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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

UN System of Protection of Fundamental Rights

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Introduction

The Charter of the United Nations, drafted in 1945 at the San Francisco Conference, makes a number of references to human rights and fundamental freedoms. For example, the preamble states:

We the peoples of the United Nations determined ...to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small

The Charter also makes reference to human rights when it speaks of

.... promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion. (Art. 1, para. 3)

However, in this and other references in the Charter of the United Nations, the content of human rights was not further defined. A “Declaration on the Essential Rights of Man”, was put forth at the San Francisco Conference, but was not examined because it required more consideration than time was available at this founding Conference of the United Nations.

The Economic and Social Council, one of the principal organs of the United Nations created by the Charter, established the Commission on Human Rights in 1946, as envisaged in Article 68 of the Charter. The Commission on Human Rights began work in 1947 on “an international bill of rights”. The drafting committee of the Commission on Human Rights decided to prepare two documents. The first would be in the form of a declaration, which would set out general principles or standards of human rights. The second document would be in the form of a convention, which would define specific rights and their limitations.

In 1948, the General Assembly adopted the first document, the Universal Declaration of Human Rights. The Declaration consists of a preamble and 30 articles. Article 1, which lays down the philosophy on which the Declaration is based, reads as follows:

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2, forbids “distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”, in the enjoyment of human rights and fundamental freedoms.

Article 3, the first cornerstone provision of the Declaration, proclaims the right to life, liberty and security of the person – rights that are essential to the enjoyment of all other rights. This article introduces articles 4 to 21, in which other civil and political rights are set out, including:

- freedom from slavery and servitude;
- freedom from torture and cruel, inhuman or degrading treatment or punishment;
- the right to recognition everywhere as a person before the law;
- the right to an effective judicial remedy;
- freedom from arbitrary arrest, detention or exile;
- the right to a fair trial and public hearing by an independent and impartial tribunal;
- the right to be presumed innocent until proved guilty;
- freedom from arbitrary interference with privacy, family, home or correspondence;
- freedom of movement and residence;
- the right of asylum;
- the right to a nationality;
- the right to marry and to found a family;
- the right to own property;
- freedom of thought, conscience and religion;
- freedom of opinion and expression;
- the right to peaceful assembly and association;
- the right to take part in the government of one's country; and
- the right to equal access to public service in one's country.

Article 22, the second cornerstone of the Declaration, introduces articles 23 to 27, in which economic, social and cultural rights are set out. Article 22 refers to economic, social and cultural rights as indispensable for human dignity and the free development of personality, although it also indicates that the realization of these rights may depend on the resources of each State. The economic, social and cultural rights recognized in articles 23 to 27 of the Declaration include the following:

- the right to social security;
- the right to work;
- the right to equal pay for equal work;
- the right to rest and leisure;
- the right to a standard of living adequate for health and well-being;
- the right to education; and
- the right to participate in the cultural life of the community.

On the same day of adoption of the Universal Declaration of Human Rights in 1948, the General Assembly requested the Commission on Human Rights to prepare the second document referred to above, namely a convention on human rights. Although the General

Assembly declared in 1950 that “the enjoyment of civic and political freedoms and of economic, social and cultural rights are interconnected and interdependent” (resolution 421(v), sect. E), the General Assembly later requested the Commission on Human Rights in 1952 to “draft two Covenants on Human Rights, ... one to contain civil and political rights and the other to contain economic, social and cultural rights” (resolution 543(VI), para. 1).

It was not until 1966 that the Third Committee of the General Assembly (the body of the General Assembly responsible for social and humanitarian affairs) concluded the article-by-article examination of the two covenants that had been forwarded to it by the Commission in 1955. In 1966 the General Assembly adopted the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (resolution 2200 A (XXI)). The first optional protocol of the International Covenant on Civil and Political Rights, which was adopted by the same resolution, provided for an individual complaints procedure for persons claiming to be victims of any of the rights set forth in the Covenant.

I. The principal international human rights instruments and their treaty bodies

A. General framework

As indicated above, the United Nations has made the establishment of human rights standards a key part of its work since its very beginning. Hence, the General Assembly has adopted, in addition to the covenants on civil and political rights and economic, social and cultural rights, international instruments on other subjects including racial discrimination, discrimination against women, torture and the rights of children.

It was also felt that in order to be effective, international instruments should also have specific mechanisms to monitor the implementation of those standards. Hence, each of the treaties cited above created a “treaty body”, composed of a committee of independent experts (ranging in number from 10 to 27 depending on the international instrument in question), who are to monitor the implementation of the human rights provisions contained in these treaties. Below are set out some of the major human rights treaties, their dates of entry into force (after their ratification or accession by a minimum number of States), and the name of the treaty body created:

The International Covenant on Civil and Political Rights (entry into force in 1976); created the “Human Rights Committee”¹

The International Covenant on Economic, Social and Cultural Rights (entry into force in 1976); created the “Committee on Economic, Social and Cultural Rights”

The International Convention on the Elimination of All Forms of Racial Discrimination (entry into force in 1969); created the “Committee on the Elimination of Racial Discrimination”²

The Convention on the Elimination of All Forms of Discrimination against Women (entered into force in 1981); created the “Committee on the Elimination of Discrimination Against Women”³

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (entered into force in 1987); created the “Committee against Torture”⁴

The Convention on the Rights of the Child (entered into force in 1990): created the “Committee on the Rights of the Child”⁵

When States ratify the above international treaties, they undertake to implement the provisions of these treaties at the national level. They also agree to submit regular reports to the treaty bodies on the specific measures they have taken to ensure the enjoyment of the rights provided for in the treaties. Reports of States to treaty bodies are examined by the treaty bodies, along with complementary information from a variety of sources, in the presence of a delegation from the reporting State. After the examination of the report, each treaty body adopts “concluding observations” in which it indicates its concerns with regard to implementation and makes specific recommendations to the State for future action.

Two of the treaty bodies, namely the Committee against Torture and the Committee on the Elimination of Discrimination against Women, may undertake confidential inquiries when they receive information indicating that systematic violations of human rights contained in the respective treaties are taking place in the territory of a State party.

B. Kyrgyzstan’s ratification status and submission of reports to treaty bodies

Kyrgyzstan has ratified all of the international instruments cited above and submitted its initial reports to all of the treaty bodies in question. The reports of Kyrgyzstan and the concluding observations are official documents of the United Nations and are available to the public. In addition, the concluding observations, which contain recommendations on further steps that could be taken to implement various human rights provisions, are all available in Russian.

Without being exhaustive, it is useful to briefly mention some of the key findings of these treaty bodies. It should be stated that in certain cases, the Government of Kyrgyzstan has already implemented these recommendations as some of them were made two to three years ago. In other cases, the various treaty bodies were addressing not necessarily the adequacy of domestic laws in Kyrgyzstan, but knowledge of them by public officials or their actual application in practice. It should be noted that all of the treaty bodies expressed satisfaction with the comprehensive and detailed nature of the reports submitted, and expressed their satisfaction with changes and positive developments. Hence, the recommendations indicated below provide only a partial picture of the dialogue between the Government of Kyrgyzstan and the various committees. With these qualifications, highlights of the findings of the various treaty bodies are indicated below.

1. Human Rights Committee

The Human Rights Committee, in its concluding observations of 20 July 2000 (CCPR/CO/69/KGZ), noted positively that individuals have, in principle, the right to petition the Constitutional Court in cases of alleged breaches of their rights protected by the Constitutions, as well as by the Covenant. It also positively noted the establishment of a Commission on Human Rights as an advisory body to the President, as well as the establishment of a Parliamentary Committee on Human Rights.

The Committee recommended that the general public should be better informed about the provisions of the Covenant. It also recommended that persons involved in the administration of justice, in particular judges, lawyers, prosecutors and prison personnel, should receive systematic training on the Covenant's provisions. It further recommended that complaints of torture and other abuses by officials should be investigated by independent bodies and that persons responsible for such conduct be prosecuted. The Committee also expressed concern about the number of persons held in pre-trial detention, and recommended that all detained persons on a criminal charge be brought promptly before a judge and have access to counsel and contact with their families. It also recommended that prison conditions be improved, and made reference to the need to alleviate overcrowding, and provide adequate food and medical care to detainees. The Committee also expressed concern about stereotyping and discrimination against women, and the phenomena of trafficking in women. It urged the State to take measures to improve the condition of women and vigorously enforce laws to protect the rights of women. The Committee also expressed concern about the lack of full independence of the judiciary and their uncertain tenure. It recommended that journalists and human rights activities be protected from harassment. Finally, the Committee expressed concern at restrictions on freedom of the press and assembly, and the incompatibility of certain restrictions with the provisions of the Covenant.

2. Committee on Economic, Social and Cultural Rights

In its concluding observations adopted on 29 August 2000 (E/C.12/1/Add.49), the Committee on Economic, Social and Cultural Rights recommended that the State take measures to ensure that employers do not interfere with workers' right to form trade unions. It also recommended that the State take measures to better protect the rights of women in employment; to better protect children from child labour; to ensure the right to education, in particular for girls; and to seek international and technical assistance to improve the enjoyment of economic, social and cultural rights in the country.

3. Committee against Torture

The Committee against Torture, in its concluding observations adopted on 18 November 1999 (A/55/44, paras. 70-75), recommended that the crime of torture be included within the penal law of Kyrgyzstan. It also recommended that the State continue its reforms in the police, prosecution and judicial institutions; that steps be taken to ensure the independence of the judiciary consistent with the 1985 Basic Principles on the Independence of the Judiciary and the 1990 Guidelines on the Role of Prosecutors. It also recommended that the State take measures to improve prison conditions, taking into account the 1955 Standard Minimum Rules for Treatment of Prisoners.

4. Committee on the Elimination of Discrimination against Women

The Committee on the Elimination of Discrimination against Women, in its concluding observations of 27 January 1999 (A/54/38, paras. 95-142), took note that a National Gender Policy Council had been created in the office of the President in July 1998. It further noted that this Council had been given responsibility for monitoring national implementation of international human rights treaties with particular reference to gender. The Committee expressed concern at stereotypes concerning the role of women, and recommended that the State introduce a range of measures, including public education and mass media campaigns, to counter such stereotypes. It also suggested that programmes for

the advancement of women be accompanied by mechanisms for the assessment of their implementation. In this regard, it suggested that the State ensure women's participation in decision-making bodies and employment in non-traditional areas. The Committee also expressed its concern with violence against women, and recommended that the State take preventive measures, as well as the expansion of the number of crisis centers available to women and the provision of necessary medical assistance to women victims of violence. The Committee expressed its concern at the increase in prostitution and trafficking among women. It recommended better implementation of the law providing for the arrest and punishment of traffickers, and also suggested that the State initiate efforts to provide job opportunities and training to vulnerable women. The Committee recommended that the gender dimension be included in the design of all programmes to reduce poverty. It further recommended that steps be taken to reduce maternal and infant mortality, and to take appropriate measures through family planning programmes to ensure that abortion is not viewed as a method of contraception.

5. Committee on the Elimination of Racial Discrimination

The Committee on the Elimination of Racial Discrimination, in its concluding observations of 23 August 1999 (A/54/18, paras. 439-453), expressed its concern about possible racial discrimination against inhabitants who are not ethnic Kyrgyz in the fields of employment and housing. The Committee also requested further information on measures taken to resolve the underlying problems that resulted in clashes between ethnic Kyrgyz and Uzbek inhabitants of Osh Oblasty.

6. Committee on the Rights of the Child

The Committee on the Rights of the Child, in its concluding observations of 2 June 2000 (CRC/C/15/Add.127), expressed its concern that children of vulnerable groups such as non-citizens, refugees, those living in institutions, those living in rural areas, and the poor were lagging behind in socio-economic development. It recommended that the State take appropriate measures to remedy this situation, and in particular suggested that the State target social services for the most vulnerable groups. The Committee also recommended that measures be taken to ensure timely registration of the birth of children, particularly in rural areas and by internal migrants. It also highlighted the need to register children of asylum seekers and refugees. The Committee noted that failure to have proper documentation, including birth certificates, could have negative effects on the full enjoyment of such children's rights.

The Committee recommended alternatives to placing abandoned children in institutions, including measures to increase foster care, family-type foster homes and other family-based alternative care. It indicated that the placement of children in institutions should only be a last resort. The Committee also recommended that mechanisms be established to facilitate, review and follow-up on foster care placements and adoptions. The Committee recommended that the State promote non-violent forms of discipline as an alternative to corporal punishment in the home and schools. Concerning children with disabilities, the Committee recommended that the State review existing policies and practice, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (GA resolution 48/96).

The Committee expressed its concern at the high rates of teenage pregnancies and the high rates of abortions among girls under 18. It noted that various factors, such as limited availability of contraceptives, poor reproductive health education and the requirement of parental consent had resulted in an increasing number of illegal abortions among girls. It recommended that the State review its adolescent health policies and practices with a view to providing better reproductive health programmes, including appropriate information and counseling. The Committee also expressed its concern that the negative economic situation had contributed to an increasing number of children dropping out of school and taking up work. It recommended that the State ensure that the minimum age for working was enforced against employers, and further recommended that special measures be taken to prevent children from working in the informal sector, which often exposed them to hazardous conditions.

Concerning child victims of sexual abuse and exploitation, the Committee recommended that rehabilitation programmes and shelters be established, and noted the need to have trained personnel to deal with such victims. Finally, the Committee expressed concern that at the administration of justice with regard to juvenile offenders, and recommended that the State bring its practices into full compliance with international standards in this area and further suggested that the State seek international assistance in this regard.

C. Individual complaint procedures before treaty bodies

Four treaty bodies have established procedures under which individuals who claim to be victims of a violation by a State party to an international instrument of any of the rights set out in the respective treaties may submit complaints for examination. Only complaints from persons within the jurisdiction of States that have formally accepted these procedures can be examined by the treaty bodies. Formal acceptance by a State comes, in two cases, in the form of ratification of separate treaties called Optional Protocols (the Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women). In two other cases, formal acceptance occurs when a State makes the specific declaration that is provided for in the treaty itself (International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment).

Certain criteria must be fulfilled before a complaint can be examined by a treaty body under these procedures. First, all domestic remedies must have been exhausted before the complaint is placed before the Committee, i.e. the matter should have been previously submitted for a decision to the courts of the State in question or otherwise to the competent authorities when there is no judicial avenue of redress. Second, the complaint must not be anonymous and should be submitted personally by the alleged victim or a duly authorized representative or another person who can justify his or her authority to act on behalf of the alleged victim. The complaint must be about a violation of a specific right provided for in the treaty under which it is submitted. Complaints cannot be considered if the same matter is being examined under another international procedure of investigation or settlement, such as a procedure before another United Nations treaty body or a regional procedure such as the European Court of Human Rights. Individual complaints to treaty bodies are referred to as "communications". If the matter is admissible, the treaty body considers the arguments on the substance of the issue by both the complainant and the State in question, and then issues a

formal decision and opinion. There is a high rate of compliance with the decisions of treaty bodies with regard to individual complaints.

Kyrgyzstan has ratified the optional protocol to the International Covenant on Civil and Political Rights and the optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women that permit individual complaints. It has not made the declarations that allow individual complaints under the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

II. The Commission on Human Rights and its special procedures

The Commission on Human Rights is the main body within the United Nations to promote and protect human rights. It is comprised of 53 States, which are elected by the member States of the Economic and Social Council. The Commission meets annually in Geneva for a six-week period in March and April, with more than 3,000 delegates participating from member and observer States, intergovernmental organizations, United Nations bodies and specialized agencies, national human rights institutions and non-governmental organizations.

During its regular annual session, the Commission acts through the adoption of around a hundred resolutions, decisions and Chairperson's statements in relation to the agenda it has adopted. The report of the Commission is forwarded to the Economic and Social Council, which normally endorses the resolutions and decisions taken by the Commission. The Third Committee of the General Assembly then considers action taken by the Commission and the Economic and Social Council, and normally adopts draft resolutions on the specific subjects that have been previously subject to examination by the Commission and the Economic and Social Council. If there are no programme and budget implications, the plenary of the General Assembly then considers the draft resolutions forwarded to it by the Third Committee.

As indicated previously, the Commission on Human Rights has an important role in the elaboration of human rights standards. New treaties, guidelines and declarations normally originate in the Commission. In addition to its standard setting functions, the Commission also has a number of special procedures. These include principally thematic mandates and country mandates. With respect to thematic mandates, the Commission appoints a person with the title of special rapporteur, special representative or one or more experts to gather information and report annually. Below are indicated the principal thematic issues that are currently the subject of a mandate of the Commission:

Adequate housing; arbitrary executions; the right to development; education; extreme poverty; the right to food; freedom of opinion; human rights defenders; the independence of judges and lawyers; internally displaced persons; mercenaries; migrants; racism; freedom of religion or belief; sale of children, child prostitution and pornography; structural adjustment policies and foreign debt; torture; toxic waste; violence against women; indigenous peoples.

Special rapporteurs or representatives or experts appointed by the Commission to gather

information and report back to the Commission frequently make visits to specific States. Kyrgyzstan was the subject of a visit by Ms. Hina Jilani, the Special Representative of the Secretary-General on human rights defenders in July-August 2001. In the report of the Special Representative to the Commission during its regular session in 2002 (E/CN.4/2002/106/Add.1), she recommended that restrictions imposed on freedom of expression should be reviewed and brought into conformity with Kyrgyzstan's obligations under the Covenant on Civil and Political Rights. She also recommended that a dialogue between the government and civil society should be initiated to build mutual trust and respect. She further recommended that the State investigate alleged violations committed against human rights defenders and bring the responsible persons to justice.

In 2002, six urgent appeals by holders of thematic mandates of the Commission were sent to the Government of Kyrgyzstan. These appeals included one from the Special Representative of the Secretary-General on Human Rights Defenders, three from the Special Rapporteur on Torture (one of which was jointly with the Working Group on Arbitrary Detention), one from the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, and one from the Special Rapporteur on Freedom of Opinion and Expression.

As indicated above, the Commission can appoint a number of experts or a working group on a specific thematic issue. For example, it has created a Working Group on Arbitrary Detention, a Working Group on Enforced or Involuntary Disappearances, and a Working Group on Situations, which deals with complaints from individuals or organizations which allege a pattern of serious human rights violations in a country. These working groups are also referred to as special procedures since they involve the evaluation of individual complaints. The proceedings of these working groups are usually confidential, although the decisions are normally made public.

In 1997, the Working Group on Arbitrary Detention considered a claim made against the Government of Kyrgyzstan. In its public opinion (Opinion No. 7/1997), the Working Group found that the situation in question was "not of an arbitrary nature in terms of the Group's method of work."

As indicated above, the Commission also appoints special rapporteurs, special representatives or one or more experts for country-specific situations where, in its judgment, the general human rights situation in a State merits close examination. In 2002, the following States were the subject of country-specific mandates of the Commission:

Afghanistan, Burundi, the Democratic Republic of the Congo, Equatorial Guinea, Iran, Myanmar, the Sudan, Bosnia and Herzegovina and the Federal Republic of Yugoslavia. The occupied Palestinian territories were also the subject of a specific mandate.

Kyrgyzstan has not been the subject of a country-specific mandate of the Commission.

III. Technical assistance and cooperation between OHCHR and the Government of Kyrgyzstan

The Commission on Human Rights regularly requests OHCHR to provide assistance to governments through its programme of advisory services and technical cooperation in the

field of human rights. At the national level, this is undertaken upon a request from a government. In such a case where there is a request, OHCHR conducts a needs assessment from a human rights perspective in a given country, in close cooperation with the government and with the broadest possible participation at the national level, including parliament, the courts and civil society.

On 4 March 2002, OHCHR received an invitation from the Minister of Foreign Affairs of Kyrgyzstan to conduct a Needs Assessment Mission in the country. The Mission took place from 15-19 April 2002. The Needs Assessment Mission should also be viewed in the framework of a larger OHCHR Central Asia Regional Needs Assessment approved by OHCHR in August 2001.

In preparation for the Needs Assessment Mission, OHCHR staff took into account the recommendations of the concluding observations of the six human rights treaty bodies, as well as information from other sources. In conducting the Needs Assessment Mission to Kyrgyzstan, numerous meetings took place with government officials, educators, judges, intergovernmental organizations, UN agencies, foundations, NGOs and others. The mission team closely took into account the National Programme for Human Rights for 2002-2010, adopted by the Decree of the President on 2 January 2002. This national programme on human rights lays emphasis on the following issues:

- The development of national legislation on human rights
- The improvement of the system and procedures for ensuring and protecting human rights
 - Judicial protection of human rights and delivery of legal aid
 - Non-judicial protection of human rights
 - Non-governmental human rights organizations
- Sections of the population which are in urgent need of protection of their rights
 - Displaced people and refugees
 - Military personnel
 - Children
 - Women
 - People detained by law
- Education and instruction on human rights

In the Needs Assessment Mission, the following areas were identified as areas for possible technical assistance programmes, after extensive interviews with a wide range of sources:

- Expertise and training on the incorporation of international human rights standards into national practice
- Human rights education and curriculum reform
- United Nations human rights treaty monitoring and reporting capacity development
- A wider dissemination of human rights material, books and publication
- The establishment of a regional representative, based in the region, for all of the countries of Central Asia, including Kyrgyzstan, who would be a high-level resource person for all, including the Government, NGOs, UN agencies, international organizations and others.

The establishment of a Project Advisory Committee in Kyrgyzstan that would be charged with assessing and advising on the implementation process of the programme and the various

activities. The Project Advisory Committee would be likely to include representatives of government, civil society, UN agencies and other organizations such as the OSCE. The purpose of the Project Advisory Committee would be to ensure the project is achieving its objectives, to promote coordination and to prevent duplication of other programmes already in place.

A regional project for Central Asia, including Kyrgyzstan, for four years has in principle been developed by OHCHR. However, the final modalities for the implementation of the part of the project relating to Kyrgyzstan have not yet been finally agreed upon between the Government of Kyrgyzstan and OHCHR. The project, as it stands now, takes into account the National Programme for Human Rights for 2002-2010, as well as the recommendations of the OHCHR Needs Assessment Mission in 2002. It is expected that once agreement is reached with the Government of Kyrgyzstan, implementation can begin.

IV. Conclusions

This paper has outlined the international human rights standards that are applicable to Kyrgyzstan, as well as the institutions and the mechanisms of the United Nations that facilitate their implementation at the national level. It has attempted to first define these standards and mechanisms in general terms and then indicate how they have been applied to specific situations in Kyrgyzstan.

It should be noted that the Secretary-General visited Kyrgyzstan for the first time last month from 21 to 22 October. During that visit, in which he met with President Askar Akayev, as well as leading members of Parliament, it was noted that Kyrgyzstan was seeking to democratize power structures throughout the country and to revive the country's reputation as a State committed to human rights and democracy. At a press conference after meeting with the President, the Secretary-General characterized United Nations-Kyrgyz relations as "excellent". (Press Release, SG/T/2349). During his visit, the Secretary-General also inaugurated the new United Nations House, a handsomely-renovated, three-story structure, which will provide a common workspace for all United Nations agencies with programmes in Kyrgyzstan.

Most treaty bodies in their concluding observations noted that Kyrgyzstan gained independence and United Nations membership in 1992, and continues to be in the midst of a large-scale economic and political transformation. This transformation also includes modifying its legislation and the implementation of that legislation so that it is compatible with international human rights standards. It also means installing a culture of human rights in the country. Such a culture of human rights implies a commitment to these rights not only by the Government of Kyrgyzstan, but also by a host of other actors including the courts, the parliament, the media, professional associations, academic institutions, community-based organizations, human rights groups and non-governmental organizations. This will involve a tremendous educational effort on the part of the Government of Kyrgyzstan and other actors, but it is an essential, long-term investment. A commitment to human rights acknowledges that the Government will be criticized, sometimes wrongly, from time to time. But it also implies a willingness by the Government to engage in dialogue, to be transparent in its actions, and to be committed to the well-being of all based on the principles of human dignity and equality.

¹ The Covenant has two optional protocols. The first optional protocol allows individual complaints to the Human Rights Committee for violations of the provisions of the Covenant. The second optional protocol aims to eliminate the death penalty.

² The Convention has an optional procedure that allows States to make a declaration pursuant to a provision of the Convention to allow individual complaints to the Committee on the Elimination of Racial Discrimination.

³ The Convention has an optional protocol that allows individual complaints to the Committee on the Elimination of Racial Discrimination for violations of the provisions of the Convention.

⁴ The Convention has an optional procedure that allows States to make a declaration pursuant to a provision of the Convention to allow individual complaints to the Committee.

⁵ The Convention has two optional protocols: one on the sale of children, child prostitution and child pornography, and one on the involvement of children in armed conflict.