilani, member of the Board since 1996; Theo van Boven, also a Member of the Board and responsible for identifying candidates for the first Council; Ayesha Imam, member of the Board since 1998; Virginia Leary, member of the Founding Board; and Margo Picken, who first imagined the Council together with Thomas Hammerberg and Philip Alston. Among those who were absent, warm mention was made of Stan Cohen, Daniel Ravindran and Bacre Waly Ndiaye.

At the same time, we welcomed the future. Seven new Members attended for the first time, Asma Jahangir took over as Chair of the Board, Walter Kälin became Vice-Chair and Treasurer, and Imrana Jalal and Ian Martin joined the Board.

To mark this transition and help prepare the next phase of the Council's development, the meeting focused on current and future trends in human rights. What priorities should human rights advocates set? What emerging issues should they prepare for? Hina Jilani and Mary Robinson respectively led discussion of these questions. In parallel, Members considered how the Council should develop its methodology and structure in light of the recent impact evaluation that the Ford Foundation and SIDA commissioned. On the final day, as usual, Council Members spent the morning discussing new themes for research. The ideas they put forward will be developed and then considered by the Board when it plans the Council's research programme in 2005-06.

The next Council meeting will take place at the beginning of May 2005, probably in Pakistan.

Wilson's Cat Seminars

During the year the Council continued its monthly informal seminar for diplomats, human rights NGOs, UN officials and researchers based in Geneva. *Wilson's Cat* has been held since 2000 at the Office of the High Commissioner for Human Rights. Speakers and topics during the period under review were:

2003

February   Dharam Ghai spoke on links between development policy and human rights, and the contribution human rights can make to effective development work.

March   Charlotte Bunch spoke on progress made in integrating women's rights within the human rights movement.

April   Rudolfo Stavenhagen spoke on the rights of indigenous people and his mandate.

May   Stephen Ellis spoke on the state's evolution in sub-Saharan Africa and how African states and societies manage violence.

June   Bertrand Ramcharan spoke on the challenges to international protection of human rights.

October   Dimitrina Petrova spoke about political trends in human rights and the future of human rights work.

November   Mary Robinson spoke on globalisation and human rights at a special "Cat" organised in association with the Department of Law at the University of Geneva.

2004

February   Jelena Pejic spoke on the relationships between international humanitarian law and human rights law.

March   Theo van Boven spoke on the evolution of the UN Human Rights Commisssion.

May   Klaus Leisinger spoke on business and human rights.

Donors' meeting

On March 15, 2004 the Council convened a roundtable with its donors in response to advice given by SIDA and the Netherlands Foreign Ministry, who separately suggested that a collective discussion might be useful both to the Council and its donors. Two additional reasons motivated the Council to take the initiative this year. The first was that three organisations made substantial new multi-year or multi-project grants to the Council in 2003: this raised the number of Council donors to a level that justified a collective meeting. Secondly, an evaluation of the Council's work became available in March 2004, providing substance for a forward-looking discussion of interest to all those who support the Council financially. Present were representatives from the Oak Foundation, the Ford Foundation, CAFOD, SIDA and the Netherlands Foreign Ministry. In addition to the Secretariat's staff, Charlotte Bunch was present to represent the Council's Executive Board. The Council plans to hold a similar meeting next year.

Evaluation

At the end of 2003, two of the Council's funders, the Swedish development agency SIDA and the Ford Foundation, commissioned an independent evaluation of the Council's work to assess the Council's influence and impact. The evaluators were Mr Kim Forss and Mr Aubrey McCutcheon. Drawing on nearly one hundred interviews in countries in Europe, Africa and Asia, they found that the Council is considered to produce work of high quality and has had a discernible influence. At the same time, they concluded that the Council could be much more effective if it reached a wider audience and put more resources into dissemination. The evaluation was submitted to the Council's Board in March 2004 and was discussed at the seventh assembly of Council members. To increase outreach while maintaining and improving the quality of the Council's work must be the organisation's overall goals in 2004-2005.

Finance

Audit

The principal accounting policies adopted by the Council are in accordance with and comply with International Accounting Standards. The Council's accounts were audited in 2003 by an independent auditor, Marc Bétemps, in accordance with Swiss requirements, and were approved by the Executive Board in March 2004.

The Council's total expenditure in 2003 was CHF 1'274'485. Total income was CHF 1'542'237. Consequently the Council reported a surplus of CHF 267'751, part of which covered last year's shortfall of CHF 173'718. The balance (CHF 94'033) was carried forward.

Income:

Donations provided the bulk of income (CHF 1'472'482). During 2003, the Council received grants from:

Ford Foundation	CHF 564'041 (USD 452,500) – core grant
SIDA (Sweden)	CHF 171'500 (SEK 1,000,000) – core grant
Ministry of Foreign Affairs Netherlands	CHF 320'000 (EUR 200'000) – core grant
Ministry of Foreign Affairs Finland	CHF 124'760 (EUR 80'000) – project grants
Swiss Federal Government (SDC)	CHF 154'000 – project grants
DFID (UK)	CHF 54'316 (GBP 24,500 part of GBP 40,000 grant) – project grant
Oak Foundation (Switzerland)	CHF 10'387 (USD 8'333) (Part of USD 50'000 grant for 2003-2004) – project grants
Christian Aid	CHF 22'170 (GBP 10,000) – core grant
Catholic Fund (UK)	CHF 11'119 (GBP 5'015) – core grant
Professor Walter Kälin	CHF 1'200 – core grant

The value of grants received increased, compared with 2002, by CHF 217'671. The Council's total income in 2003 rose by CHF 178'568 by comparison with 2002.

Income other than grants mainly consisted of gain on foreign exchange operations of CHF 27'363, bank interest of CHF 671 and sales of publications of CHF 5'484.

Expenditure:

Projects absorbed 66.1 per cent of the Council's expenditure in 2003. Non-project expenses (33.9 per cent) include Governance costs of CHF 132'407 and general costs of the Secretariat (10.39 per cent and 23.51 per cent of expenditure respectively).

Project expenditure was CHF 842'472, against a budget of CHF 1'660'000. Governance expenses, budgeted at CHF 170'000, were CHF 132'407, representing 10.39% of total expenditure. Non-project staff costs, budgeted at CHF 200'000, were CHF 124'045 (9.73 per cent of total expenditure). The Council's operating expenses were CHF 157'431 (12.35 per cent). The Council's financial and legal expenses amounted to CHF 18'130 (1.42 per cent).

Expenditure on all major budget headings, including expenditure on projects, was below the budget approved for 2003. The Council's expenditure as a whole (CHF 1'274'485) was well within the approved budget.

Members of the Executive Board

Thomas Hammarberg	Chair
Hina Jilani	Vice-Chair
Theo van Boven	Treasurer
Charlotte Bunch	
Stefanie Grant	
Ayesha Imam	
Asma Jahangir	
Walter Kälin	

Ms Asma Jahangir and Ms Stefanie Grant agreed to join the Board. Ms Asma Jahangir became Chair of the International Council in May 2004.

Staff of the Secretariat in 2003

Robert Archer	Executive Director
Mohammad-Mahmoud Ould Mohamedou	Research Director
Monette Zard*	Research Director
Anouchiravan Rousta	Finance and Administration Director
Fairouz El Tom	Research and Publications Officer
Corinne Baustert	Information Assistant
Scott Jerbi	Co-ordinator, The Ethical Globalisation Initiative

* From September 2003

During the year, the Secretariat employed five staff in addition to the Executive Director. Ms Monette Zard was appointed to replace Mr David Petrasek who left the International Council in December 2002 to become Senior Director of Policy and Evaluation at Amnesty International. In April 2004 Dr Mohammad Mahmoud Mohamedou left the Council to become Associate Director of the Harvard Program on Humanitarian Policy & Conflict Research, Boston. His successor is currently being recruited. 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 Globalisation Inititiative.

Membership of the International Council

Nine new Council Members were appointed during the year to prepare for the departure in 2004 of the first generation of Members, appointed in 1997. New Members began their term of service at the 2004 Meeting of Council Members.

Members of the International Council

In January 2004

Theo van Boven	United Nations Special Rapporteur on Torture; Professor of International Law, University of Maastricht. The Netherlands.
Charlotte Bunch	Director, Centre for Women's Global Leadership, Rutgers University, New Jersey. United States.
Stanley Cohen	Professor of Sociology, London School of Economics. United Kingdom.
David Fernández Dávalos	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 Organisation. Kenya.
Yash Ghai	Chair, Constitution of Kenya Review Commission; Sir Y K Pao Professor of Public Law, Hong Kong. Kenya.
Stefanie Grant	Lawyer. United Kingdom.
Thomas Hammarberg	General Secretary of the Olof Palme International Centre. Sweden.
Ayesha Imam	Chief, Gender, Culture and Human Rights Branch, UNFPA. Nigeria.
Asma Jahangir	Lawyer; Special Rapporteur on Extra Judicial, Summary or Arbitrary Executions. Director, AGHS Legal Aid Cell, Lahore. Pakistan.
Hina Jilani	United Nations Secretary General's Special Representative on Human Rights Defenders; Director, AGHS Legal Aid Cell, Lahore. Pakistan.
Walter Kälin	Professor of International Law, Institute of Public Law, University of Bern. Member, UN Human Rights Committee. Switzerland.
Virginia Leary	Former Alfred and Hanna Fromm Professor of Law, Hastings College of Law, University of California. United States.
Bacre Waly Ndiaye	Lawyer; Director, Office of the United Nations High Commissioner for Human Rights, New York. Senegal.
Dimitrina Petrova	Director, European Roma Rights Centre. Bulgaria.
Daniel Ravindran	Founder, Asian Forum for Human Rights and Development (Forum-Asia). India.
Chaiwat Satha-Anand	Professor of Political Science, Thammaset 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.
Dorothy Thomas	Consultant, Shaler-Adams Foundation and Ford Foundation, United States. United States.
Thun Saray	President, Cambodia Human Rights and Development Association. Cambodia.
Renate Weber	Co-President, Romanian Helsinki Committee. Romania.

Diversity Chart 2003

The Council seeks to be truly international and interdisciplinary. In 2003, the regional and professional backgrounds of those who collaborated with the Council were as follows:

	Secretariat	%	Council	%	Consultants	%	Total	%
Western Europe	3	43	4	18	19	22	26	23
Eastern Europe	0	0	2	9	2	2	4	4
North America	1	14	3	14	14	16	18	16
South America	0	0	1	5	29	34	30	26
Middle East & North Africa	3	43	3	14	0	0	6	5
Sub-Saharan Africa	0	0	5	23	11	13	16	14
Asia	0	0	4	18	7	8	11	10
Australasia	0	0	0	0	3	4	3	3
Total	7		22		85		114	
Women	3	43	9	41	33	39	45	39
Men	4	57	13	59	52	61	69	61
Total	7		22		85		114	
International organisations	2	29	4	18	8	9	14	12
Government	0	0	1	5	8	9	9	8
Judiciary / Law	0	0	1	5	2	2	3	3
Private business	2	29	0	0	0	0	2	2
University	1	14	7	32	23	27	31	27
NGO	2	29	5	23	31	36	38	33
Journalism	0	0	0	0	1	1	1	1
Self-employed consultant	0	0	3	14	10	12	13	11
Other	0	0	1	5	2	2	3	3
Total	7		22		85		114	

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.

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