

**Consolidated Report
of
Second Geneva Dialogue of East Asian Scholars and Experts with
Senior Officials of the United Nations and International Organizations**

**2-4 September 2019
Geneva, Switzerland**

**Day 1: Monday, 2 September
Opening Session with Ms. Tatiana Valovaya, Director-General
United Nations Office at Geneva**

The second Geneva Dialogue was opened with the participation of eight scholars each from China and Japan and two from the Republic of Korea and one from Mongolia. They were assisted by six students. Ms. ZHANG Yunfei, member of the Board of Directors of the UN Association of China indicated that the Chinese participants consisted of scholars from not only the Beijing but Shanghai areas. Professor Heung-Soon Park explained that Korean professors were unable to leave the country for they had to be in their universities during the first week of September in spite of their strong desire to participate in the Geneva Dialogue. Professor Sukehiro Hasegawa, Convener of the Geneva Dialogue, mentioned that a report will be compiled of the proceedings by Simon Panchaud, Maja Liechti and Elizabeth Gammara in English and by Takanori Hamauzu in Japanese. He encouraged the Chinese and Korean participants to translate the report into their languages. To facilitate the report drafting, the participants were asked to submit a very short summary of any comment the participants will make and submit it to the Secretariat. Two students, Aya Kanamori and Mayu Kaneda will take photos of the sessions. Anyone who do not wish to be shown in photos were asked to inform the Secretariat. Mr. Hasegawa also informed the participants that an evaluation of the event will be carried out at the end of the third day whether or not the Geneva Dialogue should be continued and if so how to plan and hold it keeping in mind the need for burden sharing. He finally mentioned that the Japanese and Korean Permanent Missions had kindly agreed to host lunch on the first and second day.

In her opening remarks, Director-General Tatiana Valovaya stated that it was her pleasure to open the Second Geneva Dialogue and to welcome scholars from the People's Republic of China, Japan, the Republic of Korea and Mongolia to the Palais des Nations. She expressed her appreciation of efforts made by Dr. Sukehiro Hasegawa, Director of the Tokyo Office of the Academic Council on the United Nations System and former Senior Official of the UN, as well as Ms. Zhang Yunfei, Board Member of the United Nations

Association of China, for bringing this group to Geneva.

She said that she was delighted to meet such brilliant minds from the Asian academic community. She underlined that she attaches great importance to collaboration with academia, emphasizing that universities and think tanks are vital partners for the United Nations, especially in advocating new ideas and values. Their research makes it possible for the international community to improve its response to the many crises we face today. In her career, she has dealt with issues of globalization through writing, researching. As a former academic, she has a lot in common with the scholars.

She then mentioned that she is especially proud of the library in the Palais des Nations, the biggest such library on multilateralism in the world. It is open to scholars and students. She noted that this year, the UN is celebrating the 100 years of multilateralism as the League of Nations was established in 1919. Since 1929, this building has been used by the League and then the UN. If the scholars have time, she encourages them to have a glimpse at the library. She mentioned also that a huge project of digitalization is going on now.



Tatiana Valovaya, Director-General, United Nations Office at Geneva

She went on to discuss the geopolitical uncertainty of the present time with lots of challenges. She evoked peace and security, human rights, development and of course climate change. She pointed out that the world might expect more refugees, more civil conflicts, more military conflicts due to access to resources and water. This year will focus on the climate change challenge, which remains an emergency. She also mentioned increasing injustice in our world. Indeed, the countries which are the least to blame for climate change, which have a more ecological-friendly way of life, find themselves at the forefront of the crisis, such as Pacific islands facing a rising level of ocean. Therefore, they need more solidarity and more justice. They also need a common response to the challenges they are facing.

She then emphasized certain mega trends following the fourth industrial revolution. Such trends can benefit the human kind, for instance with the internet access everywhere, but also produce further challenges. The rise of internet has contributed largely to the empowerment of individuals. Citizens have more access to information and request governments to be accountable, which represents definitely a benefit. There are more direct democratic rights, but it also represents a challenge. If governments should be more flexible in a way that is really supported by the individuals, it will create a huge issue for the institutional system. She stated that there is now a real necessity for a proper subsidiarity principle, for decisions should be taken at the most suited level. It means that sometimes the decision process should go to a higher level for global issues. For instance, they need to address climate change or conflict at the global level, not at the national one. However, decisions should often go to the lower level, which would mean empowerment of local and regional authorities. She noted in that regard the development of huge urban agglomerations, which questions the role of cities in the XXIst Century. Lots of decisions are already taken on the level of local authorities. By the year 2050, 75% of the world population will be living in cities. It matters to determine how to empower these levels of decision-making.

She then turned to the migration and refugee crisis, which takes place for many reasons such as conflicts and climate change. She drew attention to the resource gap between the huge potential for humanitarian assistance and the lack of efforts. For 2019, the UN launched a USD 24,9 billion global humanitarian appeal, but only 56% of the requested amount has been granted so far.

She also observed that at the same time, it must be said that humanity lives much better

than before. Millennials hold more chance to have access to healthcare, education, to live without war. It is important to be grateful for what the international community is doing. When speaking about these challenges, they need to think about solutions. For the UN, interacting with academia will provide them more ideas. She evoked then the 2030 Sustainable Development Agenda, which remains crucial for the UN. It is a framework that covers everything from health to decent labor, from partnership to education. The UN is working very hard to carry out this agenda.

She said that she would like to draw attention to scholars present for the first time in Geneva that the UN's presence here can not be reduced to the Palais des Nations as 40 institutions of the UN family are based in the city. They are responsible for health, migration, human rights and so forth. She underlined the role of Geneva as a hub for looking for solutions as the biggest venue for multilateral conferences. She reaffirmed the importance of interacting with scholars from all parts of the world as priorities vary depending on the region. It matters very much to see what the academic community sees as crucial, as highest priorities. Here in Geneva, they are not European-oriented but rather they interact with the whole world.

Ms. Zhang Yunfei, Board Member of the United Nations Association of China (UNA-China) thanked the Director-General for her precious time and informative presentations. She expressed her warmest congratulations to Ms. Valovaya for being the first woman to hold such a position. She also expressed her appreciations to colleagues both in UN Office in Geneva and ACUNS Tokyo Office for their great efforts to make this Dialogue possible.

She said that Geneva is the symbol of diversity, collaboration, inclusiveness and multilateralism as there are so many intergovernmental and 400 non-governmental organizations as well as permanent representative offices from UN Member States in Geneva. Over the past 74 years, as the most universal, representative and authoritative inter-governmental organization, the UN has played an irreplaceable role in safeguarding world peace, promoting common development and protecting human rights. Yet today, the world landscape is filled with uncertainties and destabilizing factors. Given the rising unilateralism and protectionism, the international community have expressed their concerns and anxiety over the unprecedented threats to multilateralism and the authority of the UN. Addressing global problems and challenges requires the joint efforts of the UN Member States and other multi-stakeholders. This dialogue provides a wonderful opportunity for scholars and UN practitioners from East Asia to exchange views, face-to-

face, with senior officials of the UN and other international organizations on such extensive issues as UN reform, peace and security, SDGs and human rights, etc., which are essential for enhancing the roles of the UN system. She expressed her confidence that multilateralism will replace unilateralism and that win-win cooperation will replace zero sum policies. Finally, she raised some questions related to international NGOs in Geneva, especially about the regular mechanisms for them to interact with the UN in Geneva.

The Director-General answered that gender parity is a crucial agenda for the UN. They expect to reach gender parity by 2025. Here in Geneva, they have reached practically 46% of females among the staff. Males are sometimes afraid about their career prospects, but women should not be promoted because of their gender but rather because they are professional. It is important to have parity at all levels of the organization. Speaking about NGOs in Geneva, whose number reaches more than 400, they need to register through ECOSOC for taking part in the UN debates about humanitarian aid, human rights, gender, social organizations. The majority of NGOs are registered in western-based countries, but many of them have become global in nature. The UN Office at Geneva welcomes organizations from all regions as they are looking from the point of multilateralism. She pointed out that if they are NGOs interested in participating in the work of International Geneva, they need to register through ECOSOC. The collaboration functions as a direct dialogue. The UN meets with them on different platforms. Indeed, the Palais des Nations hosts quite a number of events organized by NGOs, even while the renovation is going on. Together with Permanent Missions, NGOs can set up cultural events. Last week, she opened her first cultural event organized by the Permanent Mission of Brazil to the UN in Geneva.



Professor Sukehiro Hasegawa, Tatiana Valovaya, Director-General, United Nations Office at Geneva, Ms. ZHANG Yunfei, Board Member, UN Association of China, and ZHANG Guihong, Professor and Director, Center for UN Studies, Fudan University, Vice President & Secretary-General, Shanghai UN Research Association



Professor Yasuhiro UEKI of Sophia University, and Former United Nations Spokesperson

Professor Ueki asked the Director-General about the ongoing reform efforts by Secretary-General Antonio Guterres and how they were impacting the UN Office at Geneva and other field offices. He mentioned that he used to work with the UN Country Teams in Pakistan and Zimbabwe. The UN faces major challenges at various levels, political, economic and human rights. As the Director-General said, the SDGs, which is known as the 2030 Agenda, represents a major framework of action for the international community. There is a very keen interest in the implementation of the SDGs by governments as well as by academics and civil society. In his university and in many others, professors teach SDGs and students are providing a lot of thoughts on how to get involved, how to sustain peace, and how to promote sustainable development. The challenges are enormous. The UN is working to find ways of measuring and evaluating progress on the SDGs.

The Director-General stated that she fully supports the UN reform as a process to make the organization more flexible, to allow much quicker response. She observed that the world of internet is very speedy today. Therefore, they are expected to act immediately, which does not allow enough time for discussing. The Secretary-General is committed to make the UN more responsive and more flexible. For instance, the reform provides for a delegation of authority to regional offices. She noted that the reforms are taking place during a period of huge financial constraints. They are trying to perform more with less resources and to be more effective. For the UN in Geneva, their work consists of two parts: a service provider for many institutions in Geneva with the organization of over 12 000 conferences, which is very difficult to manage, but they are doing it; the substantive work. During her appointment, the Secretary-General expects more substance from the Geneva Office on SDGs or other major issues.

Dr. Hasegawa asked about the success of women empowerment in Russia and its reasons.

The Director-General explained that women empowerment has taken place since the time of the Soviet Union. For professional categories such as doctors, teachers, civil servants, the representation of women sometimes reaches 70 to 75%, but for the top positions, women remain a minority. In the Russian Government, there are very few women. At any level of authority, women are in a minority position, but the situation is changing. In her own professional experience, she was the only woman to be sent abroad on her own to serve in Brussels. Normally, women would accompany their husbands. It is now very important to start with the young generation. She noted that it remains difficult to change the system from the top. For that, political will is required. The Secretary-General asked

to look for professional women. At lower levels, it is just necessary to provide non-discriminatory procedures. Last year, she was still working for the Eurasian Economic Union, whose commission was established in 2012. It was composed of 9 ministers nominated by Member States, among which she stood as the only woman. Once the commission had been set up, they opened a procedure to recruit about 1000 staff and they found very satisfying results: from experts to top level directors, they were about 50-50 gender representation without any political incentive, just an open competition. She said that her would be to focus on the political will at the top level, to encourage to a make a choice for women if the candidates are equal. At the level of young people, it is not necessity. There simply needs to have a lack of discrimination and the result will be parity.

Professor Heung-Soon Park, Professor Emeritus, UN Studies, Sun Moon University, Seoul, and Vice President, UN Association of Korea, asked about the current challenges of UN Geneva, about the partnerships with other international organizations and about the role of East Asian Scholars in multilateral affairs (a part of the question is missing).

The Director-General answered that they need to be efficient during the process of renovation, which must be done without any negative effect. They will be relocating people and providing facilities at the same time. They have another challenge both internal and external: they need to explain more and be more transparent about their work. She faced the same situation in the Eurasian Economic Union for 8 years. They needed to tell the citizens what they were doing. At the European Commission, lots of work is done with the UN on sustainable development. There are also very good relations with the Commission of Asia-Pacific. She was aware of what the UN was doing, and she knows now even more. Before, there was no multilateral system. Big countries had more voice. Organizations like EU or ASEAN provide one interlocutor, not multiple, which makes it much easier to talk. In her view, the trend for regional economic integration will lead to real globalization and real multilateralism.

Dr. Hasegawa said that he was most grateful for her very comprehensive presentation today and opened the floor for a few extra questions.

Colonel Bat-Erdene Bakhtuu of the Armed Forces of Mongolia commented on the gender issue in the military, which remains a complex issue. In Mongolia, they are trying to raise the number of women serving in the military.

Professor Zhang Guihong, Professor and Director, Center for UN Studies, Fudan University, noted that most Member States of the United Nations including China and Russia choose multilateralism as the main approach to address global challenges, but a few others, the United States and the United Kingdom for example, prefer unilateralism and promotion of their national interests as priority. He then asked a question how the Director-General predicts the different roles China and the U.S. will play in international relations.

The Director-General replied that it is a very interesting situation. The UN expects a lot from China. She and her colleagues welcome China's involvement in the multilateral system. They hope that China is doing so not for itself, not to take the place of the US, but to participate in multilateralism. Otherwise, that road will lead to nowhere. Among global powers, there has always been a fight between the previous hegemon and the rising one. Currently, the US is fighting for a position that it is losing. For the UN, the rise of China should coincide with a new road to multilateralism. Speaking about the Eurasian Economic Union, she explained it was built on the basis of the European Union with lots of inspiration from, but also some differences. For instance, the Eurasian Economic Union does not have any political dimension. It remains solely economic. All Member States have equal power in terms of decision-making. In the EU, major powers such as Germany and France have a stronger voice than the smaller ones. For the Eurasian Economic Union, it could not work in a political way because of the size of Russia, but as an economic organization, everyone is equal. Armenia, with 3 million people, has an equal number of ministers to Russia. She said that this way allows to build a real multilateralism. As for gender equality, she noted that they do not expect a gender parity on the battlefield, but on the level of decision-making. As a conclusion, she pointed out the recent disarmament process. Currently, all Senior UN Officials in the field of disarmament are ladies: the Executive Secretary, Ms. Nakamitsu, the High Representative; the head of the Office of Disarmament, the head of UNIDIR. The men created this situation with armament. Now, it is the turn of the women to deal with disarmament.

Session 2: Video Message by Under-Secretary-General Atul Khare and Presentation about UN Competencies by Michael Emery

US Khare first noted the three streams of reform SG Guterres had embarked upon two years ago to improve UN development, peace and security and management systems were closely linked and together would contribute to enhancing the mandate implementation

and functioning of the organization as a whole.

The new management paradigm aimed at decentralizing decision-making, simplify internal policies and procedures and strengthen accountability. More than 200 Heads of entities across the Secretariat have received the delegation of authority and reported improvements in programme delivery. Accountability mechanisms and a new online tool has been put in place to track, delegate and withdraw delegations of authority transparently.

The Secretary-General has also established two new Departments – the Department of Management Strategy, Policy and Compliance (DMPSC), and the Department of Operational Support (DOS) on 1 January 2019.



Atul Khare, Under-Secretary-General for Operational Support

The Department of Operational Support (DOS) which USG Khare heads has started a wide range of simplification and improvement initiatives in improving recruitment and procurement processes.

1. On recruitment, DOS has held extensive consultations with hiring managers and recruiters and distilled three quick win changes that will help reduce the timeline

and support hiring managers in better and faster recruiting the candidates they need. These changes are currently being implemented in our IT systems, and training and new guidance is being rolled out.

2. On procurement, a new, fully updated procurement manual is about to be issued to help enhance the process and decrease overall timelines. The process for requesting and approving local procurement authority across the Secretariat is being streamlined to reduce the time for approval to 10 calendar days.

Beyond that, more than 30 different initiatives are being implemented in his Department to enhance management and administrative processes and services. USG Khare then identified the following steps he had started.

1. A single entry-point for all support and reimbursement matters for military and police contingents has been established through the new Uniformed Capabilities Support Division. The new division also expedited the completion of Memorandum of Understanding (MOUs) for each military or police contingent deployed to peacekeeping; 14 new MOUs were already completed during the second quarter of 2019.
2. DOS has launched training designated officials in field locations on mass casualty incident management. 1 or 2 soldiers in each deployed platoon are being trained on basic medical assistance.
3. DOS founded a dedicated capacity to respond to critical and other special situations to better plan for coordinated operational support in emergencies and cases of rapidly shifting priorities in the field. Additionally, a Surge Capacity Pool has been launched to rapidly deploy existing staff in response to a critical situation.
4. DOS will roll out shortly a new process to check credentials of all medical personnel as well as a framework for quality standards in health-care services, complementing the current technical specifications.

USG Khare also mentioned that the Language Proficiency Exams, typically administered to 2,000+ candidates each year, had been shifted to an online platform to simplify the process, reduce printing, and expedite grading. He also said a wider internal benefits management framework has been rolled out to help track and oversee the initiatives to ensure that all reform benefits – qualitative and quantitative – would be captured and applied across the Secretariat.

He expressed his appreciation to East Asian scholars and practitioners for their interest in and support extended to the United Nations and its reform efforts. He encouraged the East Asian scholars to engage with their Governments to exchange views on the status of UN reforms and expressed his desire to receive any feedback and suggestions to further improve the UN development, peace and security and management systems.

Following Atul Khare, Mr. Michael Emery, Director of Human Resources, IOM spoke on the UN Reform and the new competencies required of United Nations staff including the significance of UN leadership in the 21st century, characteristics of UN leaders and the implementation of the UN leadership framework. Mr. Emery started off by asking participants the following question: “Where is the leadership heading in the UN? What type of leadership is required to push forward the Sustainable Development Goals (SDGs)?” He mentioned that in order to reach our goals and an ambitious agenda, we need to take action differently and think more critically about issues of climate change, population, peace and security; stressing that you cannot see these issues independently of one another but intertwined. Mr. Emery highlighted that the UN Charter principles including integrity and independence are the first elements that they look for in a person because as part of the UN, one needs to tell others not what they want to hear but what they need to hear.



Mr. Michael Emery, Director of Human Resources, IOM, and Professor Takaaki MIZUNO, Kanda University of International Studies

As a society, we do not have member state values but universal values. For instance, when discussing climate change, it is not a member state issue but a global one. Part of

leadership is looking at ways one can take preventive measures when it comes to environmental issues and maximizing ways to collaborate with other actors in the process because leaders cannot be mono dimensional. In fact, in the UN there needs to be greater transparency and accountability. The UN needs adaptability and coalition building because the UN alone cannot address all major issues in the world. It needs compact and partnerships to increase while learning from its mistakes and successes.

Mr. Emery highlighted that as scholars, we need to be inclusive leaders to all stakeholders but also build diversity with a capital D. When we think of diversity in the United Nations, we sometimes talk about geographic diversity but there is diversity in other forms. The UN has country officers where the target are indigenous communities but at the table, sit the elites. Is this true representation? Mr. Emery goes on and mentions that the UN is looking for diversity of thought. In the UN, you have a diverse group of people that come out with the same way of thinking so when they are confronted with an issue, the solutions may not be innovative ones, but traditional ones. Therefore, leaders that can think differently, challenge the dominant discourse, while being accountable for their actions is key.

There are many elements of leadership - personal accountability and ones that embrace the multidisciplinary aspects of the UN. Therefore, we need to work on peace, security, human rights and the development elements as well. They cannot be dealt with isolation. Many actors suggest that development can be achieved without human rights, but Mr. Emery argues that this does not and must not exist. One can never forget a person's rights because they are central to ensuring we advance the 2030 agenda.

Mr. Emery proceeded with stating that the UN also wants leaders that are transformational. They are people who are excited to come to work and transmit this energy to others. In fact, the SDGs are a roadmap for the transformation that the UN needs. Additionally, leaders who are collaboratively. It is always very interesting to have countries who want to play ball collaboratively but are very protective of their mandate and funding. Therefore, we need to work on what real collaboration means for all stakeholders, and the UN system in general. He states, "there is no point in having the UN if we are not making an impact. Therefore, we need people that do not just have the technical expertise, but embrace the fact that other people can bring ideas to the table [so] we need people who talk the talk" He gave the example of former Director General in IOM who had a travel policy of never traveling in business class. This set the tone of the culture and mission of

the organization and was extremely useful for others to also learn from.

Looking at the SDGs in the context of a 10-year old girl who grew up in a developing country, what can we conclude? When SDGs finish, she will be 20 years old, not pregnant, or married, in school, and literate. In order to achieve this, you cannot only rely on one actor, you need multiple ones such as UNICEF, IOM, etc. This type of co-creation calls for a collaborative approach and a multidisciplinary one because change can make a difference.

Despite all this, where does academic come in? He states that in terms of common approaches, this is where the scholars can make a difference. If an employer wants a normal performance assessment, they do their job. However, if one wants to exceed expectations, they are the ones who take risks and innovate which means they are prepared to take an old issue and see how to tackle it from a different angle. They are the ones who may fail but still take the risk, reflect and become even better leaders. In order for this to happen, the UN needs a cultural change in international organizations and therefore, greater support for horizontal and parallel leadership. Therefore, how do you change culture towards a more UN leadership oriented one? Mr. Emery states that we need to achieve alignment and therefore, need leaders that can drive change and not just for the sake of change, but for a greater purpose.

Mr. Emery states, “we are currently calling for Chief of Missions, leaders in IOM Country Offices, in the next two weeks. I am looking for authenticity. I do not want people who are interested in the role just because of the status. An important quality is their humility because the biggest derailment factor within the UN is arrogance.” He referenced a UNDP Young Professionals programme (LEAD) where he compared candidates that had been measured against the competency of humility against those that did not have that measure. There was a big difference in the rank that the former had achieved in the UN as those that were more humble advanced more quickly in the ranks. During the interview process, Mr. Emery highlighted that he wanted people who were also inclusive and asked, “what is the name of your office or house cleaner?” A simple question can say so much about a human being. Therefore, humility, inclusiveness and empathy for the beneficiaries and for those being served is key. These are people who can relate and feel empathy for those that they are in-trusted to serve.

At the end of the day, what is it that distinguishes the people working in the UN from

others is courage. Mr. Emery states, “you need to be very courageous and talk about human rights. We need people who are courageous and committed to this field.”



Associate Professor Keiichi TANABE, Tokai University and Ms. TENG Chen, Program Officer, United Nations Association of China (UNA-China)

The comments following his words, came from the Japanese and Chinese participants asking his thoughts on whether he thinks his leadership framework takes into account non traditional models of leadership and critical thinking. Furthermore, whether there could be more representation of Chinese officers within the UN system. Mr. Emery stated that representation does not guarantee equality, it goes beyond that. He stated that every country feels like they would like more representation, but one needs to look at the real diversity as well. It is important to not get hung on number. While a Japanese or Chinese perspective would be rich in a group, would it be as helpful if everyone in the group were from the same background? Therefore, he stated that it is not about nationality but about the makeup of the teams.



Ambassador and Deputy Permanent Representative of Japan Ken OKANIWA and Minister Masashi NAKAGOM, Head of Political and Social Affairs Division

Following lunch reception, the participants and staff of UN and international organizations gathered together to have a group photo taken.



Participants from China, Japan, Republic of Korea and Mongolia, and Speakers of UN and International Organizations



Left: Ms. Kathryn Elizabeth HENNESSEY, Programme Management Officer, Mariia Sorokina and Simon Panchaud of the Political Affairs and Partnerships Section, Office of the Director-General, United Nations Office at Geneva

Right: Professor Heung Soon Park, Ms. ZHANG Yunfei and Professor Sukehiro Hasegawa

Session 3 Visit to WHO

Presentation by Ms. Agnes Soucat, Director, Health Systems Governance and Financing, and by Mr. Gaudenz Silberschmidt, Director, Health and Multilateral Partnerships

Ms. Agnes Soucat, Director, Health Systems Governance and Financing, WHO, opened her presentation by mentioning recent trends that show an increasing consumer demand for health products and services. Eventually, this trend makes it possible that larger government expenditures on health services and financial support to health-care companies have a positive impact on the GDP. Increased health-care spending could until recently only be associated with increased government expenditures that necessarily result in higher tax rates for the consumers. Therefore, this new relationship between health-care products as consumer goods and economic growth is welcomed by the WHO

as it opens up new opportunities for States to achieve WHO's objective of the attainment of the highest possible level of health for all people. Secondly, Mr. Gaudenz Silberschmidt, Director of the Health and Multilateral Partnerships Section, WHO, presented on the issue of health diplomacy, starting with its history. The first institutionalized health system was not, as often believed, created with the International Sanitary Conferences in France in 1851. In fact, agreements between States regarding quarantines began with the Health Council of Constantinople. This council was engaged in regulations regarding health and trade. Eventually, a link with the creation of the WHO can be made as well. Other early predecessors of the WHO can be found with the Egyptian board in Alexandria, the Ottoman Empire and eventually the sanitary conference in Paris.



Ms. Agnes Soucat, Director, Health Systems Governance and Financing,
Universal Health Coverage



Professor SHENG Hong-sheng, Shanghai University of Political Science and Law Director, OBOR Judicial Research Institute, the Supreme People's Court, China, Ex- United Nations Expert on Mission, MONUC, DR Congo



Mr. Gaudenz Silberschmidt, Director, Health and Multilateral Partnerships and Ms. YANG Yue, Deputy Director, Institute of Asian Studies, China Foreign Affairs University and Professor Sukehiro Hasegawa

Session 4: Visit to ILO

Presentation by Mr. Christophe Perrin, Director, Multilateral Cooperation Department, on the work of the ILO and its progress towards the achievement of the SDGs

The next session was held at the International Labor Organization. The session was opened by Mr. Christophe Perrin, the Director of the Multilateral Cooperation Department carrying the title “What is the issue of major concern to the ILO and the prospect for achieving the Sustainable Development Goal 8: Employment for Decent

Work?”. The ILO is one of the institutions that work in cooperation with the UN with the longest history as it began after the end of World War I. Mr. Perrin emphasized two key characteristics of the ILO: the system of tripartite and the unique system of representation of government organizations. The specificities of the ILO include three dimensions. The first one includes policy coherence for sustainable development that is being expected from the Member States. The second revolves around the idea of tripartite negotiations with the visualized agency of the UN, as well as including a decent work agenda that aligns with the SDGs. Labor issues are often policy issues as well, and therefore require contention of policy options that go into the same direction. Keeping policy coherence is therefore key. Mr. Perrin also mentioned how the ILO is also engaged in conflict prevention.

Tuesday 3 September

Session 5: Visit to WIPO

Presentation by Mr. Ken Natsume, Director, PCT International Cooperation Division



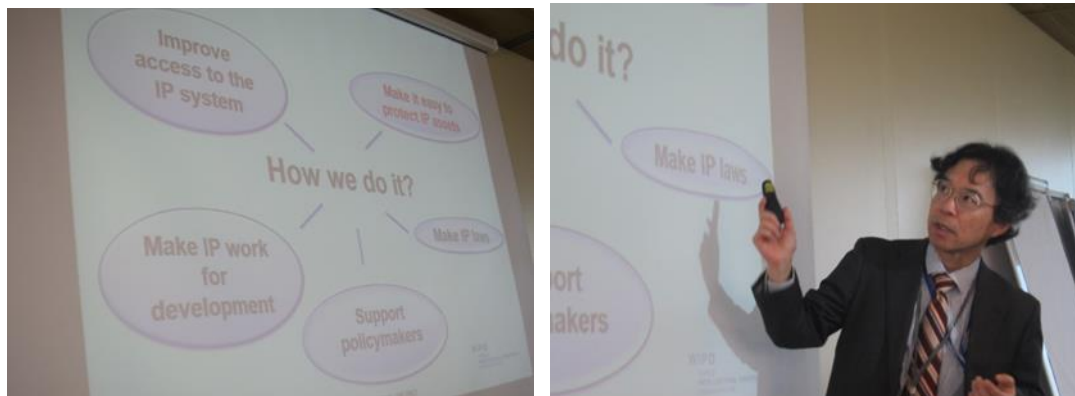
Mr. Natsume began his presentation by emphasizing that WIPO remains a little bit different than other International Organizations. They specialize in intellectual property, a field not very familiar to most people. They are nonetheless part of the UN family.

WIPO counts 192 Member States¹. In addition, a huge number of observers take an active role in the discussions but are not allowed to vote. About 1300 staff members work for WIPO. It administers 26 treaties. While several UN organizations have external offices in the field such as WHO, WIPO has been relatively centered in Geneva. Gradually, they have extended their offices abroad with branches in Brazil, Russia, China, Japan, Singapore and New York. The latest office are due to open in Algeria and Nigeria.



As for their work, they help governments, businesses and individuals to make intellectual property work for innovation and creativity. They consider them as stakeholders and not only governments. He then touched upon the 5 pillars of WIPO's work: make it easy to protect IP assets, make IP laws, support policymakers, make IP work for development, improve access to the IP system.

¹ As of presentation. It's 193 in December 2019.



Mr. Ken Natsume, Director, PCT International Cooperation Division, WIPO

The first pillar, the protection of intellectual property assets, concerns international systems and services. Nowadays, tons of technologies are involved and those inventing them wish to protect not only in their own country and but also in the global market. WIPO provides them with services to protect such technologies in the global market with the Patent Cooperation Treaty (PCT). It pursues such protection in 152 PCT Member States². The number of patent applications has been growing and at a higher rate than world economic growth. WIPO's global services does not only include technologies, but also brands and designs. For the business sector, it matters importantly to protect brands in global markets. WIPO has a global system to protect such brands, known as the Madrid System. Its number of applications is continuously increasing. Technically, one can seek protection for trademark in up to 106 Member States. For designs, the Hague System is applicable. It was sometimes a little bit down, but in the long run, design protection has also increased.

While WIPO provides such kind of international protection, obtaining a patent, a trademark or a design does not mean the end of the story. In case of a dispute, one needs to resort to a court and information is normally available to the public. Therefore, WIPO offers an alternative dispute settlement, namely outside the court. It is not only far less expensive and much faster. However, both parties should usually agree to proceed through such kind of dispute settlement. In a court, one side may not agree, but will be forced to participate if the procedure carries on. Here, both parties should agree to resort to the dispute settlement mechanism of WIPO. Ideally, the parties should make the agreement at the time of the signature of the contract. He then mentioned that WIPO also deals with

² As of presentation. It's 153 in December 2019.

cases regarding domain names.

In terms of sources of income, 95% comes from fee income of global services, meaning from patent, trademark, design and dispute settlement. The rest is paid by Member States. Therefore, they display a very different structure compared to most International Organizations. Therefore, they interact not only with Member States but with private sector who actually file applications.

He evoked the second pillar: international IP laws. It is not easy to agree on international conventions. With 192 Member States, the basic principle remains consensus. Legally speaking, they can induce a vote procedure, but in practice they do not resort to that extent except for very rare cases. In the patent field, they have a standing committee for discussing these issues. Regarding the mood among Member States, it is not yet about to reach some concrete international treaties. He then mentioned another standing committee regarding laws for trademarks, designs, geographical indications. For design, they seem to be closer compared to a couple of years ago, but the Member States have not yet come to conclusion on an agreement.

Copyright is another important area. Member States are currently discussing the protection of broadcasting organizations, especially in the digital era. He evoked the case of sport broadcasting, a huge business. In that field, one may have the exclusive right to broadcast, but he does not desire to have the broadcasting images stolen by someone else. It remains one of the hot issues in this area.

He then evoked the Marrakesh Treaty, as a success, which concerns blind and visually impaired persons. They encounter difficulties in reading books. Copyright should also apply to the process of preparing books for them. The issue remains to determine whether there should be a copyright specifically for these books or normal standards. The Member States agreed to reduce the bar of copyright for these. They are working on the private parties to facilitate the implementation of this treaty.

WIPO also attempts at protecting traditional knowledge or traditional cultural expression such as traditional dances, secret recipes or traditional medicine shared within a tribe as well as genetic resources.

Such kind of special knowledge can be shared among themselves, but sometimes big pharmaceutical companies capture this information and make money out of it. The

question remains to know who should enjoy such benefit. The company made an effort to produce the medicine, but the original knowledge comes from the tribe. They have a draft treaty, but Member States have not agreed yet on the issue.

He moved to the third pillar: supporting policy makers. WIPO publishes various reports that contribute for policymakers to form better strategies in their country. All of them are available online free of charge. For instance, they publish a Global Innovation Index.

The fourth pillar, making IP work for development, consists of legal advice and technical assistance. They have lots of collaboration with Member States, whether developed or least developed.

As for the fifth pillar, improving IP services, the access to information is. WIPO collects information to set up a database. They also develop systems for intellectual property offices so that offices can utilize such systems to do their administrative work. Therefore, the countries do not have to develop their own system from scratch, but they can use a system developed by WIPO and suitable for them. WIPO works with several public partners. In environmental technology, those holding such technology put it in on the databases (WIPO Green). Such technologies can then be usually used free of charge or at a preferably low licensing fee. Developing and least developed countries can draw ideas from the databases and talk to right holders to negotiate licensing with a privilege cost.

As a conclusion, he evoked the next meeting of the Assembly of the Member States, which will take place from 30 September to 9 October 2019. It will deal with issues including the composition of the Coordination Committee, the program, the budget, the new WIPO external offices and the design treaty law.



DONG Liang, Ph.D., China Foreign Affairs University

Dr. Liang Dong, Research Fellow, Institute of Asian Studies, China Foreign Affairs University, explained that he works on climate governance and international institutions. He expressed his gladness to join the session and his impress by the presentation of Mr. Natsume. He enunciated that he had three comments to make along with questions regarding technology transfer to developing countries and Intellectual Property protection in China. First, he said that as one of the specialized agencies of the UN, WIPO is critical in leading the protection of Intellectual Protection, creative work and technology transfer. For developing countries, WIPO has done a lot to facilitate the transfer of technology related to industrial property to less developed countries in order to accelerate economic, social and cultural development like the fulfillment of the SDGs. He has read that WIPO is doing some internal reforms so-called the WIPO development Agenda, as it has been a long time since Argentina and Brazil's Proposal in 2000s arguing for the transformation of WIPO from protecting the interests of rightsholders to one that has increasingly incorporated the interests of other stakeholders as well as integrating human rights, environment and economic cooperation. And this proposal was well supported by developing countries, he would like to know which reforms have been carried out by WIPO and which projects it is advocating for now. Second, as to his research field of climate change, within the Paris agreement, he commented on the technology development and transfer clause, which aims to strengthen the Technology Mechanism like technology research, development, demonstration and transfer in supporting the implementation of the Agreement. He asked whether WIPO is part of this arrangements. And since the climate summit is going to be held in New York at the end of this month, he added that he was wondering whether WIPO is getting involved and what are the new developments, innovations and progress since 2015. Third, on the China's side, there is

the National Intellectual Property Administration and it has done a lot in IP protection in the past decades since the join of WTO. He then shared some of his observations in this regard. First, China's Supreme People's Court announced that the number of IP-related cases heard by courts at all levels across the country had increased significantly in 2018 and with a high rate of settlement. Second, China has expressed its goal of becoming a global leader in artificial intelligence (AI) in the area of facial recognition technology. Since the technological advancement is there, China has to be more careful and determined to protect IP by putting high quality legal protection for intellectual property. Third, strengthening protections for IP rights in China is in their daily life. Now they have to pay all kinds of artistic and entertainment work, this is particularly true in their own experience comparing to the past.



Takaaki MIZUNO, Professor, Kanda University of International Relations, former Chief of Asahi Shimbun New York Bureau

Professor Mizuno remarked that WIPO is very technology-oriented. It is a necessity of the global market in the XXIst century. He asked where lies the fair balance between sharing knowledge and rewarding pioneers. WIPO creates new rules of the XXIst century. He found that the mechanism for settling these numerous disputes is very creative. Whenever scholars and practitioners talk about territorial disputes, they consider the ICJ or the Security Council, but here it is business-oriented. He reminded that for businesses, time is money. Therefore, they can settle their disputes easily without caring too much about the truth. They look for quick solutions rather than ultimate justice or fairness. In his view, this corresponds to the XXIst century's mindset. This kind of private perspective will be perhaps significant in international affairs. He then mentioned the major issues about the regulation of GAFA. He asked what is going on to regulate them based on free and fair processes.

Mr. Natsume replied that the issue of technology transfer is in discussion. Technology is often related to patent. It remains one of the key elements for developing and least developed countries in order to build their capacities. Even in the XXIst century, they have seen traditional confrontations among Member States. Developing countries are indeed pushing the issue of technology transfer on the agenda. However, Member States have not yet reached the stage to attain concrete and tangible measures to tackle those issues. For their part, developed countries do not favor the introduction of a new international regime for technology transfer. They have been discussing what could be a middle ground. In that regard, climate change remains a key issue and it is also related to the SDGs. One SDG (SDG 9) deals with innovation, another one with climate change. Through innovation to work better, WIPO wants to contribute to develop the economies of Member States. Here lies the linkage between their organization, climate change and SDGs. As for the balance between rewarding and sharing knowledge that Professor Mizuno evoked, it depends on decision by Member States and not that of WIPO Secretariat. If they could agree upon an environment in which they could share information freely, it could be an option. Some can enjoy monopoly for a certain period of time, then it reaches public domain. This is the current balance. The discussion is left for Member States. At the moment, WIPO does not hold explicit discussions about whether 20 years protection is appropriate or not.

Regarding the GAFA, he explained that WIPO is not here to regulate but to encourage or facilitate the development through innovation and creation. If the Member States consider that such kind of gigantic private entities do not contribute to such healthy development, they might want to talk about it in the field of regulatory aspects, to regulate some monopolization. However, the initiative depends upon the market and the Member States.



Hiromi FUJISHIGE, Associate Professor, Aoyama Gakuin University and Heung-Soon PARK, Professor Emeritus, Sun Moon University, Seoul and Vice President of UN Association of ROK

Professor Park asked about Mr. Natsume's perspective inside WIPO about AI. He also asked about the property right of indigenous people, mentioning the World Heritage System of the UNESCO. He asked whether there is any complimentary role.

Mr. Natsume replied that WIPO has a specific committee on enforcement. Once, there was a movement to create an international legal framework on enforcement, but it was not successful. WIPO is not pursuing now an international, but rather trying to develop a set of best practices. Member States share the information among themselves. They can learn from each other. This is the current stage for the discussion among Member States. As for indigenous people, WIPO has indeed contacts with UNESCO. The World Heritage is extremely well known, but in WIPO, Member States are discussing how to share the benefits, not how to register the cultural assets.



SHENG Hong-sheng, Professor, Shanghai University of Political Science and Law Director, OBOR Judicial Research Institute, the Supreme People's Court, China, and Mayumi, YAMADA, Assistant Professor, Ritsumeikan University, Kyoto, Japan

Professor Sheng explained that the issue of protection of intellectual property has been a focus in relations between China and other states. He pointed out that the situation in this regard has undergone a rapid and profound change. For instance, the protection of intellectual property by judicial means in China has been prominently embodied by the White Book of Protection of Intellectual Property by Chinese Courts. Based on this policy book, a series of progress in this aspect could be found. In the first place, the admitted and decided cases have enjoyed a great increase of over 40% compared to that in 2018. Secondly, a particular tribunal has been established by the Supreme People's Court of China. Thirdly, the process of verbal proceedings by Deputy Chief Justice of Supreme People's Court was televised to audience. Last but not the least, international cooperation between China and other States in the judicial field has been enhanced.

Mr. Natsume explained that WIPO has no right to go into criminal cases. Member States are free to exchange their practices in the context of enforcement. Along with Interpol, they have contacts with World Customs Organizations.

Regarding judicial issues, WIPO has created a special division judicial institute. They are currently looking at training or building capacity in the judicial field such as for judges.

Professor Yamada observed that the Draft Treaty on indigenous knowledge is there, but not yet agreed. She asked if there is any particular reason or interest to hinder to agree on this treat. She also asked for whom is the treaty, whom to protect and what Member States want from the treaty.

Mr. Natsume answered that there exists a draft treaty but with tons of brackets. Artificially, they have a draft treaty, but there is a gap regarding many issues including even definition of the subject matter.



Mr. Keiichi TANABE Associate Professor, Tokai University and ZHANG Guihong, Professor and Director, Center for UN Studies, Fudan University, Vice President & Secretary-General, Shanghai UN Research Association

Professor Tanabe asked about the composition of WIPO's funding resources, 95% of which is service fee income from business sector for WIPO's dispute resolutions services, and 5% of which are from contributions by member states. He asked about the trends of the composition of financial mobilization of WIPO over the last 20 years and about the updated discussions among Member States regarding WIPO's future business plan. He observed that business sector behavior can be easily affected by the world situation.

Mr. Natsume replied that patent, trademark and design dropped significantly in 2009 due to Leman Brothers' fall. Therefore, it can be affected by the world economic situation and it is difficult to predict what will happen in the coming years.

Professor Zhang asked how to ensure independence from funders.

Mr. Natsume explained that in intellectual property right is under the principle of territoriality. IP should be protected within each jurisdiction. WIPO does not protect anything in terms of patent, design, trademark. Instead, the protection is ensured by each Member State in its domestic law, which ought to be in line with WIPO treaties if applicable.



Yasuhiro UEKI, Professor, Sophia University

Session 6:

Working Lunch hosted by the Ambassador of Korea

At a time where Koreans and Japanese delegates face high tensions in the WTO, the generous reception of the Japanese, Chinese and Mongolian scholars by the Korean Ambassador Jangkeun Lee at the Korean Mission reminds of the importance of dialogue as initiative for peace in spite of turbulent times.



Korean Ambassador Jangkeun Lee and Scholars from China, Japan, ROK and Mongolia

Mr. Lee, who has worked for the small arms survey and actively engaged in disarmament related issues, reminded the plenary of the transformative times we live in, where the rise of China increasingly affects various actors and their foreign policies. While the Republic of Korea has had permanent relations with China since the 1990s, being part of multilateral organizations and embracing multilateral policies is still relatively new to it in comparison to other Asian countries.



Ambassador Jangkeun(JK) Lee addressing the East Asian scholars

Two points were emphasized. First, that the idea of multilateralism is to some extent inseparable from the democratization process. Second, that the amount of PKO and ODA provisions reflect on a country's position as responsible member of the international community. Korea's modern history provides an example for the first point. Politicians who have spoken out for the formation of a parliament have won the general elections and formed the democratic government in 1987. Shortly after the UN has recognized the government, it became a member of the UN in the early 90s. After becoming a member, the ROK government began sending contributions to the UN for the first time not only in financial terms but also in terms of PKO personnel. During the time when ROK was represented as a non-permanent member in the Security Council, it has repeatedly stated its willingness to also increase the amount of ODA it provides to developing countries.

This connects the first and the second point. Eventually, the role of a country as a member of a responsible international community can to some extent be measured by the level of its contributions of PKO personnel and development aid provisions. China is another excellent example of how economic growth has translated into increased contributions to multilateral organizations.



Professor Sukehiro HASEGAWA with Professor Heung Soon PARK

After the presentation of the ambassador, Mr. Hasegawa commented that certainly there is a lot to learn from the Republic of Korea and its emphasis on ODA and PKO provisions. Second, he added that living in a transformative time period also requires the responsibility for taking action on reforms that more adequately address the challenges of the present and future. Therefore, he suggests that the Korean mission should also consider joining Japan in the World Federalist Movement as well as speaking out for the reform of the Security Council. As recent disputes are closely tied to trade issues, he suggests that the G20 should be given more legitimacy. However, he added that whatever shape future reforms may take, they should be based on a multicultural doctrine of peace. One that is not solely based on Western perceptions of justice and human rights, but that also incorporates Eastern notions of harmony and cooperation.

Mr. Zhang added that there is a need for cooperation to assure peace and stability in the future. In his opinion, the financial burden of humanitarian assistance should be divided and more development assistance should be provided to the DPRK when it halts its missile launches.

Session 7: Visit to ITU

Meeting with Mr. Houlin Zhao, Secretary-General, ITU and Mr. Yushi Torigoe Chief, SPM



Mr. Houlin Zhao, Secretary-General, ITU

The visit at the Korean Mission was followed by a meeting with the ITU Secretary-General Houlin Zhao and his senior officials. After a brief introduction of the ITU and its structure, many intriguing questions about the current conditions and challenges of the ITU were asked by the participants. The basic mission of the ITU includes the maintenance and extension of international cooperation in telecommunications, while also harmonizing the actions of member states and promoting cooperation between them and the private sector members. Eventually, the ITU has become an enabling platform that underpins a large number of human activities, ranging from international trade and commerce to public services, education and health. It is undeniable that telecommunication networks have become a vital part of trans-border delivery services, including banking, transportation etc., therefore greatly increasing ITU involvement in these sectors. A multi-faceted perspective is therefore crucial for such a wide variety of sectors. In terms of its members, the ITU has acquired its unique composition of many state- and private sector actors and academics over time. Furthermore, the ITU is also setting standards that facilitate the efficient use of equipment and systems on a global basis. Last but not least, the ITU provides technical and policy assistance to developing countries.



Mr. Yushi Torigoe Chief, SPM and Mr. Christopher Clark, Head of the Marketing and Partner Relations Division, ITU



Prof. Zhang Guihong, Moderator



Professor Heung Soon PARK and Ms. YANG Yue, Deputy Director, Institute of Asian Studies, China Foreign Affairs University

Session 8: Visit to WTO

Presentation by Ms. Maika Oshikawa, Director, Accessions Division

The World Trade Organization (WTO) session was led by Ms. Maika Oshikawa, Director of the Accessions Division and by Dr. June Lee, legal officer. They focused on the

accession to WTO, citing various cases and underlying the challenges encountered. They also discussed evolutions in the practice of WTO since 1995 and trade disputes.



Moderator: Mr. LUO Yuze, Ph.D., Deputy Director-general, Research Fellow Research Department of Foreign Economic Relations, Development Research Center of the State Council of the People's Republic of China, and Dr. Juneyoung LEE, Legal Officer, WTO



Keiichi TANABE Associate Professor, Tokai University and Dr. DONG Liang, Ph.D., Research Fellow, Institute of Asian Studies, China Foreign Affairs University



Professor Heung Soon Park



Ms. YANG Yue, Deputy Director, Institute of Asian Studies, China Foreign Affairs University and SHENG Hong-sheng, Professor, Shanghai University of Political Science and Law Director, OBOR Judicial Research Institute, the Supreme People's Court, China



Hiromi FUJISHIGE, Associate Professor, Aoyama Gakuin University

Session 9: UNCTAD (at WTO)

Presentation by Mr. Hamed El Kady, International Investment Policy Officer, Division of Investment and Enterprise

Mr. Hamed El-Kady lead this session, he introduced the work of UNCTAD and detailed the work of the organization on investment for development, with a special emphasize on the role of investment policies for achieving the SDGs. He discussed the criteria and parameters of qualitative investments that contribute to sustainable development objectives. He explained that this agency focuses on assisting developing countries and least developed countries to attract and benefit from investments. It emphasizes the importance of the quality of investments and differentiate between their various types (e.g. portfolio investments, investments in extractive industries, investments in sustainable development sectors etc.). He mentioned that investment policies today are different from the 1980s and 1990s, putting sustainable development at its core, and ensuring a balance between investment protection and the right of host countries to regulate in the public interest.

Mr. El-Kady noted how UNCTAD designed a framework for investment policies for sustainable development. The framework includes several dimensions: a set of overarching guiding principles for investment policymaking and more specific guidance for national and international investment policymaking.

He noted that the investment policy framework is designed primarily to assist countries attract and benefit from investments that have a positive effect on the local economy. The

framework offers policy options to strike the right balance between the interests of foreign investors (legal protection, legal stability and predictability), and the rights of the State to regulate investments and to obtain a direct benefit from them.

Mr. El-Kady then discussed investor-State disputes based on international treaties, highlighting that in some of the disputes, investors have sought compensation for measures taken by host countries for public policy concerns such as the protection of public health, environment and labor, or measures aimed directly at achieving the SDGs. Investment treaties should include refinements to the investor-State dispute settlement mechanisms to allow host states to implement such measures without the risk of being sued in international arbitration. Mr. El-Kady then highlighted UNCTAD's extensive work on the reform of existing old investment treaties and the investor-State dispute system, noting that UNCTAD is the ideal fora for the discussion of these matters in a transparent, holistic and inclusive manner.

Mr. El-Kady then mentioned that research and policy analysis represent one important part of the work of UNCTAD. He noted that the organization also plays the role of a forum where countries gather and discuss issues related to investment policies for development. UNCTAD emphasizes the importance of inclusive dialogue between developed, developing and least developed countries as well as private sector and civil society. Some heads of state and heads of government as well attend UNCTAD's World Investment Forum. UNCTAD thus tries to build consensus among countries on the need for a new generation of investment policies. Furthermore, he stated that the agency offers technical assistance and capacity building for countries on investment treaty formulations; and that so far UNCTAD has trained over 600 investment policy makers and negotiators. All their advices are aiming at finding the previously mentioned balance to maintain the interests of the State and those of the investors to protect their rights under international law.

Professor Ueki thanked Mr. El-Kady for his presentation. He recalled that there had been a time when the private sector was seen as exploiting developing countries, but that now the private sector is a key factor in their development. He then opened the floor for discussion.

Professor Luo stated that the presentation of Mr. El-Kady went right into the core of the issue. The key to promotion of investment for sustainable development is maintaining

balance of interests between the host countries and the home countries of investment, the interests between the companies and employees, the interests between enterprises and the community residents, and the job creation and corporate profits. It can be achieved through diversified means, such as signing investment agreements through negotiations, upgrading local capabilities through technical assistance, and designing business models to avoid risks and increase returns. All of the above are on the technical level. He noted that in the context of the great changes in the global governance system, the UN organizations can play a greater role. UNCTAD and the WTO, formerly GATT, have always been closely related, and the two have joined together to create another international trade institution, the International Trade Center (ITC). The United States Governments at present has threatened to withdraw from the WTO but did not threaten to abandon the permanent membership of the United Nations. It is very difficult for the WTO to solve its difficulties on its own. UNCTAD can play a greater role in WTO reform by taking advantage of the UN platform.

Professor Mizuno added to this question by asking how to strive for balance between States' interests and private companies' ones. Considering the nature of organizations, he asked if they are based on severity.

Professor Park ended the questions by adding that UNCTAD does not seem to be recognized enough in comparison to other UN bodies, and this is despite its crucial and significant role. Therefore, he asked what if they make any effort to push for more visibility in terms of the goals and the work of UNCTAD.

Mr. El-Kady acknowledged the importance of these questions and noted that UNCTAD's investment policy tools and guidance have been directly used by over 100 countries, some of which are developed, and that it has a leading role in inspiring the formulation of modern investment policies in all continents. In fact, last October; UNCTAD's World Investment Forum hosted in Geneva brought over 70 Ministries from developing and developed countries. They had 13 heads of states represented in this forum. He insisted that the main objective of UNCTAD is to assist developing countries better integrate in the world economy.

Wednesday, 4 September

Session 10: Visit to OHCHR (Palais Wilson)

Presentation by Mr. Rory Mungoven, Chief for Asia Pacific Section, and by Mr. Gianni Magazzeni, Chief of UPR Branch



Mr. Gianni Magazzeni, Chief of UPR Branch

Mr. Magazzeni started his presentation by explaining that in the field of human rights, the priorities had moved in recent years from setting up the normative framework at the international level to ensuring international mechanisms review implementation in law and practice at the national level. It means to have bodies checking how Member States, in their sovereign rights, translate the treaties into laws and practices conform with their obligations. Once ratification occurs, legal obligations commence for the State party. In the case of the Convention against Torture, if a State has not ratified the convention, it does not have a legal obligation to report to Committee against Torture. However, the United Nations has mandated a Special Rapporteur with universal competence to investigate if suspicions of violation come to her/his knowledge. He emphasized then the distinction between UN human rights treaty bodies that review the status of the legal obligations entered by those States that have ratified international human rights treaties, and UN special rapporteurs, who monitor the country or thematic mandate given to them by Member States in the Human Rights Council. In the case of torture, the Special

Rapporteur can investigate cases even in countries which have not ratified the Convention. These mechanisms were created in order to assist Member States to reduce gaps in implementation and better protect and promote human rights at country level. Special Rapporteurs depend on the cooperation of concerned Member States when it comes to implementation of their recommendations, and the fact that they are widely covered by the media enhances their ability to protect the rights of individuals.

He then mentioned that the international community decided during a major conference in Vienna in 1993 to set up a High Commissioner for human rights with a wide mandate encompassing promotion, protection, prevention, elimination of violations. Since the establishment of that position, they have witnessed the development of over 70 human rights field presences worldwide – including 12 regional offices which cover a wider number of countries.

As for the UPR mechanism, its main purpose consists in assisting Member States to ensure that their legal system and practice comply with their international human rights obligations and commitments. He noted that, so far, the UPR mechanism has 100% rate of participation by all 193 UN member States. They attend the Working Group sessions well prepared and with an average of 20 members of senior officials in their delegations. In terms of schedule, the UPR entered its third cycle in May 2017. 98 States have been already examined. Specifically, Japan, the Republic of Korea and the People's Republic of China have already gone through it, while Mongolia will do so in May 2020.

He stated that a review of 3,5 hours takes place every four and a half years in the UPR Working Group, involving a peer-review of government to government, whether an Observer or a Member of the Human Rights Council or of the UN. The UPR review are informed by documents prepared by OHCHR with the input of Treaty Bodies, Special Procedures Mandate Holders, regional human rights mechanisms, NHRI and civil society organizations. He emphasized the importance of the contribution and participation of actors at the international, national, regional and local levels for the success of the UPR. He also mentioned that there are procedures to respect, including deadlines for submissions. The UPR is not meant to address individual cases of human rights violations but the possible weaknesses of the national human rights protection system. Individual cases if emblematic can be raised by States to reinforce recommendations for changes in various sectors. On average, 100 States take the floor for providing an average of 2.3 recommendations to the State under Review. The UPR in the current third cycle confirms

the strong commitment by Member States and other stakeholders to the success of this mechanism and their focus on an implementation agenda of at least accepted UPR recommendations linked to the SDGs..

When a government indicates to all other Members of the UN that they will implement certain recommendations, this has to be taken very seriously and he stressed the importance for the UN system and OHCHR to support member states efforts at implementation. He then flagged that OHCHR can facilitate implementation activities through its various field presences. The High Commissioner also writes a letter to the Foreign Minister of the State once the UPR third cycle outcome is adopted in the Human Rights Council – providing advice on steps that could be undertaken by the State concerned over the next four and a half years and prior to the fourth cycle of the UPR.

In the recent report from the Human Rights Council, it can be noticed that there is really a strong link made between the efforts of the Secretary General on prevention and the goals of the Human Rights Council. Thus, these universal periodic reviews can be used as an entry point for engagement and action at country level so as to strengthen the national human rights protection system based on the recommendations received from other States and accepted by the State reviewed.



ZHANG Yunfei, Board Member, UN Association of China

As a discussant, Ms. Zhang Yunfei, Board Member of the United Nations Association of China (UNA-China), recalled the first session of the UN Human Rights Council, saying that the international community had a high expectation on the new body, especially on Universal Periodic Review (UPR) mechanism. She pointed out that over the past years, the human rights agency has made tremendous contributions to promoting human rights. Dialogue and collaboration on human rights between countries have been strengthened, and the awareness of human rights among the general public has been raised. However, the rise of populism, unilateralism and protectionism in recent years has led to isolationism, xenophobia, bigotry and racial discrimination, which are breeding grounds for conflicts and result in disruptions of global peace and security. Besides, the rise of gun-related violence, religious intolerance and racialism are serious violations of human rights. The human rights deficit is therefore yet serious.

She said that the General Assembly Resolution GA60/251, adopted in March 2006, creating the Human Rights Council to replace the Commission on Human Rights, emphasized that the work of the Council shall be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development, and that the Council shall eliminate double standards and politicization. She held the view that there are different forms of democracy and there is no one-size-fits-all standard for human rights. People with different economic, cultural and religious backgrounds may have different comprehension and priorities on human rights, and different countries have different roadmaps and paths towards the realization of human rights. The politicization of human rights and the practice of double standards have made the human rights issue more controversial and confrontational. Certain Western countries believe their own human rights standard is so high that they do not need to follow international human rights norms and the United States even withdrew from the UN Human Rights Council.

Ms. Zhang further stated that, regarding the human rights situation in East Asia, countries in this region share a lot of commonalities in culture and values, and at the same time, have different views and priorities on human rights. As a developing country with the largest population, China attaches more importance to the right to subsistence and development. In terms of SDGs, there are different preferences among the developed and developing countries, with the developing world focusing more on poverty reduction and economic growth while the developed countries on Goal 16. She suggested that

countries in this region promote human rights exchanges and cooperation by organizing regional human rights seminars on such issues as sports for human rights, emerging technologies and the future of human rights and etc.

Finally, Ms. Zhang expressed her concern about the unbalanced participation of NGOs in the Human Rights Council. She said that NGOs are regarded as indispensable partners of the UN Human Rights Council, but among NGOs which are actively involved in human rights field, the majority of them are from developed countries. NGOs from developing countries are insufficiently represented and their voices are inadequately heard due to fund shortage, language disadvantage and lack of human resources. Many NGOs from developed countries even have representative offices in Geneva. Therefore, unlike larger NGOs from developed countries that are well connected, have better funding and are ideally situated to lobby at UN premises and conferences, NGOs from developing countries have been marginalized. She made several recommendations to change the current situation. First, when cooperating with NGOs, the High Commissioner's Office for Human Rights should treat different NGO's voices and opinions in a fair and balanced manner. Instead of only listening to the voices of NGOs from developed countries or NGOs which can afford to have offices in Geneva, the Office should try to balance the participation of NGOs from both developed and developing countries. Second, the Office should conduct capacity building for NGOs from developing countries so that their voices can be equally heard and that the existing gap of representation of NGOs between developed and developing countries will be narrowed. Third, the Office should keep NGOs in consultative status with ECOSOC better informed of the latest development of the big events of the UN Human Rights Council, invite them to provide ideas and inputs from time to time in written form and take the advantage of internet, video-conferencing and other communication technologies to seek inputs from NGOs based at a distance from Geneva.

Mr. Hasegawa pointed out the need to disseminate the outcomes of Universal Periodic Reviews more widely within respective countries of East Asia. For this purpose, he suggested that senior staff of the OHCHR visit each country immediately after adoption of its UPR outcomes by the Human Rights Council and explain to the public the implications of UPR recommendations accepted and noted by the Government.

Ms. Jeon observed that Korea and Japan are more homogenous countries. In her view, refugees face more risk of discrimination there.



Sejeong JEON, Graduate Institute of International Studies, Geneva and
Elizabeth GAMARRA, Personal Assistant to ACUNS Tokyo Office Director

Mr. Magazzeni replied that the UPR is not yet well- known in East Asia, but this is also true for most countries worldwide. He noted that the OHCHR uses its official website for promoting UPR. The Human Rights Council is considered much more effective than the old Commission on Human Rights. When it comes to item 6, (UPR), it is a tool primarily to review the human rights situation in all countries and for constructive dialogue and cooperation. The UPR represents an opportunity to discuss any issue related to human rights. There are recommendations on all human rights issues as well as on IHL, health, labor, etc. In the end, it is the Member State reviewed that decides what it will accept or not from the recommendations received.

Mr. Mungoven stated in his introduction that he spent the last 3 years in Myanmar, running the country office for ILO. Looking at North-East Asia, he observed that only the Republic of Korea and Mongolia had national human rights institutions. However, there is no equivalent neither in Japan, nor in the People's Republic of China, and not in the Democratic People's Republic of Korea. The outreach of the OHCHR is limited in the region with the closest regional office located in Bangkok. These limitations reflect the diplomatic aspect and the resource deficit.

Against this backdrop the engagement with UPR and follow up to the recommendations presented good opportunities and entry points.



Mr. Mungoven, Chief for Asia and the Pacific, UNHCHR

Ms. Teng stated that she agrees that northeastern countries should step up human rights cooperation. At the same time in view of the complicated situation in the area, they should use caution when talking about setting up regional human rights mechanisms. Since sport has the miracle power to unite people and bring about peace, they may try to make some correlation between sports and human rights as a starting point in the endeavor. Since China's endorsement of the UN 2030 Agenda, the Chinese Government has been taking concrete steps to advance its implementation and setting great store by SDG5. Women's rights have been improved in many ways, including politically, economically, legally, educationally, etc. However, they still face many challenges, which she then specified.

First, the employment structure for women in China has been continuously improving, with women accounting for 43.1% of the total employed population nationwide. Women entrepreneurs account for about one fourth of the total number. It's worth noting that 55% of the entrepreneurs in the Internet field are women. Thanks to the development of the Internet and new technologies, the threshold for starting a business has been lowered. Nevertheless, a recent survey shows it is more difficult for women than men to get investment. That is why over many years, their firms remain small and face hardships to gain substantial development. They need to address all these issues and help them do better. Second, in today's society, women need to shoulder responsibilities and bear pressure both at work and at home. According to the Organization for Economic

Cooperation and Development, Chinese women work the longest hours both at work and at home every day, demonstrating they are indeed diligent on the one hand and they are bearing a huge pressure on the other. In China, these hard-working women are usually labeled as "nühanzi" (tough girl). Therefore, their physical and mental health will be affected and the cause of seeking gender equality will be dampened if women fail to enjoy sustainable development.



YANG Yue, Deputy Director, Institute of Asian Studies, China Foreign Affairs University and
TENG Chen, Program Officer, United Nations Association of China (UNA-China)



Mayumi, YAMADA, Assistant Professor, Ritsumeikan University, Kyoto

Professor Yamada noted that promoting human rights does not automatically lead to achieve gender equality. There are two reasons: as some scholars already pointed, one is that they need to realize exercising "Human Rights" itself need more gender perspectives as human rights cannot be automatic gender concepts, and that two, they need to consider gender "equity" more than "equality".

Mr. Mungoven and Mr. Magazzeni then echoed the importance of using the United Nations Human Rights Council and OHCHR website as a window to access information and reports. This platform provides everyone with documents tracking human rights country by country in all UN recognized languages. They stated that they are also going to be incorporating a 60 second snapshot of the UPR content so that there is this visual component as well. However, a central challenge in this initiative is access because even though the information is present, it is not being utilized to its full potential. Therefore, they called for more students, scholars among others to explore and navigate these platforms and spread information.

Part of their work is monitoring and providing recommendations. Mr. Magazzeni stressed that noting a recommendation does not necessarily means that it is not important, but not a priority for action at that specific time. Therefore, in this process multiple actors are important such as NGOs among other coordination mechanisms for the implementation of action. The session concluded that some of the best practices in this area are states that have incorporated the government among others while linking their plan to action to the SDGs more broadly.



Yasuhiro UEKI, Professor, Sophia University and former UN Spokesperson and
Rory Mungoven, Chief of Asia Pacific Section



DONG Liang, Ph.D., Research Fellow, Institute of Asian Studies, China Foreign Affairs
University and Hiromi FUJISHIGE, Associate Professor, Aoyama Gakuin University

Session 11: Geneva Peacebuilding Platform

Presentation about peacebuilding issues at Maison de la paix

The afternoon sessions took place at the Graduate Institute. The peacebuilding session was led by a panel of researchers from the Geneva Graduate Institute including the Director of the Peacebuilding Platform, Dr. Achim Wennmann; Prof. Keith Krause and Ms. Abigail Robinson. Dr. Wennmann detailed current trends in peacebuilding, while Professor Krause explained his current research on Chinese, Japanese and Russian approaches to peacebuilding. For her part, Ms. Robinson introduced the concept of Security Sector Governance, in which the Geneva Centre for the Democratic Control of Armed Forces (DCAF) has been playing a pioneering role. A fruitful discussion ensued with a particular focus on the situation in South Sudan and the challenges it has posed to the UN.



Achim Wennmann, Executive Coordinator, Geneva Peacebuilding Platform



Keith Krause, Professor, Graduate Institute and
Abby Robinson, DCAF – Geneva Centre for Security Sector Governance



Keiichi TANABE Associate Professor, Tokai University and
Colonel Bat-Erdene Batkhuu, the Armed Forces of Mongolia



Professor Keith Krause and Hiromi FUJISHIGE, Associate Professor, Aoyama Gakuin
University, SHENG Hong-sheng, Professor, Shanghai University of Political Science

Session 12: ACUNS/Future UN Development System
Presentation by Mr. Stephen Browne

In the last session, Mr. Stephen Browne described the roots of multilateralism in Europe in the XIXth century, which concentrated at first on technical norms and standards. He then turned to the complex development of the UN System. He enunciated possible solutions for enhancing the current system such as centralization of management and decentralization and empowerment for those sent to the field.



Mr. Stephen Browne, Director of The Future of the UN Development System (FUNDS)



Professor Heung-Soon PARK and Professor Yasuhiro UEKI,



“Thank you to Mr. Achim Wennmann for hosting the event at Maison de la paix.”



“Thank you Mayu Kaneda, Aya Kanamori and Takanori Hamauzu. Elizabeth Gamarra, Maja Liechti and Simon Panchaud for your assistance.”